

dox: Fear of disrupting the system keeps the system going!

Second: Prices of currencies would be fixed relative to the dollar and hence to one another. These firm relationships were the heart of the Bretton Woods system. If the prices of currencies bob up and down, so would prices of groceries and automobiles. Consumers wouldn't accept this. Businessmen wouldn't like it. Politicians couldn't survive the economic uncertainties such fluctuations would create.

Third: Though the parities, the prices of currencies were fixed, they were not immutable. If a country's competitive position changed for the worse, if it suffered a prolonged balance-of-payments deficit, the Bretton Woods articles proposed lowering the price of the currency. Conversely, if a country has a prolonged balance-of-payments surplus, an increase in the price of the currency was contemplated.

But such adjustments are a politician's nightmare.

The Government that devalues a currency confesses failure.

The government that raises the price of its currency can not expect hometown hurrahs. Revaluation hurts exporters. It is likely to cause some unemployment.

Some central bankers have concluded that they must find a way to manage politicians. In that way, maybe they will be able to manage money.

By manipulating changes in exchange rates, they hope to lead presidents and prime ministers and legislators into economic policies which will achieve the best mix among four hard-to-reconcile objectives:

1. Economic growth; 2. Price stability; 3. High employment; 4. Balance-of-payment equilibrium.

[From the Washington Star, Oct. 4, 1969]
SOUTH AFRICA PRESSING THE UNITED STATES
FOR COMPROMISE ON GOLD ISSUE

(By Lee M. Cohn)

South Africa is stepping up pressure on the United States to compromise on the role of gold in International Monetary Reserves. Negotiations between the two countries

here this week made little apparent progress, but Nicolaas Diederichs, South Africa's finance minister, told a news conference yesterday that there is "a greater willingness, a greater desire on the part of the Americans to come to some agreement."

U.S. officials concurred that they want to strike a bargain. They scoffed, however, at the idea that South African maneuvers have pushed the United States into a defensive position.

Gold talks took place privately during this week's joint meeting of the International Monetary Fund and the World Bank, which ended yesterday with formal approval for creation of a new kind of monetary reserves called Special Drawing Rights (SDRs).

South Africa abstained from the nearly unanimous vote for SDRs, which have been nicknamed paper gold.

The gold issue was sharpened when the United States and other leading countries last year established a two-price system, with monetary gold pegged at \$35 an ounce and the price of gold for industrial and artistic use allowed to fluctuate freely on the market.

A key part of the system is the understanding that almost all newly mined gold is to be sold on the markets not to central banks or the IMF to expand monetary reserves. By compelling sales on the market, the United States hopes to hold the market price down close to \$35.

Creation of SDRs supposedly will make purchases of real gold for reserves unnecessary. The importance of gold as a reserve would diminish gradually as SDRs accumulated.

But South Africa, the world's biggest producer of gold, is resisting and demanding the right to sell some of its gold to central banks and the IMF as a means of holding the market price up.

Diederichs reiterated that South Africa has sold gold to central banks despite the U.S. position that they should not buy.

Besides direct sales, Diederichs confirmed that South Africa has used IMF transactions to channel gold to central banks of some countries.

Members borrowing South African rands from the IMF, along with other currencies have converted the rands into gold on some

occasions. This process helps South Africa unload gold without the risk that additional supplies may depress the market price.

Britain and France reportedly have been among the countries acquiring gold in this manner. U.S. officials played down the size and significance of these transactions, maintaining that they do not imperil the two-price gold system, but they conceded that a clear agreement on South African gold sales would help overcome "suspicions" that the two-price system might be undermined.

Diederichs indicated he believes the ability of South Africa to sell gold to central banks strengthens his bargaining position.

"I see no reason why we cannot carry on in that way," he said.

Negotiations are expected to continue through correspondence and later perhaps in meetings between U.S. and South African officials.

Treasury Secretary David M. Kennedy told a news conference the United States wants to settle the issue but is determined to protect the two-price gold system.

On another question, Kennedy predicted that the next movement of interest rates will be downward but indicated he does not expect a sharp rate decline soon.

Pierre-Paul Schweitzer, the IMF's managing director, told a news conference the two-price system has proved to be workable, and added that South Africa has had no problem in disposing of its gold.

Gold will remain "for quite a while the basic stander of the monetary system," he said.

Schweitzer indicated he has no objection to conversion of rands borrowed from the IMF into gold.

On the forthcoming increase in IMF quotas, Schweitzer said the present \$21 billion total probably will be expanded by about \$7 billion or \$8 billion.

He said he is confident that West Germany will resume supporting the mark within 1 percent of a fixed par value as soon as possible, after temporarily letting the rate float freely in the markets.

Germany's action letting the rate float may take some of the steam out of proposals for making the currency system more flexible, he said.

SENATE—Monday, November 10, 1969

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

The Reverend Dr. Frank A. Tobey, chaplain, major general, U.S. Army, retired, former Chief of Chaplains, Arlington, Va., offered the following prayer:

O Lord God, eternal, almighty, Father of us all, we turn aside for just a moment in time to confess our need of Your leadership in finding suitable solutions for today's intricate problems.

Be the guardian of this Senate.

May Your divine purpose be the guiding spirit of this session. Grant us wisdom in the mending of every national flaw. Direct us in our legislating that we may secure the right of every citizen and unite us in purpose for the betterment of all mankind.

Enable our leaders to convince all others of our desire for peace. And, above all, may we remain a nation under God.

In the name of Him who is the giver of life and who holds the destiny of all nations in the hollow of His hand. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, November 7, 1969, be dispensed with.

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

WAIVER OF CALL OF THE CALENDAR

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

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the calendar, beginning with Calendar No. 515 and the succeeding measures in sequence.

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

1972 UNITED NATIONS CONFERENCE ON HUMAN ENVIRONMENT

The Senate proceeded to consider the resolution (S. Res. 179) expressing the sense of the Senate that the United States should actively participate in and offer to act as host to the 1972 United Nations Conference on Human Environment.

Mr. MANSFIELD. Mr. President, the distinguished Senator from Texas (Mr. YARBOROUGH) is absent today on official business. He is, however, vitally interested in Senate Resolution 179 and has prepared a statement for the Record. I ask unanimous consent that it be printed in the Record.

There being no objection, the state-

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

STATEMENT BY SENATOR YARBOROUGH

1972 UNITED NATIONS CONFERENCE ON THE HUMAN ENVIRONMENT DESERVES SUPPORT OF CONGRESS

I support S. Res. 179, a resolution expressing the sense of the Senate that the United States should actively participate in the 1972 United Nations Conference on the Human Environment.

I congratulate the Senator from Maine (Mr. MUSKIE) for his vision in sponsoring the resolution. It is important that the Congress actively support the Conference and take every possible step to insure not only that our Nation vigorously participates in the Conference, but also that we give it the high priority it deserves.

The resolution puts the Senate on record as calling for the United States to undertake such preparation as may be necessary to enable it to maximize its contribution to the U.N. Conference. This has the effect of calling upon the Executive Branch, which has the ultimate responsibility of planning for the Conference, to give the import to this Conference it must have.

I have introduced a related joint resolution, S.J. Res. 156, which would create an Interagency Commission with the specific duty of planning the Nation's participation in the U.N. Conference. The joint resolution I have introduced would also authorize sufficient moneys and contracting authority to provide the Commission with the kind of staff and resources it will need to do its job properly.

My joint resolution is now pending in the Committee on Foreign Relations. The dimensions of the worldwide environmental crisis suggest the urgent need for adoption of Senator Muskie's resolution at this time and of S.J. Res. 156, when it is reported to the floor for action.

If one has any doubt that man is locked in a deadly race for survival, I suggest that he attend a conference such as the New Priorities Congressional Conference on the Environment recently held in Washington, D.C. Over twenty-five prominent scientists, ecologists and those intimately acquainted with environmental problems participated in the Conference.

I was one of the co-sponsors of this extremely informative Conference, which was initiated by the Senator from Iowa (Mr. Hughes). One of the participants, Professor Walter Linn, noted that there is little disagreement among scientists that "the biosphere is in the process of decay." He states that "this fact is sufficient evidence that we must act—promptly, perhaps excessively, because of the real pressure that these effects may be irreversible and thus suicidal."

Mr. President, the U.N. Conference, which Senator Muskie's resolution endorses, provides the most hopeful vehicle for undertaking the kind of drastic action needed to cope with this terrible threat to man's life support system. I strongly urge the immediate adoption of the resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-522), explaining the purposes of the measure.

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

PURPOSE

The resolving clause of Senate Resolution 179 states the sense of the Senate that "the United States should actively support and participate in * * * [the 1972 United Nations Conference on Human Environment], and should undertake such preparation as may be necessary to enable the United States

so to participate and otherwise to maximize its contribution to such Conference and the activities thereof."

In line with a suggestion of the Department of State, the committee recommends that the title be changed so as to omit any reference to a U.S. offer to act as host inasmuch as a Swedish offer to this effect is expected to be accepted.

BACKGROUND

On December 3, 1968, the United Nations General Assembly adopted, without objection, a resolution to convene in 1972 a United Nations Conference on Human Environment. The resolution was sponsored by Sweden and joined in by the United States and 49 other nations. The General Assembly resolution and the statements of the principal United States and Swedish delegates in support of it were placed in the Congressional Record by Senator Muskie on April 3 when Senate Resolution 179 was introduced. On July 28, the committee received the following letter from Senators Javits and Cooper who have become cosponsors:

"U.S. SENATE,

COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C., July 28, 1969.

"Hon. J. WILLIAM FULBRIGHT,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

"DEAR MR. CHAIRMAN: The Secretary General of the United Nations, Mr. U Thant, recently issued the enclosed report on problems confronting human environment. As you may know, the report was prepared as a planning document for the United Nations Conference on Environment that will be held in 1972, as authorized by the General Assembly last December.

"In April, Senator Muskie introduced Senate Resolution 179 (in which we have joined), a resolution to express the sense of the Senate that the United States should actively support and participate in the United Nations Conference, and should undertake such preparation as may be necessary to enable the United States to participate and contribute to such Conference. The resolution has been referred to the Committee on Foreign Relations. If the United States is to participate in this Conference in a manner corresponding to its expertise and competence in the area of environmental quality, a responsibility this country has to the less developed nations of the world, preparations must begin as soon as possible.

"We recognize that the committee has been very active this year, particularly with issues that center around a concern over the ordering of this Nation's priorities. We suggest that among our highest priorities is the effort to reverse the trend of environmental ugliness and degradation that is challenging not only the quality of life in this country but, indeed of all the nations of the world. Consequently, we think it especially appropriate that the Committee on Foreign Relations consider Senate Resolution 179 and the U.N. Conference and, therefore, respectfully request that early hearings before the committee be scheduled.

"Sincerely yours,

"JOHN SHERMAN COOPER,
JACOB K. JAVITS."

The resolution was agreed to, as follows:

S. RES. 179

A resolution expressing the sense of the Senate that the United States should actively participate in and offer to act as host to the 1972 United Nations Conference on Human Environment

Whereas air and water pollution, erosion, and other forms of soil deterioration, waste, noise, and the secondary effects of biocides greatly endanger the quality of the human environment;

Whereas the problems of human environment respect no international boundaries and are cause for the concern of all people; Whereas the world's increasing population and accelerating urbanization continually enlarge the dimensions of the problems concerning human environment;

Whereas the United States, as the world's most highly industrialized and developed nation, suffers most acutely from problems affecting the human environment, has taken initial steps to deal with them, and bears a special responsibility to exercise world leadership in developing methods of preserving environmental quality;

Whereas the world community, and the developing countries in particular, can benefit from a sharing among the various nations of the experience and knowledge acquired about environmental problems and their solutions;

Whereas intensified action and cooperation among nations is clearly necessary to preserve and protect mankind against dangers to his environment;

Whereas the Twenty-third Session of the General Assembly of the United Nations, on December 6, 1968, in recognition of the urgent need for international cooperation in solving the problems of human environment, adopted Resolution 2398 (XXIII) which provides for the convening in 1972 of a United Nations Conference on Human Environment: Now, therefore, be it

Resolved, That it is the sense of the Senate that the United States should actively support and participate in such Conference, and should undertake such preparation as may be necessary to enable the United States so to participate and otherwise to maximize its contribution to such Conference and the activities thereof.

The preamble was agreed to.

The title was amended, so as to read: "Expressing the sense of the Senate that the United States should actively participate in the 1972 United Nations Conference on Human Environment."

THE 1976 OLYMPIC GAMES

The Senate proceeded to consider the joint resolution (S.J. Res. 131) to welcome to the United States all Olympic athletes and authorized Olympic delegations, and for other purposes, which had been reported from the Committee on Foreign Relations with amendments, on page 2, line 5, after the word "world", insert "authorized by the International Olympic Committee"; and on page 3, line 2, after the word "and", insert "authorized"; so as to make the joint resolution read:

S.J. RES. 131

Whereas the city of Los Angeles has been duly authorized to seek the Summer Olympic Games of 1976; and

Whereas, the city of Denver has been duly authorized to seek the Winter Olympic Games of 1976; and

Whereas these games will afford an opportunity of bringing together young men and women representing more than seventy nations, of many races, creeds, and stations in life and possessing various habits and customs, all bound by the universal appeal of friendly athletic competition, governed by rules of sportsmanship and dedicated to the principle that the important thing is for each and every participant to do his very best to win in a manner that will reflect credit upon himself or herself, and the country represented; and

Whereas the people of the world in these trying times require above all else occasions for friendship and understanding, and among

the most telling things which influence people of other countries are the acts of individuals and not those of governments; and

Whereas experiences afforded by the Olympic games make a unique contribution to common understanding and mutual respect among all peoples; and

Whereas previous Olympic games have proved that competitors and spectators alike have been imbued with ideals of friendship, chivalry, and comradeship and impressed with the fact that accomplishment is reward in itself; and

Whereas this nation wishes to express its desire that all men and women on Olympic delegations from every country throughout the world are welcome to the United States of America for these Olympic games; and

Whereas this Nation wishes to make the arrivals and departures of all concerned as convenient and expeditious as possible: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, the President of the United States is authorized and requested to issue a proclamation welcoming all Olympic delegations from throughout the world authorized by the International Olympic Committee and asking them to come and actively participate in the 1976 Olympic games, if they are to be held in the cities of Los Angeles and Denver, and to pledge to all nations and authorized Olympic delegations that the United States will provide appropriate entry procedures assuring convenient arrivals and departures.

The amendments were agreed to.

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

The preamble was agreed to.

The title was amended, so as to read: "To welcome to the United States Olympic delegations authorized by the International Olympic Committee."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-523), explaining the purposes of the measure.

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

PURPOSE

As proposed to be amended, S.J. Res. 131 will authorize and request the President to issue a proclamation welcoming all Olympic delegations authorized by the International Olympic Committee to come and actively participate in the 1976 Olympic games, if they are to be held in the cities of Los Angeles and Denver. It also pledges to all nations and authorized Olympic delegations that the United States will provide appropriate entry procedures assuring convenient arrivals and departures.

BACKGROUND

The last principal games held in the United States were at Los Angeles in 1932. Since resumption of the games after World War II, the U.S. Olympic Committee has issued regular periodic invitations to the International Committee to have a U.S. site selected for the principal games and/or the winter games preceding them. The Congress has endorsed by resolution all of these efforts, namely Detroit and Lake Placid for 1956, Detroit and Squaw Valley for 1960, Detroit for 1964, Detroit and Lake Placid for 1968 and Salt Lake City for 1972. All but the invitation to hold the winter games at Squaw Valley in 1960 were rejected. Discussions for a site for the 1976 Olympic games is now beginning and this coincides with the American Bicentennial Celebration as is pointed out in the sponsors letter which follows:

"U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., September 29, 1969.

"Hon. J. W. FULBRIGHT,
Chairman, Foreign Relations Committee, U.S. Senate, New Senate Office Building,
Washington, D.C.

"DEAR MR. CHAIRMAN: On July 7, 1969, the four of us introduced Senate Joint Resolution 131, which authorizes and requests the President to issue a proclamation of welcome to all Olympic delegations throughout the world asking them to participate in the 1976 Olympic games, if the games are held in Los Angeles and Denver, and to pledge that the United States will provide appropriate entry procedures assuring convenient arrivals and departures.

"The International Olympic Committee will be meeting in Dubrovnik, Yugoslavia, in October to discuss, among other matters, the question of site selection of the 1976 Olympic games, and the final decision on site selection will be made at the IOC's Amsterdam, Holland, meeting in May of 1970. Both Los Angeles and Denver have set up organizing committees to 'sell' each city and its unique and special attractions as the best sites for the summer and winter games in 1976. Because 1976 is the American bicentennial, it would be particularly appropriate to have the Olympic games held here in the United States.

"In order to assist both Denver and Los Angeles in presenting their case to the International Olympic Committee, we would at this time like to urge you to schedule hearings as early as possible on Senate Joint Resolution 131, so that these cities, as well as the U.S. Olympic Committee, will be able to point to this joint resolution and the subsequent Presidential proclamation and pledge as additional evidence of the United States intentions to make these many Olympic delegations welcome and to make their entry into this country as convenient as possible.

"With best regards,

"Sincerely yours,

"GORDON ALLOTT,
GEORGE MURPHY,
PETER H. DOMINICK,
ALAN CRANSTON."

PAID ADVERTISING UNDER APPLE MARKETING ORDERS

The Senate proceeded to consider the bill (S. 1456) to amend sections 2(3) and 8c(6) (I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for paid advertising, which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:

That the proviso at the end of section 8c(6) (I) of the Agricultural Adjustment Act as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation is amended by striking out "or avocados" and inserting in lieu thereof "avocados or apples".

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-524), explaining the purposes of the measure.

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

This bill, with the committee amendments, would extend to apples those provisions of the marketing order law which now authorize paid advertising to be provided for in marketing orders for cherries, carrots, citrus fruits, onions, Tokay grapes, fresh pears, dates, plums, nectarines, celery, sweet corn, limes, olives, pecans, and avocados.

The policy of Congress has generally been to extend this authority to any commodity for which such action is generally supported. The committee has received no objections to its extension to apples. The bill, with the committee amendments, is identical in effect to section 805 (b) of S. 3590, as passed by the Senate on July 20, 1968.

The committee amendments strike out a provision for above-parity regulation and correct the citation of the act being amended.

The Department of Agriculture was asked on March 11 for a report on the bill, but has not yet reported.

The title was amended so as to read: "An Act to amend section 8c(6) (I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, so as to permit marketing orders applicable to apples to provide for paid advertising."

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

The bill (H.R. 14030) to amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-525), explaining the purposes of the measure.

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

This bill would extend to the 1970 crop the existing authority of the Secretary of Agriculture to permit transfer of peanut acreage allotments within a county where that will not impair the effective operation of the peanut marketing quota or price-support program.

The report of the Department of Agriculture stating that it has no objection to a 1-year extension, and that its enactment will not require additional funds, is attached.

"DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, August 14, 1969.

"Hon. W. R. POAGE,
Chairman, Committee on Agriculture,
House of Representatives.

"DEAR MR. CHAIRMAN: This is in reply to your request of March 21, for a report on H.R. 9246, a bill to amend section 358a of the Agricultural Adjustment Act of 1938, as amended, to make permanent the authority to transfer peanut allotments by sale, lease, or by owner.

"We do not favor the bill as proposed since it would make the transfer authority permanent. However, we would favor a bill to provide a 1-year extension through the 1970 crop year. This would make the transfer authority expire for peanuts the same year as for upland cotton.

"A 1-year extension would give us an opportunity to evaluate the overall effectiveness and desirability of the transfer authority for all allotment crops. We anticipate that our recommendation on the allotment transfer issue will be made a part of the

Department's overall farm program for consideration by the Congress.

"Enactment of a bill to provide a 1-year extension would not require additional funds.

"The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

"Sincerely yours,

"J. PHIL CAMPBELL,
"Acting Secretary."

ENDANGERED FISH AND WILDLIFE

The Senate proceeded to consider the bill (H.R. 11363) to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes, which had been reported from the Committee on Commerce, with amendments, on page 2, line 1, after the word "any", strike out "part or products or egg" and insert "part, products, egg, or offspring thereof, or the dead body or parts"; in line 10, after the word "whoever", strike out "imports, in violation of sections 2 through 5 of this Act," and insert "imports"; at the beginning of line 14, strike out "such sections," and insert "section 3 of this Act,"; on page 3, line 6, after the word "commercial", insert "or sporting"; in line 7, after the word "or", where it appears the third time, strike out "manmade" and insert "man-made"; on page 4, line 23, after the word "violates", strike out "the provisions" and insert "any provision"; in line 24, after the word "of", strike out "sections 2 and 3" and insert "section 2 or 3"; in line 25, after the word "thereunder," insert "or any regulation issued under subsection (d) of this section, other than a violation the penalty for which is prescribed by subsection (b) of this section"; in line 5, after the word "person" strike out "shall be" and insert "is"; in line 6, after the word "hearing", strike out "on such charge", and insert "with respect to such violation."; in line 10, after the word "this", strike out "section" and insert "paragraph"; in line 15, after the word "action.", insert:

In hearing such action, the court shall have authority to review the violation and the assessment of the civil penalty de novo.

(2) Any employee authorized pursuant to subsection (c) of this section to enforce the provisions of sections 2 and 3 of this Act, and any regulations or permits issued pursuant thereto or pursuant to subsection (d) of this section, shall have authority, in addition to any other authority provided by law relating to search and seizure, to execute any warrant to search for and seize any fish or wildlife or property or items taken, used, or possessed in connection with any violation of any such section, regulation, or permit with respect to which a civil penalty may be assessed pursuant to paragraph (1) of this subsection. Such fish, wildlife, property, or item so seized shall be held by any employee authorized by the Secretary or the Secretary of the Treasury pending disposition of proceedings by the Secretary involving the assessment of a civil penalty pursuant to paragraph (1) of this subsection; except that the Secretary may, in lieu of holding such fish, wildlife, property, or item, permit such person to post a bond or other surety satisfactory to the Secretary. Upon the assessment of a civil penalty pursuant to paragraph (1) of this subsection for any nonwillful viola-

tion of any such section, regulation, or permit, such fish, wildlife, property, or item so seized may be proceeded against in any court of competent jurisdiction and forfeited to the Secretary for disposition by him in such manner as he deems appropriate. The owner or consignee of any such fish, wildlife, property, or item so seized shall, as soon as practicable following such seizure, be notified of that fact in accordance with regulations established by the Secretary or the Secretary of the Treasury. Whenever any fish or wildlife or property or item is seized pursuant to this subsection, the Secretary shall move to dispose of the civil penalty proceedings pursuant to paragraph (1) of this subsection as expeditiously as possible. If, with respect to any such fish, wildlife, property, or item so seized no action is commenced in any court of competent jurisdiction to obtain the forfeiture of such fish, wildlife, property, or item within thirty days following the disposition of proceedings involving the assessment of a civil penalty, such fish, wildlife, property, or item shall be immediately returned to the owner or the consignee in accordance with regulations promulgated by the Secretary.

On page 7, line 8, after the word "violates", strike out "the provisions" and insert "any provision"; in line 9, after the word "of" strike out "sections 2 and 3" and insert "section 2 or 3"; in line 10, after the word "thereunder", insert "or any regulation issued under subsection (d) of this section"; after line 13, insert:

(c) The provisions of sections 2 and 3 of this Act and any regulations or permits issued thereto or pursuant to subsection (d) of this section shall be enforced by either the Secretary or the Secretary of the Treasury, or both such Secretaries. Either Secretary may utilize, by agreement, the personnel, services and facilities of any other Federal agency or any State agency. Any employee of the Department of the Interior or the Department of the Treasury authorized by the Secretary or the Secretary of the Treasury may, without a warrant, arrest any person who such employee has probable cause to believe is willfully violating, in his presence or view, any such section, or any regulation or permit issued thereunder, the penalty for which is provided under subsection (b) of this section, and may execute a warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of such sections, regulations or permits. An employee who has made an arrest of a person in connection with any such willful violation may search such person at the time of his arrest and seize any fish or wildlife or property or items taken, used, or possessed in connection with any such violation, or any such employee shall have authority, in addition to any other authority provided by law relating to search and seizure, to execute any warrant to search for and seize any such fish, wildlife, property, or item so taken, used, or possessed. Any fish or wildlife or property or item seized shall be held by any employee authorized by the Secretary or the Secretary of the Treasury or by a United States marshal pending disposition of the case by the court, commissioner, or magistrate, except that the Secretary may, in lieu thereof, permit such person to post a bond or other surety satisfactory to him. Upon conviction, any (1) fish or wildlife seized shall be forfeited to the Secretary for disposal by him in such manner as he deems appropriate, and (2) any other property or items seized may, in the discretion of the court, commissioner, or magistrate, be forfeited to the United States or otherwise disposed of. The owner or consignee of any such fish, wildlife, property, or item so seized, shall, as soon as practicable following such seizure, be notified of that fact in accordance with regulations estab-

lished by the Secretary or the Secretary of the Treasury. If no conviction results from any such alleged violation, such fish, wildlife, property or item so seized in connection therewith shall be immediately returned to the owner or consignee in accordance with regulations promulgated by the Secretary, unless the Secretary, within thirty days following the final disposition of the case involving such violation, commences proceedings under subsection (a) of this section.

On page 9, at the beginning of line 12 strike out "(c)" and insert "(d)"; at the beginning of line 23, insert "except that the Secretary, under such terms and conditions as he may prescribe, may permit importation at nondesignated ports for movement to designated ports of entry."; on page 10, line 2, after the word "provide," insert "other"; after line 4, strike out:

(d) The provisions of section 2 through 5 of this Act and the regulations issued thereunder shall be enforced by either the Secretary or the Secretary of the Treasury, or both such Secretaries. Either Secretary may utilize by agreement the personnel, services, and facilities of any other Federal agency or any State agency. Any employee of the Department of the Interior or the Department of the Treasury authorized by the Secretary or the Secretary of the Treasury may, without a warrant, arrest any person who, within the employee's presence or view, violates the provisions of this Act or any regulation or permit issued thereunder, and may execute a warrant or other process issued by an officer or court of competent jurisdiction. An employee who has made an arrest under this Act may search the person arrested at the time of the arrest and seize any fish or wildlife or property or items taken, used, or possessed in violation of this Act or any regulation or permit issued thereunder. Any fish or wildlife or property or item seized shall be held by the employee or by a United States marshal pending disposition of the case by the court, commissioner, or magistrate, except that the Secretary may, in lieu thereof, permit such person to post a bond or other surety satisfactory to him. Upon conviction, any fish or wildlife seized shall be forfeited to the Secretary for disposal by him. Any other property or items seized may, in the discretion of the court, commissioner, or magistrate, be forfeited to the United States or otherwise disposed of.

On page 11, line 10, after "Sec. 5.", insert "(a)"; at the beginning of line 11, strike out "through 4" and insert "and 3"; in line 15, after the word "prevent," strike out "such" and insert "any"; on page 12, after line 8, insert:

(b) To assure the worldwide conservation of endangered species and to prevent competitive harm to affected United States industries, the Secretary, through the Secretary of State, shall seek the convening of an international ministerial meeting on fish and wildlife prior to June 30, 1971, and included in the business of that meeting shall be the signing of a binding international convention on the conservation of endangered species.

(c) There are authorized to be appropriated such sums, not to exceed \$200,000, as may be necessary to carry out the provisions of subsection (b) of this section, such sums to remain available until expended.

On page 13, after line 11, insert:

(e) Nothing in this Act, or any amendment made by this Act, shall be construed as superseding or limiting in any manner the functions and responsibilities of the Secretary of the Treasury under the Tariff Act of 1930, as amended, including, without limita-

tion, section 527 of said Act (19 U.S.C. 1527) relating to the importation of wildlife taken, killed, possessed or exported to the United States in violation of the laws or regulations of a foreign country.

In line 20, after "Sec. 7.", insert "(a)"; on page 14, line 2, after the word "carries," strike out "or"; in the same line, after the word "transports," insert "or ships, by any means whatever,"; in line 6, after the word "wildlife", strike out "taken, transported, or sold"; in line 9, after the word "carries," strike out "or"; in the same line, after the word "transports," insert "or ships, by any means whatever,"; in line 13, after the word "wildlife", strike out "taken" and insert "taken, transported, or sold"; in line 15, after the word "country,"; strike out "and" and insert "or"; in line 18, after the word "wildlife", strike out "taken" and insert "taken, transported, or sold"; in line 23, after the word "wildlife", strike out "taken" and insert "taken, transported, or sold"; on page 15, line 8, after "(A)", strike out "taken" and insert "taken, transported, or sold"; in line 13, after "(B)", strike out "taken" and insert "taken, transported, or sold"; in line 21, after the word "Migratory", strike out "Bird" and insert "Birds and Game Mammals"; on page 16, at the beginning of line 3, strike out "(c) Any person who knowingly or has reason to know violates the provisions of subsection (a) or (b) of" and insert "(c) (1) Any person who knowingly violates, or who, in the exercise of due care, should know that he is violating, any provision of subsection (a) or (b) of"; at the beginning of line 11, strike out "shall be" and insert "is"; in the same line, after the word "hearing", strike out "on such charge." and insert "with respect to such violation."; in line 14, after the word "this", strike out "section" and insert "paragraph"; in line 19, after the word "action.", insert:

In hearing such action, the court shall have authority to review the violation and the assessment of the civil penalty de novo.

(2) Any employee authorized by the Secretary to enforce the provisions of this section, or any officer of the customs, shall have authority to execute any warrant to search for and seize any wildlife, product, property, or item used or possessed in violation of this section with respect to which a civil penalty may be assessed pursuant to paragraph (1) of this subsection. Such wildlife, product, property, or item so seized shall be held by such employee pending disposition of proceedings by the Secretary involving the assessment of a civil penalty pursuant to paragraph (1) of this subsection; except that the Secretary may, in lieu of holding such wildlife, product, property, or item, permit such person to post a bond or other surety satisfactory to the Secretary. Upon the assessment of a civil penalty pursuant to paragraph (1) of this subsection for any non-willful violation of this section, such wildlife, product, property, or item so seized may be proceeded against in any court of competent jurisdiction and forfeited to the Secretary for disposition by him in such manner as he deems appropriate. The owner or consignee of any such wildlife, product, property, or item so seized shall, as soon as practicable following such seizure, be notified of that fact in accordance with regulations established by the Secretary or the Secretary of the Treasury. Whenever any wildlife, product, property, or item is seized pursuant to

this subsection, the Secretary shall move to dispose of the civil penalty proceedings pursuant to paragraph (1) of this subsection as expeditiously as possible. If, with respect to any such wildlife, product, property, or item so seized, no action is commenced in any court of competent jurisdiction to obtain the forfeiture of such wildlife, product, property, or item within thirty days following the disposition of proceedings involving the assessment of a civil penalty, such wildlife, product, property, or item shall be immediately returned to the owner or the consignee in accordance with regulations promulgated by the Secretary.

On page 18, at the beginning of line 8, strike out "the provisions" and insert "any provision"; after line 10, strike out:

"(c) Any wildlife or products thereof seized in connection with any violation of this section shall be forfeited to the Secretary to be disposed of by him in such manner as he deems appropriate.

And, in lieu thereof, insert:

"(e) Any wildlife or products thereof seized in connection with any knowing and willful violation of this section with respect to which a penalty may be imposed pursuant to subsection (d) shall, upon conviction of such violation, be forfeited to the Secretary to be disposed of by him in such manner as he deems appropriate. Any other property or item so seized may upon conviction, in the discretion of the court, be forfeited to the United States or otherwise disposed of. The owner or consignee of any such wildlife, product, property, or item so seized shall, as soon as practicable following such seizure, be notified of that fact in accordance with regulations established by the Secretary or the Secretary of the Treasury. If no conviction results from any such alleged violation, such wildlife, product, property or item so seized in connection therewith shall be immediately returned to the owner or consignee in accordance with regulations promulgated by the Secretary, unless the Secretary, within thirty days following the final disposition of the case involving such violation, commences proceedings under subsection (c) of this section."

On page 19, line 16, after the word "any", strike out "part or egg", and insert "part, egg, or offspring thereof, or the dead body or parts"; at the top of page 20, insert:

(b) Section 3054 of title 18 of the United States Code is amended to read as follows:
 "§ 3054. Officers' powers involving animals and birds.

"Any employee authorized by the Secretary of the Interior to enforce sections 42, 43, and 44 of this title, and any officer of the customs, may arrest any person who violates section 42 or 44, or who such employee or officer of the customs has probable cause to believe is knowingly and willfully violating section 43, in his presence or view, and may execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of said sections."

(c) Section 3112 of title 18 of the United States Code is amended to read as follows:

"§ 3112. Search warrants for seizure of animals, birds, or eggs

"Any employee authorized by the Secretary of the Interior to enforce sections 42, 43, and 44 of this title, and any officer of the customs, shall have authority to execute any warrant to search for and seize any wildlife, product, property, or item used or possessed in connection with a violation of section 42 or 44, or in connection with a knowing and willful violation of section 43, and any such wildlife, product, property, or item so seized

shall be held by him or by the United States marshal pending disposition thereof by the court."

On page 21, after line 2, strike out:

Sec. 8. Section 3054 of title 18, United States Code, is amended by inserting "42," after "to enforce sections" and by inserting a comma after "43".

Sec. 9. Section 3112 of title 18, United States Code, is amended by inserting "42," after "to enforce sections" and by inserting a comma after "43".

At the beginning of line 9, after "Sec.", strike out "10." and insert "8. (a)"; in line 20, after the word "would" strike out "lead to the" and insert "create a significant"; in line 21, after the word "contents," strike out "and affect the ability to insure the package and its contents,"; on page 22, at the beginning of line 3, change the section number from "11." to "9."; after line 5, strike out:

"Sec. 2. It shall be unlawful for any person knowingly to deliver or receive for transportation, or to transport, by any means whatsoever, in interstate or foreign commerce, any black bass or other fish, if (1) such delivery or transportation is contrary to the law of the State, territory, or the District of Columbia or any foreign country from which such black bass or other fish is found or transported, or is contrary to other applicable law, or (2) such black bass or other fish has been either caught, killed, taken, sold, purchased, possessed, or transported, at any time, contrary to the law of the State, territory, or the District of Columbia, or foreign country, in which it was caught, killed, taken, sold, purchased, or possessed, or from which it was transported, or contrary to other applicable law; and no person shall knowingly purchase or receive any such black bass or other fish which has been transported in violation of the provisions of this Act; nor shall any person receiving any shipment of black bass or other fish transported in interstate or foreign commerce make any false record or render a false account of the contents of such shipment. For the purpose of this section, the provisions of section 10 of title 18, United States Code, shall apply to the term 'interstate or foreign commerce'."

And in lieu thereof, insert:

"Sec. 2. It shall be unlawful for any person—

"(1) to deliver or receive for transportation, or to transport, by any means whatsoever, in interest or foreign commerce, any black bass or other fish, if such person knows or in the exercise of due care should know that (A) such delivery or transportation is contrary to the law of the State or any foreign country from which such black bass or other fish is found or transported, or is contrary to other applicable law, or (B) such black bass or other fish has been either caught, killed, taken, sold, purchased, possessed, or transported, at any time, contrary to the law of the State or foreign country, in which it was caught, killed, taken, sold, purchased, or possessed, or from which it was transported, or contrary to other applicable law;

"(2) to purchase or receive any such black bass or other fish, if such person knows, or in the exercise of due care should know that such bass or fish has been transported in violation of the provisions of this Act;

"(3) receiving any shipment of black bass or other fish transported in interstate or foreign commerce to make any false record or render a false account of the contents of such shipment, if such person knows, or in the exercise of due care should know, that such record or account is false. For the purposes of this section, the provisions of section 10 of title 18, United States Code, shall

apply to the term 'interstate or foreign commerce'.

On page 24, after line 18, insert:

(d) The first section of the Black Bass Act (46 Stat. 846), as amended (16 U.S.C. 851), is amended by inserting immediately before the period at the end thereof a comma and the following: "and the term 'State' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, America Samoa, the Virgin Islands, and Guam".

At the beginning of line 25, change the section number from "12." to "10."; on page 25, at the beginning of line 3, change the section number from "13" to "11."; at the beginning of line 6, change the section number from "14." to "12."; on page 26, line 9, after the word "of", strike out "1969." and insert "1969."; and, after line 14, insert:

(f) The provisions of sections 4 and 5 of the Act of October 15, 1966 (80 Stat. 929; 16 U.S.C. 668dd-668ee), as amended, shall hereinafter be cited as the "National Wildlife Refuge System Administration Act of 1966".

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-526), explaining the purposes of the measure.

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

PURPOSE

The purpose of H.R. 11363 is threefold. First, in order to assist on an international level in the preservation of species threatened with extinction, this bill would authorize the Secretary of the Interior to develop a list of species or subspecies of wild mammals, fish, wild birds, amphibians, reptiles, mollusks, or crustaceans which are threatened with worldwide extinction, and it would prohibit the importation into the United States of any such species or subspecies or any part, product, or egg thereof. The bill would provide a limited exception to this prohibition, however, to permit the importation of endangered species or subspecies for zoological, educational, scientific, or propagation purposes under such terms and conditions as the Secretary of the Interior may prescribe. In addition, the bill would direct the Secretary of the Interior, through the Secretary of State, to seek the convening of an international ministerial meeting prior to June 30, 1971, for the purpose of signing a binding international convention on the conservation of endangered species.

Second, in order to assist the States in protecting domestically endangered species of reptiles, amphibians, mollusks and crustaceans, this bill would amend existing laws to make unlawful throughout the United States the sale or purchase of any reptile, amphibian, mollusk, or crustacean, or any part or egg thereof, by any person who knows, or in the exercise of due care should know, that such reptile, amphibian, mollusk or crustacean was taken in any manner in violation of the laws or regulations of a State or foreign country. These provisions will supplement existing statutes which currently prevent the interstate sale or purchase of State or foreign government protected fish, mammals, and birds.

Third, in order to further assist in the protection of domestically endangered species of fish, wildlife, reptiles, or amphibians, this bill would authorize the Secretary of the Interior to acquire privately owned lands, within the boundaries of any area administered by him, for the purpose of conserving, protecting, restoring, or propagating

such species. The bill would authorize the appropriation of up to \$1 million per year for fiscal years 1970, 1971, and 1972 for this purpose. In addition, it would raise the limitation on the total amount of money which may be spent on any area maintained for the conservation, protection, restoration or propagation of endangered species of native fish and wildlife, including migratory birds, from \$750,000 to \$2,500,000.

Mr. HART. Mr. President, I am pleased to report H.R. 11363, the endangered species legislation, to the Senate. I urge favorable action on one of the most important pieces of conservation legislation which we shall consider in this Congress.

During recent years mankind has been exterminating species of fish and wildlife at a rapidly accelerating rate. From the time of Christ to about A.D. 1800, it has been estimated that roughly one form of mammal was exterminated every 55 years. Since 1600 more than 125 species of birds and mammals have become extinct, as have nearly 100 subspecies; that is, geographical races or varieties. Today it is estimated that one or two species of birds and mammals disappear each year. The International Union for the Conservation of Nature and Natural Resources presently lists approximately 275 species of mammals and 300 birds as rare and endangered. Eighty-nine different species of fish and wildlife have been identified as endangered within the United States by the Secretary of the Interior.

There are three basic reasons for this accelerating rate of extermination of many of our planet's unique forms of life: the destruction of habitat in which the species can live and propagate by man's seemingly insatiable demand for land; the pollution of air and water which has proven particularly lethal to various species of fish; and the indiscriminate killing and capture of fish and wildlife for commercial or sporting purposes.

This bill, by restricting both international and domestic trade in endangered species of fish and wildlife, will obviously have its greatest impact in protecting those species which are threatened because of their commercial value. Nevertheless, since the bill also contains authority for the Secretary of the Interior to spend up to \$1,000,000 per year during the next 3 fiscal years for the acquisition of inholdings, in areas administered by him, for the conservation of species threatened with extinction, and since it raises the cumulative total which may be spent on any area maintained for the conservation, protection, restoration, or propagation of endangered species from \$750,000 to \$2,500,000, it will help to preserve suitable habitat for many domestically endangered species which may have little commercial importance. In addition, the mere listing of a species as "endangered" may provide considerable stimulus for governments or private groups to take more vigorous action to protect any species whose continued existence is in jeopardy.

Occasionally, a skeptic will question the importance of preserving a particular species of life when the world is still so rich in a variety of different life forms. This skepticism can be answered on two

levels. From a pragmatic point of view, the protection of an endangered species of wildlife with some commercial value may permit the regeneration of that species to a level where controlled exploitation of that species can be resumed. In such a case, businessmen may profit from the trading and marketing of that species for an indefinite number of years, where otherwise it would have been completely eliminated from commercial channels in a very brief span of time. Potentially more important, however, is the fact that with each species we eliminate, we reduce the pool of germ-plasm available for use by man in future years. Since each living species and subspecies has developed in a unique way to adapt itself to the difficulty of living in the world's environment, as a species is lost, its distinctive gene material, which may subsequently prove invaluable to mankind in improving domestic animals or increasing resistance to disease or environmental contaminants, is also irretrievably lost.

On a more philosophical plane, the gradual elimination of different forms of life reduces the richness and variety of our environment and may restrict our understanding and appreciation of natural processes. Moreover, in hastening the destruction of different forms of life merely because they cannot compete in our common environment upon man's terms, mankind, which has inadvertently arrogated to itself the determination of which species shall live and which shall die, is assuming an immense ethical burden. Henry Beston has indirectly suggested the magnitude of this burden in urging that man adopt a new and wiser concept of animals. He has stated:

We need another and a wiser and perhaps a more mystical concept of animals. Remote from universal nature and living by complicated artifice, man in civilization surveys creatures through the glass of his knowledge and sees thereby a feather magnified and the whole image in distortion. We patronize them for their incompleteness, for their tragic fate of having taken form so far below ourselves. And therein we err, we greatly err. For the animal shall not be measured by man. In a world older and more complete than ours, they move, finished and complete, gifted with extensions of the senses we have lost or never attained, living by voices we shall never hear. They are not brethren, they are not underlings, they are other nations caught with ours in the net of life and time, fellow prisoners of the splendour and travail of the earth.

The provisions of this bill reflect the urgency of increasing protection for those species of fish and wildlife whose continued existence is presently threatened. It will prohibit the importation into the United States of endangered species, and it directs the Secretary of State to secure similar action by foreign countries. Thus, by gradually drying up the international market for endangered species, it should help tremendously in reducing the poaching of any such species in the country where it is found. Similarly, by making illegal in every State, the sale or purchase of a reptile, amphibian, mollusk, or crustacean, or any part or egg thereof, which was taken illegally in any State—and continuing present restrictions relating to fish, birds,

and mammals—the incentive for poaching endangered species within the United States should be markedly reduced. Finally, by authorizing the acquisition of new lands for the conservation and propagation of endangered species, the legislation will assist in fostering the continued survival of many domestically threatened forms of fish and wildlife.

Mr. President, it has been a great pleasure for me to work on the endangered species legislation, not only because of its tremendous importance as a conservation measure, but because of the excellent cooperation the Commerce Committee has received from all the persons interested in its enactment. Very early this year representatives of the Amalgamated Meat Cutter & Butcher Workmen of America sponsored several informal meetings at which conservationists and industry representatives ironed out many of their differences over the legislation. These meetings created a greater understanding of the purposes of the bill and generated a broad base of support. There is no question that the meetings greatly simplified the committee's task when it began to deliberate over the actual provisions of the legislation.

During the revision of the bill as well, however, the committee received extremely constructive suggestions on ways in which it could be improved from the Department of the Interior, the Customs Bureau, representatives of both the fur and tanning industries, and representatives of several conservation groups. The National Audubon Society was particularly helpful in pointing out deficiencies and omissions in the bill which was originally before the committee. I certainly hope that all of these groups will now agree that the changes which the Commerce Committee has made in H.R. 11363 will substantially improve its effectiveness and workability.

Mr. President, the time for taking strong action to protect species of fish and wildlife which are threatened with worldwide extinction is certainly long overdue. I urge the Senate to act favorably on H.R. 11363 as reported by the Committee on Commerce.

Mr. MANSFIELD. Mr. President, the distinguished Senator from Texas (Mr. YARBOROUGH), who, as I have previously indicated, is absent on official business of the Senate, has prepared a statement relative to the endangered species bill, H.R. 11363. I ask unanimous consent that his statement be printed in the RECORD.

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

STATEMENT OF SENATOR YARBOROUGH

I wish to recommend to the Senate H.R. 11363, the endangered species bill. The bill represents a goal toward which I have worked for several years. I first introduced an endangered species bill in the 90th Congress. In October 1968, my bill was reported favorably by the Committee on Commerce; however, Congress adjourned before the Senate could take action on the bill. In January 1969, I reintroduced my endangered species bill as S. 335, and I am very much pleased that the bill that is before us today contains many features of S. 335.

Never has there been a greater need for this type of legislation. It is an alarming fact that in the United States alone, 14 mammals, 36 birds, 6 reptiles and amphibians, and 22 fishes have been listed by the Department of the Interior as "endangered"—that is on the verge of becoming extinct. Included in the list are such familiar species as the grizzly bear, the Florida panther, the Southern bald eagle, the whooping crane, and the American alligator. When we consider the rest of the world's wild-life, the picture is even more disturbing: the International Union for the Conservation of Nature and Natural Resources lists more than 600 endangered species, including the black rhinoceros, the mountain gorilla, the asiatic cheetah, the Bengal tiger, and the snow leopard.

Man through his greed for land, by his pollution of the air and water, and his wasteful and careless slaughter of wildlife and fish for commercial purposes, has directly caused the disappearance of many of these species. The responsibility is ours, and therefore, it is only right that we take prompt action to correct this situation.

The bill before us today represents a dramatic step forward in the area of fish and wildlife conservation. I commend the distinguished Senator from Washington (Mr. Jackson) and the members of his committee for their work on this important measure. Through their efforts, we have a bill of which we can all be proud.

President Kennedy once said: "... it is our task in our time and in our generation, to hand down undiminished to those who come after us, as was handed down to us by those who went before, the natural wealth and beauty which is ours."

Certainly H.R. 11363 represents a major step toward accomplishing this task of which President Kennedy spoke. Therefore, I urge Senators to give their support to this important bill.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

RETIREMENT OF MRS. PAULINE MOORE, CHIEF CLERK OF DEMOCRATIC POLICY COMMITTEE; APPOINTMENT OF MISS MARY ANN SAMES

Mr. MANSFIELD. Mr. President, the end of last month marked the retirement from the Senate of one of its most faithful and dedicated officials. Mrs. Pauline Moore served as chief clerk of the Democratic policy committee almost from its very beginning. She was appointed on January 27, 1947, and for more than 22 years since has devoted countless hours and out-standing efforts to her tasks. As an attorney and dedicated public servant, Pauline Moore contributed immensely to the workings of the Senate and Congress. She is a very fine person. She will be missed.

In Miss Mary Ann Sames, however, the

Democratic policy committee has a new chief clerk who is extraordinarily well qualified to assume these responsibilities. Miss Sames has had extensive experience working in the Senate. She served as a professional staff member of the Foreign Relations Committee prior to joining the staff of the Democratic policy committee in December of 1964. Even before she completed law school, Miss Sames had experience as a secretary on the Foreign Relations Committee staff. In this capacity she served as my secretary when I was a Delegate to the United Nations General Assembly. In all the years I have known Mary Ann, she has performed ably and faithfully at all times. I have the utmost confidence in her fulfilling her responsibilities with the measure of excellence she has always exhibited.

To Mrs. Moore, we wish the best of happiness and success in her new endeavors. It is my understanding that she will join her husband in the practice of law.

To Miss Sames we extend a welcome to her new tasks and an expression of the deepest confidence in the manner in which she will handle her new responsibilities.

ORDER OF BUSINESS

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

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

HIGH PRIORITY MATTERS ON AGENDA OF COMMITTEE ON THE JUDICIARY THIS WEEK

Mr. MANSFIELD. Mr. President, I would like to call the Senate's attention to the action scheduled by the Senate Judiciary Committee later this week on three of the most pressing matters that face this country.

On Wednesday of this week the agenda of the Judiciary Committee contains the legislative proposals dealing with the dissemination of obscene material to minors, as well as a proposal to meet the growing problem of salacious advertising. In addition, the Judiciary Committee may have on its agenda for the next meeting the drug bill; a comprehensive proposal that is designed to update the fight against this spreading menace in line with our experience.

These matters are most critical. The legislative solutions sought for these problems are of the highest priority. And the committee may be assured that their recommendations to the Senate on these matters will be welcomed with expeditious handling by the leadership. Certainly there are no issues of more significance.

It is also hoped that the Committee on the Judiciary at its next meeting will consider the proposal that would make

the use of a gun in committing a crime a separate and distinct offense punishable with a mandatory sentence. This is the so-called Lesnick bill. And what it says is that the growing use of guns by criminals and the resultant homicide rate in this country is going to be met with punishment that fits these acts of violence.

I believe the contents of this bill will provide a degree of deterrence that does not now exist. I am hopeful that this proposal will be favorably considered during the Judiciary Committee's deliberations.

I have strongly endorsed these efforts to meet all of these problems in our society—obscenity, drugs, and gun crime. I speak for the entire Senate in expressing the hope that these proposals are written into the law books before the session adjourns.

ORDER OF BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER (Mr. NELSON in the chair). Without objection, the Senator from Kansas is recognized for 10 minutes.

THE NOMINATION OF CLEMENT F. HAYNSWORTH, JR.

Mr. DOLE. Mr. President, the responsibility of the Senate imposed by the Constitution to advise and consent to a President's nomination is among the most vital and far reaching with which we are vested.

As an attorney, I also have a professional responsibility to carefully consider the nomination of Clement F. Haynsworth, Jr.

Like most of my colleagues I followed the course of the Judiciary Committee's hearings. I examined the daily reports listened to the speculation and accusations and rebuttals which circulated and kept a close watch on the sometimes sensational media coverage of the proceedings. To obtain further insight I have discussed the nomination with members of the committee.

I have had an opportunity to discuss the Haynsworth nomination with members of the executive branch. The President has made known his views to me and I have discussed several points raised in the course of the hearings with the Attorney General.

However, the best source of information from which to learn the facts, consider the arguments, weigh the responses, and make a judgment is the public record. Consequently, I examined the Judiciary Committee's hearings, read all the testimony, reviewed the exhibits and examined the pertinent cases and points of laws therein.

This review was conducted as a Senator and as a member of the bar. I discussed the nomination with members of the Kansas bench and bar whose competence, judgment, and sensitivity to matters of ethics and probity are highly regarded by the legal community and the public in the State of Kansas.

I sought advice and discussed the Haynsworth nomination with three sources: The bar of my State, the Kansas judiciary, and the Federal judiciary. I felt it not only my right but my duty to engage in this consultation.

It was impossible and impractical to consult with all members of the Kansas bar, thus I sought the counsel of a number of members of the associations' executive council, as individual members of the bar, not in their official capacity. Their comments were solicited upon the full record which they had before them. Their opinions were overwhelmingly in favor of confirmation of Judge Haynsworth.

I then contacted Judge Harold Fatzer of the Kansas Supreme Court and asked him to contact the other justices and the two Kansas Supreme Court commissioners. Judge Fatzer reported to me that members of the supreme court and the commissioners were unanimous in their view that Judge Haynsworth should be confirmed.

I also consulted senior Federal District Judge Arthur J. Stanley who has known Judge Haynsworth for years through service together on the Judicial Conference of the United States. Judge Stanley was strong in his praise of Haynsworth as a judge and a man of honesty and integrity.

Former Associate Justice of the U.S. Supreme Court Charles Evans Whittaker was also most helpful. Justice Whittaker who served with great distinction on the U.S. Supreme Court from 1957 to 1962 stated that it would be a "travesty" if the Senate failed to confirm Judge Haynsworth. Justice Whittaker had read the complete record and in his opinion there was no violation of law or the canons of ethics.

Now having done this, of course, the decision to vote for or against confirmation is still mine. The one point which caused me concern was the purchase of Brunswick stock. As the record shows the original opinion in the case in question was agreed upon November 10, 1967, and on December 26, 1967, a month before the decision was made public Judge Haynsworth purchased 1,000 shares of Brunswick stock for approximately \$16,000.

Unquestionably, this was a mistake. I am impressed, however, with the fact that the Brunswick stock was purchased not at Haynsworth's request but at the suggestion of Arthur C. McCall, Judge Haynsworth's broker. On page 263 of the Committee Hearings, Mr. McCall states:

I recommended to him that he buy Brunswick stock. His was no isolated case. I had recommended it to any number of accounts of mine who had bought it.

There is no evidence that Mr. McCall had any knowledge of any case pending involving Brunswick Corp. This coupled with the fact that McCall had been recommending Brunswick stock to a number of other clients "and I think the record will indicate about 45 other clients" convinces me that while a mistake was made it should not be considered a fatal one.

The testimony of Judge Harrison L. Winter, who also sat on the Brunswick

case is highly important. He stated on page 252 of the committee hearings in response to a question from Senator TYDINGS:

Well, that is correct. My answer to the question, my answer to Senator Tydings' question, is I was convinced at the time, and I am firmly convinced in my own mind, that this case was over on November 10, 1967. True the opinion had not been announced. True it could have been modified theoretically up to the moment it was announced. True it could have been modified after it was announced theoretically, and also true that the parties did not know the outcome until February 2. But there was not any question in my mind as to what the decision was that we had reached, and that it was final, in addition to which if what I understand, and believe me I know only from what newspaper publicity has been given these hearings, but from what I understand about Judge Haynsworth's participation in Brunswick, I think that you could make a strong argument that there was not a substantial personal interest involved, that it was a de minimis interest as far as the outcome of this case is concerned.

Personally, I have no problem resolving the other questions and arguments raised by the opponents of Judge Haynsworth as they relate to judicial proceedings in which he participated. Should I then vote against Judge Haynsworth because of a technical mistake in one case when he has participated in approximately 3,000 cases since becoming a Federal judge in 1957, and because of other accusations which have not been proved. Admittedly, I have reviewed the entire record as outlined above, in an effort to justify voting for confirmation.

This I have done because of my strong feeling that the President of the United States, whoever he may be, has a right to nominate whoever he chooses to the U.S. Supreme Court. The President's discretion is a part of the constitutional foundations of our Government. His right should be preserved when the nominee is a man of honesty, morality, and professional integrity. The appointive power is the only power of the executive over the judicial branch and there is not and should not be a prohibition of nominating a man whose philosophy might generally be that of the President. The record reveals that even the opponents of Judge Haynsworth have not questioned his morality, integrity, or honesty. They appear to be "hung up" on what they state is his antilabor, anticivil rights record and his alleged "insensitivity." Those who have read the complete record know this charge is unfounded. Unfortunately, some who may not have read the record or attended the hearings by their statements and reports to the American people have cast a cloud upon this nominee and perhaps upon the Court itself. The motives of some of those who have made the strongest attacks on Judge Haynsworth have been questioned.

There are some who ask whether all opposition is based upon concern for the Court or perhaps some on allegiance to special interest groups.

Nonetheless, the issue will soon be before the Senate and the matter will be resolved for or against the nominee. Perhaps the easy choice would be to vote "no" and announce, for all the world

to hear, that Judge Haynsworth though honest and a man of integrity is "insensitive" or otherwise unqualified.

Having said this, let me state my conclusions:

First. Purchase of Brunswick stock was a mistake, but a technical one. There is not one scintilla of evidence of any profit due to the purchase of the stock before the decision in the case was published.

Second. A reading of the testimony and a summary of the cases does not indicate that Judge Haynsworth's record is antilabor. On the contrary, it appears his record is a balanced one.

Third. He is not anticivil rights. The record clearly indicates this as does the testimony, particularly of G. W. Foster, Jr., professor of law and associate dean of the law school at the University of Wisconsin.

Fourth. There is no similarity between the Haynsworth and Fortas cases.

Fifth. Judge Haynsworth has fully cooperated with the Judiciary Committee and has answered every question propounded to him and furnished all records demanded of him.

Sixth. The record clearly indicates that Judge Clement F. Haynsworth has no allegiance to any special interest group.

Seventh. There have been deliberate attempts by some segments of the media groundlessly to discredit Haynsworth in the eyes of the public.

CONCLUSION

Finally, the question posed is not whether I might have made a different nomination, but whether Judge Haynsworth possesses the qualifications required to become an Associate Justice of the U.S. Supreme Court.

The American Bar Association's Canon of Professional Ethics No. 1, states in part—and, as a lawyer, I like to refer to that:

Judges, not being wholly free to defend themselves, are peculiarly entitled to receive the support of the Bar against unjust criticism and clamor.

Mr. President, there has been an abundance of unjust criticism and clamor in this instance, and unless there is some valid revelation, not heretofore made, when the roll is called, I shall vote "yea."

JUSTICE DEPARTMENT OFFICIALS PUSH PANIC BUTTON

Mr. YOUNG of Ohio. Mr. President, the refusal of the administration to permit antiwar demonstrators to march down Pennsylvania Avenue between the Capitol and the White House is an insult to every American who is opposed to the undeclared, unpopular and, in fact, immoral war we are waging in Vietnam. That broad, beautiful stretch of Pennsylvania Avenue, reaching from the Capitol to the White House, is the most historic thoroughfare in our Nation. It has witnessed parades and demonstrations celebrating the Nation's finest hours and mourning some of our saddest.

In addition, Pennsylvania Avenue has traditionally been a place where citizens could voice their protests to their elected officials—one of the most precious rights

guaranteed to all Americans in the first of the 10 amendments to our Constitution, which we affectionately term the Bill of Rights.

Citizens should be free to express their disagreement with official policy, even in time of war. It may be dangerous to permit certain opinions to be expressed. It is more dangerous to attempt to suppress the expression of such opinions. To attempt to prevent an explosion in a boiler by sitting on the safety valve is obviously foolish. It invites disaster. That was the method of the Czars of Russia, the Bourbons of France, and of Adolf Hitler of Germany. They failed miserably.

The suppression of protest against administration policy in Vietnam, even when the President feels that it may hamper the execution of that policy, must be accorded the fullest freedom consistent with public safety.

Deputy Attorney General Kleindienst told a press conference that the violence anticipated by the Justice Department will be more difficult to contain on Pennsylvania Avenue, Hogwash.

The Department of Justice has conjured up all sorts of horrifying possibilities of violence. If there is going to be any violence whatever—and I for one seriously doubt that—it will come whether the line of march is on Constitution Avenue or Independence Avenue or any other street. It will not come from the great army of patriotic protestors forming a broad-based demonstration to tell the President and their Congressmen of the deep yearning of the American people for peace.

If there is any violence, it will be caused by a few firebrands desiring to bait the police into the use of excessive force. There should and will be ample police protection to control any that might occur. Surely the Washington, D.C., police force and the National Guard are capable of handling any such situations. Laws and ordinances must be enforced. Anyone who breaks them should be dealt with swiftly and firmly.

Mr. President, I have served as chief criminal prosecuting attorney of Cuyahoga County, Ohio—the most populous county in my State—and I believed then, as I believe now, that certain punishment, like a shadow, should follow the commission of acts of violence. The proposed arbitrary action on the part of administration leaders prohibiting a peaceful demonstration or parade on Pennsylvania Avenue, I fear, may stimulate violence. People generally react strongly against unjustified and arbitrary orders.

Nothing is clearer in our Constitution and traditions than the right of the people peaceably to assemble and to petition the Government for a redress of grievances. Where in the United States is a better place for such peaceful assembly than the Pennsylvania Avenue in the heart of the Capital of our country? This may inconvenience a lot of people. It may cause traffic jams. It may require the Government to go to some expense to maintain order. This is a very small cost indeed for the precious right of citizens to petition their Government for a redress of grievances.

The action of officials of the Justice Department constitutes a needless provocation and denial of constitutional rights. It goes further toward undermining and alienating the majority of those Americans who will be in Washington and do not intend to break any law whatsoever. It plays squarely into the hands of a small, but vocal, minority.

Rules for this demonstration, or for any other, must be established. However, they should be generous and reasonable and in the spirit of a free people. They should be designed to give maximum opportunity for orderly expression, while minimizing the opportunity for fomenting violence.

The Attorney General has evidently chosen the path of repression. He has evidently not yet learned that you cannot exterminate ideals with clubs or by shunting demonstrators off to side streets. You only scatter them. The Department of Justice has pushed the panic button. I hope that the President will recognize that fact and reverse the order prohibiting the demonstration on Pennsylvania Avenue next Saturday. Let us hope that reason and justice will prevail.

CONSULAR CONVENTION WITH BELGIUM AND AGREEMENT WITH CANADA ON ADJUSTMENTS IN FLOOD CONTROL PAYMENTS

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that it be in order, at this time, to request the yeas and nays on the two treaties which will be voted on, beginning at 2 o'clock p.m. today.

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

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. I thank the Chair.

THE EXTRAJUDICIAL ACTIVITIES OF THE JUDICIAL CONFERENCE OF THE UNITED STATES

Mr. ERVIN. Mr. President, the Judicial Conference of the United States, made up of the Chief Justice of the Supreme Court and the chief judges of the Federal judicial circuits, recently took two actions which should be of great concern to us all.

The Conference, on separate ballots, voted to disapprove of two measures which are now before the Congress: Senator MURPHY's amendment to Office of Economic Opportunity legislation which would give State Governors the power to veto federally financed legal aid programs, and a provision in the organized crime bill sponsored by Senator McCLELLAN which would enlarge the powers of Federal grand juries.

I was amazed, quite frankly, to read that the Conference had taken these actions. My first thought was that the newspapers must not have reported accurately what the Conference had done. But it appears that the reports are true.

When the Congress first established the Judicial Conference in 1922, it intended for the Conference to act as

housekeeper for the Nation's Federal courts. Its sole functions were to make recommendations to expedite civil and criminal dockets and to devise ways to improve the mechanics of judicial administration.

Under 28 U.S.C. 331, the act's current modification, the Conference is directed to perform those original functions and to submit to the Congress annual reports containing any legislative proposals which the Conference might make to improve the administration of justice.

Clearly, the actions which the Judicial Conference recently took do not fall within this authorization. In urging that these two measures before the Congress be defeated, the Conference stepped into an area of policymaking which is beyond its delegated authority. And in abandoning proper procedures and expressing its opinions through press releases, the Conference again improvised on its proper role.

Let us look for a moment at the two measures which the Judicial Conference opposes.

Certainly, it is not germane to the housekeeping of the courts whether Governors may veto OEO legal aid programs or not. The issue of decentralized control of Federal programs versus control by the National Government is one to be decided by the Nation's elected representatives, not by the Judicial Conference.

Similarly, an argument may be made that in expressing a gratuitous opinion on the enlargement of Federal grand jury powers, the Conference stepped beyond its authority.

I would compare the action of the Judicial Conference to that of the Congress if it passed a resolution calling upon the courts to decide a case in a certain way. To suggest that Congress might ever take such an action is preposterous.

Mr. President, the Subcommittee on Separation of Powers is currently studying the problem of nonjudicial activities of Federal judges, a problem which I believe has much to do with the erosion of public confidence in the courts which we have experienced during recent years. The subcommittee has held 4 days of hearings on this subject, and expects to hold more.

In September, the subcommittee received testimony which perfectly summarizes the case against the recent actions by the Judicial Conference. Former Supreme Court Justice Tom C. Clark, a peerless authority on the administration of our court system and now the director of the Federal Judicial Center, said:

Lobbying for the passage of legislation necessary—and I emphasize the word "necessary"—to the effective operation of the courts may well be an exception to the rule that a judge should stay aloof from such entanglements.

As I construe that statement, Justice Clark believes that unless a piece of legislation is vital to the smooth and efficient functioning of the court system, judges should remain silent. The two pieces of legislation which the Judicial Conference opposes lack that essential quality.

Mr. President, the sort of action taken by the Judicial Conference—the offering of gratuitous statements about public policies unrelated to the housekeeping of the courts—demeans the Nation's judiciary. It drains the already shallow reservoir of prestige which needs to be bolstered rather than diminished.

I think it is time that the Judicial Conference tailor its actions to the scope prescribed by the legislation which created it. I say this not in derogation of the Federal judiciary, which I esteem highly. But if the Judicial Conference does not restrain itself, I foresee a time when it might become little more than a lobbying agent, abandoning altogether its role as the judicial housekeeper.

During the remainder of the subcommittee's study of nonjudicial activities, the role of the Judicial Conference will come under the most painstaking scrutiny. The powers of the Conference already are being examined by the Supreme Court in the landmark case of Chandler against Judicial Council of the Tenth Circuit.

In the meantime, I would urge the Conference to make no more gratuitous statements on matters unrelated to the upkeep of the judiciary. Neither of its recent decisions was solicited by the Congress and, in fact, I am told that the decision to oppose Senator MURPHY's amendment was made only after a member extemporaneously spoke against it during a Conference session. I would also urge the Conference in expressing its opinion to use the formal procedures set down by the Congress rather than press releases. I do not feel that those requests are excessive or unreasonable.

ACTION OF JUDICIAL CONFERENCE ON TITLE I OF S. 30, THE ORGANIZED CRIME CONTROL ACT OF 1969

Mr. McCLELLAN. Mr. President, as pointed out by the distinguished senior Senator from North Carolina (Mr. ERVIN), the Judicial Conference of the United States, in its meeting on October 31 to November 1, 1969, considered the provisions of title I of S. 30, the Organized Crime Control Act of 1969. I listened to the remarks of the distinguished Senator from North Carolina. I share the views and sentiments he has expressed.

According to a letter of Mr. William E. Foley, dated November 3, 1969, the Conference voted its disapproval of the provisions of title I on the grounds that this title "would drastically alter an important facet of the judicial process."

Mr. President, the provisions of title I are based on recommendations of the President's Commission on Law Enforcement and Administration of Justice, which studied at length what this Nation could do to arrest the growing tide of organized crime. In addition, the U.S. Department of Justice has carefully reviewed the provisions of this title and has, with certain modifications, approved it.

Mr. President, the Subcommittee on Criminal Laws and Procedures is now in the process of marking up S. 30 with a view to reporting to the full committee and to this body what in its judg-

ment needs to be done in this area. Nevertheless, in order that this body may have the opportunity to examine the positions and supporting reasons of the Judicial Conference, the President's Crime Commission, and the Department of Justice, I ask unanimous consent that there appear in the RECORD at this point, as a part of my remarks, the text of title I of S. 30 now under consideration, the November 3 letter from the Judicial Conference, the appropriate excerpts from the President's Crime Commission report, and the Department of Justice comments in title I.

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

(NOTE.—Title I of S. 30 now under consideration by the Subcommittee on Criminal Law and Procedure.)

TITLE I—SPECIAL GRAND JURY

Sec.

3331. Summoning and term.

3332. Powers and duties.

3333. Reports.

3334. General provisions.

§ 3331. Summoning and term

(a) In addition to such other grand juries as shall be called from time to time, each district court which is located in a judicial district containing more than four million inhabitants or in which the Attorney General, the Deputy Attorney General or any designated Assistant Attorney General, certifies in writing to the chief judge of the district that in his judgment a special grand jury is necessary because of criminal activity in the district shall order a special grand jury to be summoned at least once in each period of eighteen months unless another special grand jury is then serving. The grand jury shall serve for a term of eighteen months unless an order for its discharge is entered earlier by the court upon a determination of the grand jury by majority vote that its business has been completed. If, at the end of such term or any extension thereof, a grand jury determines by majority vote that its business has not been completed, the court shall enter an order extending such term for an additional period of six months. No special grand jury term so extended shall exceed thirty-six months, except as provided in subsection (e) of section 3333 of this chapter.

(b) If a district court within any judicial circuit fails to extend the term of a special grand jury upon application made by the grand jury pursuant to subsection (a) of this section, or enters an order for the discharge of such grand jury before it determines that it has completed its business, the grand jury, upon the affirmative vote of a majority of its members, may apply to the chief judge of the circuit for an order for the continuance of the term of the grand jury. Upon the making of such an application by the grand jury, the term thereof shall continue until the entry upon such application by the chief judge of the circuit of an appropriate order in conformity with the provisions of subsection (a) of this section. No special grand jury term so extended shall exceed thirty-six months, except as provided in subsection (e) of section 3333 of this chapter.

§ 3322. Powers and duties

(a) Each special jury when impaneled shall elect by majority vote a foreman and a deputy foreman from among its members.

(b) It shall be the duty of each such grand jury impaneled within any judicial district to inquire into each offense against the criminal laws of the United States alleged to have been committed within that district which is brought to the attention of the grand jury by the court or by any person.

(c) No person shall be deprived of opportunity to communicate to the foreman of

the special grand jury a request to appear concerning any such alleged offense or instance of misconduct, together with the reasons for desiring to appear.

(d) Whenever the special grand jury impaneled with any judicial district determines by majority vote that the volume of business of the grand jury exceeds the capacity of the grand jury to discharge its obligations, the grand jury may apply to the district court to impanel an additional special grand jury for that district. Upon any such application and a showing of need, such court shall order an additional grand jury to be impaneled. If the district court declines to hear such an application, or to grant such application after hearing, the grand jury may apply to the chief judge to the circuit for an order impaneling an additional special grand jury for that district. Such chief judge shall hear and determine such application at the earliest practicable time, and shall have jurisdiction to enter thereon such orders as may be required to provide for the impaneling of an additional grand jury within the judicial district for which such application was made.

(e) Whenever the special grand jury determines by majority vote that any attorney or investigative officer or agent appearing on behalf of the United States before the grand jury for the presentation of evidence with respect to any matter has not performed or is not performing his duties diligently or effectively, the grand jury may transmit to the Attorney General in writing a statement of the reasons for such determination, together with a request for the designation by the Attorney General of another attorney or investigative officer or agent to appear before the grand jury for that purpose. Upon receipt of any such request, the Attorney General shall promptly cause inquiry to be made as to the merits of the allegations made by the grand jury and shall take whatever action he finds appropriate to provide for the United States' prompt and effective representation before such grand jury.

§ 3333. Reports

(a) A special grand jury impaneled by any district court, with the concurrence of a majority of its members, may, upon completion of its original term, or each extension thereof, submit to the court a report—

(1) concerning noncriminal misconduct, malfeasance or misfeasance in office by a public officer or employee as the basis for a recommendation or removal or disciplinary action; or

(2) stating that after investigation of a public officer or employee it finds no misconduct, malfeasance or misfeasance, or neglect in office by him, provided that such public officer or employee has requested the submission of such report; or

(3) proposing recommendations for legislative, executive, or administrative action in the public interest based upon stated findings; or

(4) regarding organized crime conditions in the district.

(b) The court to which such report is submitted shall examine it and the minutes of the special grand jury and, except as otherwise provided in subsections (c) and (d) of this section, shall make an order accepting and filing such reports as a public record only if the court is satisfied that it complies with the provisions of subsection (a) of this section and that—

(1) the report is based upon facts revealed in the course of an investigation authorized by subsection (b) of section 3332 and is supported by the preponderance of the evidence; and

(2) when the report is submitted pursuant to paragraph (1) of subsection (a) of this section, each person named therein was afforded an opportunity to testify before the grand jury prior to the filing of such report, and when the report is submitted

pursuant to paragraphs (3) or (4) of subsection (a) of this section, it is not critical of an identified person.

(c) (1) An order accepting a report pursuant to paragraph (1) of subsection (a) of this section and the report shall be sealed by the court and shall not be filed as a public record, subject to subpoena or otherwise made public (i) until at least thirty-one days after a copy of the order and report are served upon each public officer or employee named therein and an answer has been filed or the time for filing an answer has expired, or (ii) if an appeal is taken, until all rights of review of the public officer or employee named therein have expired or terminated in an order accepting the report. No order accepting a report pursuant to paragraph (1) of subsection (a) of this section shall be entered until thirty days after the delivery of such report to the public officer or body pursuant to paragraph (3) of subsection (c) of this section. The court may issue such orders as it shall deem appropriate to prevent unauthorized publication of a report. Unauthorized publication may be punished as contempt of the court.

(2) Such public officer or employee may file with the clerk a verified answer to such a report not later than twenty days after service of the order and report upon him. Upon a showing of good cause, the court may grant such public officer or employee an extension of time within which to file such answer and may authorize such limited publication of the report as may be necessary to prepare such answer. Such an answer shall plainly and concisely state the facts and law constituting the defense of the public officer or employee to the charges in said report, and, except for those parts thereof which the court determines to have been inserted scandalously, prejudicially or unnecessarily, such answer shall become an appendix to the report.

(3) Upon the expiration of the time set forth in paragraph (1) of subsection (c) of this section, the United States attorney shall deliver a true copy of such report, and the appendix, if any, for appropriate action to each public officer or body having jurisdiction, responsibility or authority over each public officer or employee named in the report.

(d) Upon the submission of a report pursuant to subsection (a) of this section, if the court finds that the filing of such report as a public record may prejudice fair consideration of a pending criminal matter, it shall order such report sealed and such report shall not be subject to subpoena or public inspection during the pendency of such criminal matter, except upon order of the court.

(e) Whenever the court to which a report is submitted pursuant to paragraph (1) of subsection (a) of this section is not satisfied that the report complies with the provisions of subsection (b) of this section, it may direct that additional testimony be taken before the same grand jury, or it shall make an order sealing such report and it shall not be filed as a public record, subject to subpoena or otherwise made public until the provisions of subsection (b) of this section are met. A special grand jury term may extend beyond thirty-six months in order that such additional testimony may be taken or the provisions of subsection (b) of this section may be met.

(f) As used in this section, "public officer or employee" means any officer or employee of the United States, any State, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or any political subdivision, or any department, agency, or instrumentality thereof.

§ 3334. General provisions

The provisions of chapter 215, title 18, United States Code, applicable to regular

grand juries shall apply to special grand juries to the extent not inconsistent with sections 3331, 3332, or 3333 of this chapter.

(b) The table of contents of part II, title 18, United States Code, is amended by adding immediately after

215. Grand Jury-----3321.

the following new item:

216. Special Grand Jury-----3331.

Sec. 102. (a) Subsection (a), section 3500, chapter 223, title 18, United States Code, is amended by striking "to an agent of the Government" following "the defendant".

(b) Subsection (d), section 3500, chapter 223, title 18, United States Code, is amended by striking "paragraph" following "the court under" and inserting in lieu thereof "subsection".

(c) Paragraph (1), subsection (e), section 3500, chapter 223, title 18, United States Code, is amended by striking the "or" following the semicolon.

(d) Paragraph (2), subsection (e), section 3500, chapter 223, title 18, United States Code, is amended by striking "to an agent of the Government" after "said witness" and by striking the period at the end thereof and inserting in lieu thereof: "; or (3) a statement, however taken or recorded, or a transcription thereof, if any, made by said witness to a grand jury."

ADMINISTRATIVE OFFICE OF THE U.S. COURTS,

Washington, D.C., November 3, 1969.

HON. JAMES O. EASTLAND,
Chairman, Senate Judiciary Committee, U.S.
Senate, Washington, D.C.

DEAR SENATOR EASTLAND: This is in reference to S. 30, a bill relating to organized crime in the United States and in particular to Title I thereof relating to the procedures and functions of the federal grand jury.

The Judicial Conference of the United States at its meeting on October 31–November 1, 1969 considered the provisions of Title I and voted that this title of the bill would drastically alter an important facet of the judicial process and voted its disapproval of the provisions of Title I.

Sincerely,

WILLIAM E. FOLEY,
Deputy Director.

EXCERPTS FROM REPORT OF PRESIDENT'S CRIME COMMISSION

In *The Challenge of Crime in a Free Society*, 200 (1967), the following analysis and recommendations were offered:

"A compulsory process is necessary to obtain essential testimony or material. This is most readily accomplished by an investigative grand jury or an alternate mechanism through which the attendance of witnesses and production of books and records can be ordered. Such grand juries must stay in session long enough to allow for the unusually long time required to build an organized crime case. The possibility of arbitrary termination of a grand jury by supervisory judges constitutes a danger to successful completion of an investigation.

The Commission recommends.—At least one investigative grand jury should be impaneled annually in each jurisdiction that has major organized crime activity.

If a grand jury shows the court that its business is unfinished at the end of a normal term, the court should extend that term a reasonable time in order to allow the grand jury to complete pending investigations. Judicial dismissal of grand juries with unfinished business should be appealable by the prosecutor and provision made for suspension of such dismissal orders during the appeal.

The automatic convening of these grand juries would force less than diligent investigators and prosecutors to explain their inaction. The grand jury should also have re-

course when not satisfied with such explanations.

The Commission recommends.—The grand jury should have the statutory right of appeal to an appropriate executive official, such as an attorney general or governor, to replace local prosecutors or investigators with special counsel or special investigators appointed only in relation to matters that they or the grand jury deem appropriate for investigation.

When a grand jury terminates, it should be permitted by law to file public reports regarding organized crime conditions in the community.

DEPARTMENT OF JUSTICE COMMENTS ON S. 30
TITLE I—GRAND JURY

Title I makes various changes in the law affecting the summoning, term, and powers of grand juries which would strengthen the powers and independence of grand juries. While we support most of the provisions contained in this Title, we have alternate proposals to offer as to certain others. Our views with respect to each Section of this Title will be set forth separately.

Section 101 seeks to amend 18 U.S.C. 3321 (Number of grand juries; summoning additional jurors) by adding at the end thereof the following new sentence: "Members of a grand jury shall be selected in accordance with the provisions of Chapter 121." This provision refers to the chapter of Title 28 which specifies the manner of selecting jurors. For clarity it is recommended that the phrase "Title 28" be added after the words "Chapter 121."

Section 102 would amend 18 U.S.C. 3322, which incorporates by reference Rule 6(a), Federal Rules of Criminal Procedure, which provides that "The Court shall order one or more grand juries to be summoned at such times as the public interest requires", to require the convening of a grand jury at least once during each eighteen month period by each district court. While the Department favors the convening of a grand jury at least once during each eighteen month period where the needs of justice require it, we are not aware that any serious problem exists in this regard in any district.

The difficulty we have experienced in some districts, however, is obtaining a sufficient number of grand juries to accommodate at the same time the general needs of the district and the special needs of the typically lengthy organized crime investigation. To remedy this problem, we recommend that present Section 3322 of Title 18 be amended to provide in addition that a grand jury be impaneled in each district court in which the Attorney General certifies in writing to the chief judge of the district that in his judgment such a grand jury is necessary because of major organized crime activity in the district.

We, therefore, recommend that the first sentence of the proposed revision of Section 3322 of Title 18 be amended to read as follows:

Section 3322—Summoning and term

(a) Each district court shall order one or more grand juries to be summoned at such time as the public interest requires, or whenever the Attorney General certifies in writing to the chief judge of the district that in his judgment a grand jury is necessary because of major organized crime activity in the district.

Section 102 would also amend Section 3322 of Title 18 to provide that a grand jury may, by majority vote, extend its term of eighteen months for additional periods of six months, not to exceed a total term of thirty-six months. This provision appears to be desirable on several grounds. It would have the effect of stimulating prosecutors and investigators to take effective and timely action against organized crime in their districts. It would also insure that grand juries would

stay in session long enough for the unusually lengthy period of time often required to build an organized crime case. Lastly, it would eliminate the possibility of arbitrary termination of a grand jury by supervisory judges.

Section 103 would amend Section 3324 of Title 18, which incorporates by reference Rule 6(c) of the Federal Rules of Criminal Procedure, in five respects. Rule 6(c) presently states that "The court shall appoint one of the jurors to be foreman and another to be deputy foreman." There then follow other provisions which are not affected by the proposed amendment.

The proposed Section 3324(a) would provide that "Each grand jury when impaneled shall elect by majority vote a foreman and deputy foreman from among its members." While this proposal changes the existing rule, this is purely a matter of statutory law and policy. This provision appears to be desirable in that it increases the independence of the grand jury by removing it from any possible restrictive influence present as a result of selection by the court or at the court's direction by court personnel. In practice, the court or his delegate (the court clerk) examines the case history of each juror as to his education, profession, civic activities, etc., and many are interviewed personally. By this process a foreman and deputy foreman are selected. This screening process, however desirable, makes a person foreman who is acceptable to the court even though such a person may not reflect the attitudes or have the concerns of the community at large or the grand jury in particular.

Proposed Section 3324(b) provides that "It shall be the duty of each grand jury impaneled within any judicial district to inquire into each offense against the criminal laws of the United States alleged to have been committed within the district which is brought to the attention of the grand jury by the court or by any person." This provision is a statutory recognition of existing case law holding that the inquisitorial powers of a grand jury are virtually unlimited and that the grand jury can initiate a case on its own and investigate any alleged violation of Federal law within its jurisdiction. See *Hale v. Henkel*, 201 U.S. 43 (1906); *Blair v. United States*, 250 U.S. 273 (1919); *United States v. Hartke-Hanks Newspapers*, 254 F. 2d 366 (C.A. 5), cert. denied, 357 U.S. 938 (1958); *In Re Grand Jury Investigation (General Motors Corps.)*, 32 F.R.D. 175 (S.D.N.Y.), appeal dismissed, 318 F. 2d 533 (C.A. 2), cert. denied, 375 U.S. 802 (1963); *United States v. Smyth*, 104 F. Supp. 283 (N.D. Calif.) (1952); *United States v. Gray*, 187 F. Supp. 436 (D.C.D.C. 1964). Consequently, we can see no objection to this proposal.

Section 3324(c) provides that no person shall be deprived of opportunity to communicate to the foreman of a grand jury any information concerning any offense against the criminal laws of the United States alleged to have been committed within the district. Section 1504 of Title 18, United States Code, presently makes it an offense for anyone to attempt to influence the action or decision of any grand or petit juror upon any matter pending before it by a written communication. This provision is apparently intended to make it clear that no violation of this Section is committed by a person who merely communicates to the foreman of a grand jury any information regarding any offenses against the laws of the United States. This provision could well encourage wider public participation in the fight against organized crime and we, therefore, support it.

Section 3324(d) provides that when the jury determines by majority vote that the volume of its business exceeds its capacity to fulfill its obligations, it may apply to the district court to impanel an additional grand jury. Upon such application and a showing of need, the district court shall order an additional grand jury to be impaneled. If the court refuses to hear the application or re-

fuses to impanel a new grand jury, the grand jury may appeal to the chief judge of the circuit who shall have jurisdiction to order a new grand jury impaneled. This provision seems reasonable, especially since the grand jury must make a showing of need to the court before the request may be granted. We support this provision.

Section 3324(e) provides that whenever a grand jury determines by majority vote that any attorney or investigative officer or agent appearing on behalf of the United States before the grand jury for the presentation of evidence with respect to any matter has not performed or is not performing his duties diligently and effectively, the grand jury may transmit to the Attorney General a written request, along with the reasons therefor, for a new attorney, agent or investigator. The Attorney General is then required to promptly inquire into the merits of the application and to take appropriate action to provide for prompt and effective representation on behalf of the United States.

The Department is opposed to this provision on several grounds. First, it is felt that the provision is unnecessary since sufficient control over such personnel already exists in the Department. As a practical matter, moreover, the grand jury can at present undoubtedly make such a complaint to the Attorney General and appropriate action will be taken where merited. Second, it is felt that placing such an express power in the grand jury has too great a potential for mischief and might well tend to unduly limit the discretion of attorneys charged with investigation of unpopular or sensitive matters. Third, this provision could also be expected to invite the making of unfounded, though perhaps good faith, complaints in those hard or close cases where the laymen grand jury refuses to accept the legal judgment of an experienced prosecutor that the evidence is insufficient as a basis for an indictment. For these reasons, then, the Department does not feel that this provision should be enacted.

Section 104 would amend Chapter 215 of Title 18, United States Code, by adding at the end thereof a new section, Section 3330, entitled "Reports". This new Section 3330 would allow the grand jury, on majority vote of its members, to submit to the court a report: (1) concerning noncriminal misconduct, nonfeasance, or neglect in office by a public officer or employee as the basis for a recommendation of removal or disciplinary action, or (2) stating that after investigation of a public officer or employee it finds no misconduct, nonfeasance, or neglect in office by him, provided that such public officer or employee has requested the submission of a report, or (3) proposing recommendations for legislative, executive, or administrative action in the public interest based upon stated findings. Such a report shall be submitted to the court who will approve and accept it for filing only if the above requirements are met and if the report is based on facts revealed in the course of an authorized investigation and is supported by the preponderance of the evidence. A report concerning noncriminal misconduct of a public official can be accepted only if the named individual had been afforded an opportunity to testify before the grand jury prior to the filing of the report. Any other report must not be critical of a named individual.

A public official may file an answer to a report critical of him and may also file an appeal to the circuit court. At the expiration of an appropriate time as set forth in the provision the United States Attorney must deliver a true copy of the report for appropriate action to the public officer or agency having removal or disciplinary power over the public officer named therein, but if a criminal action is pending the court may seal the report until the matter is disposed

of. If the court is not satisfied that all these requirements are met, it may direct that additional testimony be taken before the same grand jury, or it may direct that the report be sealed and not filed on a public record. Finally, this provision defines public officer or employees as "any officer or employee of the United States, or any State or political subdivision, or any department, agency, or instrumentality thereof."

This proposal would substantially change existing Federal law and procedure. See in general, *Orfield, The Federal Grand Jury*, 22 F.R.D. 343, 402 (1958). Two cases which are particularly illustrative of present judicial thinking that any grand jury action beyond indicting or refusing to indict is beyond the power of the grand jury are *Application of United Electrical Radio and Machine Workers*, 111 F. Supp. 858 (S.D.N.Y. 1953), and *In Re Petition for Disclosure of Evidence Before October 1959 Grand Jury*, 184 F. Supp. 38 (E.D. Va. 1960). In the former case, the court held that a grand jury report which made recommendations to the NLRB was beyond the powers of the grand jury, an abuse of the principle of separation of powers and a violation of the secrecy provision of Rule 6(e), Federal Rules of Criminal Procedure. In the latter case, the court held that a grand jury report on noncriminal conduct of state officials was likewise beyond the power of the grand jury, an infringement upon the provinces of State and local Governments and a violation of the secrecy provision of Rule 6(e).

While the problem of secrecy under Rule 6(e) can be remedied by statute, the other problems must await judicial testing.

The present proposal also goes beyond that of the President's Commission on Law Enforcement and Administration of Justice which recommended:

When a grand jury terminates, it should be permitted by law to file public reports regarding organized crime conditions in the community.

It is noted that this recommendation restricts the use of a report: (1) until the grand jury terminates, (2) to organized crime conditions, and (3) in a presumably general context. This type of report would apparently be unobjectionable in view of the dicta by the court in *Application of United Electrical Radio and Machine Workers* (*supra*) at 869, that "We are not here concerned with reports of a general nature touching on conditions in a community. They may serve a valuable function and may not be amenable to challenge."

We believe that considerations of public policy and interest favor some expansion of the grand jury's power in this area, and though we recognize there are constitutional problems involved, we do not believe they are of an insuperable nature.

The history of the growth and development of the grand jury system discloses that the issuing of reports has been an historic grand jury function in England for almost three hundred years. The practice of rendering reports on matters of public concern was also followed in the early American colonies, and today, despite the weight of authority against it, reports are authorized either by statute or by judicial decision in such States as New York, California, Illinois, New Jersey, Florida, and Tennessee. Despite this, however, and despite the fact that the grand jury has been described by the Supreme Court as a "prototype" of its ancient British counterpart, *Blair v. United States*, 250 U.S. 273, 282 (1919), its power to issue reports has not survived intact with its virtually unchallenged investigatory power.

The principal objections to the use of grand jury reports seem to be that they violate the traditional secrecy of grand jury proceedings, they expose grand jurors to libel actions, they violate the principle of separation of powers, and, perhaps most impor-

tantly, they charge wrongdoing while effectively denying the use of a judicial forum in which to reply. Upon close examination, the first three of these reasons do not appear to have much merit. The problem of secrecy under Rule 6(e) of the Federal Rules of Criminal Procedure may, of course, be solved by statutory amendment. There is in fact already ample precedent under Rule 6(e) for violation of grand jury secrecy when the general welfare requires it. See for example, *In Re Petition for Disclosure of Evidence Before October 1959 Grand Jury*, 184 F. Supp. 38 (E.D. Va. 1960), where Federal grand jury minutes were made available to Commonwealth Attorney for use in state grand jury proceedings.

The libel objection can perhaps be discounted as the least troublesome since, in light of recent Supreme Court decisions on this subject, grand jurors actions in this regard are undoubtedly privileged.

The argument that the grand jury reports contravene the principles of separation of powers proceeds on the theory that the grand jury being an appendage of the court, should not invade the province of the legislative or executive branches and charge them with misconduct or inefficiency. This argument loses much of its force, however, when it is considered that historically the grand jury has for centuries exercised both the reporting and indicting functions, and the exercise of its reporting function is logically no more violative of the separation of powers principle than is the indictment of a governmental official for criminal conduct in the performance of his duties. In criticizing public officers and calling for improvements in the legislative and executive branches, moreover, the grand jury performs a function analogous to the court's function when it notes statutory defects and suggests that the legislature consider amendment. As New Jersey's late Chief Justice Arthur T. Vanderbilt observed, success of the separation of powers doctrine depends to some extent on the interaction and cooperation of the arms of Government, not on their total isolation from each other. See *Vanderbilt, The Doctrine of the Separation of Powers and Its Present Day Significance*, 43-45 (1953).

Finally, on this point, it may be observed that since so much of Title I changes the basic character of the grand jury that in effect it is no longer merely an arm of the court, but a more independent body, the separation of powers argument is no longer a valid objection.

Perhaps the most serious objection to grand jury reports is the charge that they are essentially lacking in fairness since they make a charge of wrongdoing but deny the "accused" a judicial forum in which to reply. In an attempt to meet this criticism, the New York legislature enacted a statute, New York Code of Criminal Procedure, Section 253(a), effective July 1, 1964, which contains elaborate safeguards such as allowing a named individual an opportunity to testify before the grand jury and file an answer prior to the filing of a report, as well as allowing an appeal to a higher court before filing. The constitutionality of this New York statute was upheld in *In Re Grand Jury*, January 1967, 277 N.Y.S. 2d 105 (1967).

Since the present proposal is almost word for word identical in its substantive provisions with the New York statute, we feel that it meets the necessary test of fairness against the charge that it makes an accusation without providing an adequate judicial forum for a denial.

In sum then, we believe this revival of the grand jury's historical report making power, as narrowly circumscribed in this proposal, is constitutionally sound and we support it as being in the interest of good and effective Government.

In accord with recommendation of the President's Commission, we would suggest that the grand jury also be allowed to file

general reports on organized crime conditions in the community. This would be accomplished by adding the following new subsection at the end of the proposed new Section 3330(a):

(4) regarding organized crime conditions in the district, provided it is not critical of an identified or identifiable person.

Finally, in order that the regular business of the grand jury may be conducted with dispatch and without interruption, and in secrecy, we would recommend that this proposal be amended to include the phrase "upon the conclusion of its term." In line with this suggestion, the first sentence of new Section 3330(a) would be amended to read, in pertinent part as follows: "a majority of its members, may, upon conclusion of its terms, submit a report . . ."

Mr. McCLELLAN. Mr. President, I believe those who are interested can study the provisions of title I, and study the reasons given by the Department of Justice and the President's Crime Commission in support of its provisions, and then compare those reasons with the blunt rejection by the Judicial Conference. This rejection merely states that this title of the bill "would drastically alter an important facet of the judicial process," and disapproves title I without further statement.

All legislative revising provisions make changes in the procedures which have occurred in the past. The question is, Is this change needed? Is this change necessary? Will it contribute to or aid law enforcement, particularly in the field of organized crime? Whether these questions were considered unfortunately was not revealed in this unsolicited letter from the Judicial Conference.

Mr. MURPHY. Mr. President, I think the distinguished Senator from North Carolina, who is without question one of the finest constitutional lawyers not only in this body but also in the entire United States, for his remarks concerning my amendment to the OEO bill passed on October 14, 1969.

I point out once again that there seems to be great confusion about what my amendment was intended to do. There has been a great hue and cry by some lawyers around the country in opposition to it, and as I read their opinions, it seems to me that even among them there is some confusion. I know they have not asked me for an explanation, which I would think would be proper, since I was the proponent.

After we set out, through the legal services program to provide legal assistance for a poor person who could not afford a lawyer, we suddenly found that in practice the funds for the program were being used for legal reform, which is an entirely different concept. I have no objection to legal reform. I have suggested and continue to suggest that at a proper time we have hearings, provide for it, and perhaps set up a special office in the OEO pertaining to legal reform. But the intent of my amendment is very simple: It is that these funds provided by Congress for the legal services program should be used to provide legal assistance and not law reform. It is that simple.

My amendment gives the Governors of the various States the opportunity to have a line or partial veto on the legal services programs submitted to them and

eliminates the OEO director's override on their vetoes. I believe, by my amendment, that the legal services program will be strengthened and made more responsive to the real needs of the poor. The unencumbered Governor's veto was included in the original Economic Opportunity Act of 1964. I am inclined to think one of the reasons why it was acceptable and was passed by the two Houses of Congress was that it put ultimate control in the hands of the Governors of the States, who were considered responsive to the people of their States. I believe that rationale is valid today. In my State, our Governor has had many problems keeping the legal service program on its original course which was, purely and simply, to provide a lawyer for a poor man who did not have enough money to hire one for himself.

So I thank the Senator from North Carolina and the Senator from Arkansas (Mr. McCLELLAN) for explaining the situation and bringing it to the attention of this body. I hope that as the weeks go by, the amendment may get a complete and fair hearing by a broad cross section of the American people.

I thank my distinguished friend, the Senator from North Carolina for mentioning this matter today and pointing out a specific incident which has happened.

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

Mr. MURPHY. I yield.

Mr. ERVIN. Mr. President, I thank the Senator for his kind and gracious remarks concerning me this morning. I supported the Senator's amendment. I thought it was a wise amendment and that it would be better to have these matters controlled at a local level rather than from a centralized office in Washington.

THE NEED FOR PROMPT CONGRESSIONAL ACTION ON THE INTEREST EQUALIZATION TAX EXTENSION

Mr. JAVITS. Mr. President, I address the Senate today to urge prompt action in dealing with the interest equalization tax extension. In doing so, I urge those Senators who may be responsible, unwittingly, for its delay to exercise the necessary statesmanship and thus avoid the costly and dangerous consequences which the prolongation of the present situation will bring.

Last month the Senate passed an extension of the tax, together with an amendment exempting gun dealers from keeping records of persons to whom long-gun ammunition—except for .22 caliber rimfire—is sold. The House had earlier passed a simple extension of the tax. The gun control amendment is the only substantive difference between the Senate and the House versions. It is the only bar to prompt passage of the interest equalization tax extension.

I strongly urge that measures be taken to separate the ammunition amendment from the parent interest equalization tax extension. This kind of honorable compromise would remove the uncer-

tainty which the lapse of the interest equalization tax has caused. It would also speed the day when serious consideration could be given by both Houses to the amendment itself.

Because both Houses have, in effect, approved extension of the interest equalization tax, and because the tax—if extended—should have uninterrupted applicability, the Treasury Department has requested securities dealers and exchanges to continue to regard the tax as if it were still in effect. Most of us, therefore, have been lulled into believing that the lapse of the interest equalization tax on September 30 was of little consequence.

Speaking on behalf of the banking and financial community, which is so heavily concentrated in New York, I must say that the uncertain status of the interest equalization tax has had a serious and damaging effect on international financial transactions. It has hampered the efforts of some United States companies to follow through on financing plans abroad and has affected the operations of securities dealers who buy and sell foreign securities in this country.

So we are not dealing here merely with an action which affects a small segment of the financial community. Virtually every major American corporation with international affiliates is affected by the interest equalization tax. Americans in large numbers are deterred through the interest equalization tax from purchasing foreign securities.

I opposed the interest equalization tax when it was first proposed. Yet I had to support its extension after it had become law. In my testimony before the Finance Committee, I made the point that the interest equalization tax now forms part of a larger system of controls on capital movements which cannot be dismantled helter-skelter without dangerous and costly consequences.

We are now incurring dangerous and costly consequences because the interest equalization tax has been allowed to lapse for more than a month. This constitutes a serious breach in the major system of controls on capital in the United States and has consequences seriously and adversely affecting our balance of payments and the strength of the American industrial investments overseas.

We cannot continue for very long, in my judgment, the fiction that we do have a law when we do not have one. It is beginning very seriously to hamper legitimate security and investment operations and the financial strength of much of our country.

I think the time has come to end this fiction by separating the two issues and allowing the extension of the interest equalization tax to pass and become law as both Houses intend. This means separating the other issue which has now been passed by the Senate and which will be taken up in the House, instead of holding the interest equalization tax hostage for the other amendment.

I hope that wise statesmanship will prevail in the Senate and allow this to be done.

COMPUTERS AND INDIVIDUAL PRIVACY

Mr. ERVIN. Mr. President, last week I attended a conference of management executives at the Wharton School of Finance and Commerce, University of Pennsylvania. These executives were discussing the science and management of information systems. The Constitutional Rights Subcommittee, in the course of its investigation of Government invasion of privacy, has uncovered many violations of the personal privacy of Federal employees and applicants. Many of these were made possible by the creation of vast computerized data banks. It was for this reason that I introduced S. 782, the right-to-privacy bill, which 54 Members of the Senate have cosponsored. As the complaints from Federal employees and every major employee union and organization demonstrate, there is an urgent need for enactment of this legislation.

Millions of private citizens face similar surveillance by computers in private industry as well as in Government. Their problems are equally deserving of attention.

Due to the national dimensions of this problem and its complicated nature, it is well-nigh impossible for Congress, by any one law, to control the dangers posed to our society by computer technology.

For this reason, in addition to bills prohibiting the collection and use of Federal data on individuals, there is an immediate need for establishment of an independent regulatory agency to control this new communication-surveillance system.

I also discussed at the conference a striking example of the dangers which Federal data banks present to individual privacy. This is a guideline published by the Secret Service and distributed to Federal employees to encourage them to report on private citizens. I have asked the Secretary of the Treasury to report to the subcommittee about the methods of compiling and using this data, for preserving its confidentiality, and for notifying citizens that a report has been made and affording a chance for rebuttal.

I ask unanimous consent that there be printed at the conclusion of my remarks my letter on behalf of the subcommittee to Treasury Secretary David M. Kennedy together with a letter to the Commissioner of Internal Revenue from the American Civil Liberties Union which was supplied to the subcommittee with the Commissioner's response.

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

(See exhibit 1.)

Mr. ERVIN. Mr. President, the conflict between the needs of our computer age and individual privacy in our national life is a problem which we used to think was uniquely American but technological know-how has made this a worldwide, and possibly, after Apollo 11, a universal concern.

From my investigation, I am convinced that computers represent a magnificent contribution to the progress of mankind. In fact, they are so wonderful

that I considered introducing an amendment to allow a computer to be elected President. But I found that while it can make logical conclusions from information fed into it, it cannot draw illogical deductions from logical facts. For this reason, a computer could never be President and I didn't introduce my proposed amendment.

There is a common bond which unites most of the population today. All of us have been, or will be, victimized or harassed by a computer. Last year I received a check from the social security agency for \$754.25 for lump-sum death benefits. I returned the check with a letter saying I was happy to report that contrary to the computer's deduction, any indications that I had passed away were slightly exaggerated.

Another time, when my income tax was not being withheld from my salary, I received a computerized notice from the Internal Revenue Service that I had failed to pay my June installment. I replied that this had been paid and eventually I learned that someone had failed to enter my payment in the computer.

So if the computer has, through folklore, acquired an image of infallibility, this is not the image it has in my mind.

Nor is it the image in the minds of those countless millions of Americans whose reputations, jobs, credit and insurance ratings, health records, security clearances, driver's licenses, and Government benefits of many different kinds may be destroyed or threatened by a computer. These are the people who stand to suffer at some time in their lives from erroneous information in their computer files which they cannot confront or explain.

These are the people who are being denied, or will be denied, due process by medium-size businesses and large corporations, by organizations and by government at all levels. These are the people in every type of work and every walk of life who must fear the mechanical or human quirks or complete breakdowns in computerized information systems.

They are also the millions of citizens who will be harassed by overzealous computerized data-collecting programs of overcurious administrators; the people who will wonder what the form they filled out was all about, and what will be done with their replies.

The number of citizens whose privacy is affected is vast. A survey by the Senate Administrative Practices Subcommittee 2 years ago revealed that—

Our names alone are in government files 2,800 million times. Our social security numbers are listed 1,500 million times. Police records number 264,500 million; medical histories, 342 million; and psychiatric histories, 279 million.

The social security number once was treated as a private matter, sacred to the individual. That was in the 1930's before the computer age. Now, with this number on almost every Government form, and every private questionnaire, no man can be lost. And this is reassuring. But, similarly, no man can ever again be alone. And this is despairing.

The new plan of the Health, Education, and Welfare Department to tie in a na-

tional welfare program to the social security system raises specters of surveillance and privacy invasion on a scale never before experienced. Only time will tell what the bureaucrats will do with this. Sadly enough, it will be the poor, the sick, the unsophisticated, the inexperienced, who will have to fight the computers in this program.

It is not just the chance of wrong or one-sided information being fed into vast Government and private computer systems that should give us cause to worry.

The increased use of computers makes it cheaper and vastly more simple for Government as well as private businesses to collect and store information about people for reasons that would give us serious pause.

There is, for instance, the Secret Service's well-meaning program to keep track of people who might harm the President or other public officials. But consider this Secret Service memorandum telling employees of Federal agencies to supply—

Information about individuals who "make oral or written statements about high Government officials in the following categories": Threatening statements; irrational statements; and abusive statements.

Information on professional gate crashers.

Information on persons who insist upon personally contacting high Government officials for the purpose of redress of imaginary grievances, and so forth.

Information pertaining to a threat, plan, or attempt by an individual, a group, or an organization to physically harm or embarrass the persons protected by the U.S. Secret Service, or any other high U.S. Government official at home or abroad.

Many people, with complete faith in their Government, believe that the place to start with a complaint is with the President or Vice President. Yet some of these people who write a strong letter will never know they have been fed into yet another Government data system. Are these records now to be part of standard employment checks for suitability and security clearances?

Another change made possible by the computer is that statistical questionnaires can now be distributed by private agencies and by Government on a scale beyond the researcher's wildest dreams. It has been estimated that by 1970 the total statistical budget of the Federal Government will probably exceed \$200 million. If complaints to Congress are any indication, the impact on individual rights of these programs is proving devastating.

The decennial census questionnaire, with civil and criminal penalties, is one example of this, with such questions as:

How much rent do you pay?

Do you live in a one-family house?

Do you use gas?

If a woman, how many babies have you had? Not counting still births.

How much did you earn in 1967?

If married more than once, how did your first marriage end?

Do you have a clothes dryer?

Do you have a telephone, if so, what is the number?

Do you have a home food freezer?

Do you own a second home?

Does your TV set have UHF?

Do you have a flush toilet?

Do you have a bathtub or shower?

Another example of this computer prying occurred last spring when the Constitutional Rights Subcommittee began receiving complaints from elderly, disabled, or retired people in all walks of life about a 15-page form sent out by the Census Bureau. It asked questions such as:

What have you been doing in the last 4 weeks to find work?

Taking things all together, would you say you are very happy, pretty happy, or not too happy these days?

Do you have any artificial dentures?

Do you—or your spouse—see or telephone your parents as often as once a week?

What is the total number of gifts that you give to individuals per year?

How many different newspapers do you receive and buy regularly?

About how often do you go to a barber shop or beauty salon?

What were you doing most of last week?

When the recipient did not respond he received a second form by certified mail, then a phone call, and then a visit from a Census Bureau employee.

We found that because of its great computer systems, the Census Bureau was sending out this form for the Department of Health, Education, and Welfare. We also found that it was making similar surveys of many other groups such as the mentally ill and the handicapped. It took the subcommittee several months, several letters, and a number of phone calls to get an answer from the HEW Secretary to the simple question, whether or not this form was voluntary or required. We also found that several sets of tapes were made of the responses and stored in several different places: in one location, apparently forever.

As a result of those and thousands of other complaints about burdensome or privacy invading statistical forms, I had the Senate Constitutional Rights Subcommittee conduct a survey of every Federal agency to find out what kind of statistical questionnaires they are sending to the public, whether the replies were voluntary or required, and finally, whether the person who received the form was told this. We learned that over the past 3 years Census Bureau alone had conducted 87 voluntary surveys for 24 other agencies which covered over 6 million people. There were other independent surveys by the agencies themselves. Everything from bomb shelters to smoking habits, to birth control methods was included in these "people studies." And usually with spaces for social security number, address, and phone numbers on the form. All responses were fed into computers.

The Census Bureau and Health, Education, and Welfare questionnaires illustrate another serious problem basic to the computer age. The right to privacy and the right to keep silent about one's personal life and attitudes is being violated by the coercive methods used by

government and business to obtain responses. The information fed into these machines is easily coerced by citing a general statute or by using subtle psychology to pressure a response. The Assistant Secretary of Commerce for Economic Affairs, William H. Chartener, for instance, told the subcommittee that he could not advise people that their responses to a form were voluntary because that would be "bad psychology." He felt that the Census Bureau had to give the citizen the impression his replies were required on pain of penalty.

We frequently see such pressure applied to applicants for employment who are forced to subject themselves to wholesale invasion of their personal privacy because they need a job. This is particularly true in private businesses. The data disappears into the labyrinth of computers, and as the person moves from job to job throughout an industry, the computer surveillance continues, facilitated by the network of interfacing computer systems.

Because there are few controls, the applicants and employees of these large corporations which stretch across our national economy are subjected to a startling arsenal of devices for coercing disclosure of personal information.

Do they want to check an applicant's capacity to fit into the organization—his conformity to the prevailing norm? They subject him to personality tests and make a record in the computer dossier of his responses to such questions as:

I am very seldom troubled by constipation.

My sex life is satisfactory.

At times I feel like swearing.

I have never been in trouble because of my sex behavior.

I do not always tell the truth.

I have not lived the right kind of life.

I have no difficulty in starting or holding my bowel movements.

I am very strongly attracted by members of my own sex.

I like poetry.

I go to church almost every week.

I believe in the second coming of Christ.

I believe in a life hereafter.

I loved my mother.

Many of my dreams are about sex matters.

Congress has received complaints about such psychological pressure from the practices of large credit companies. With their gigantic computerized data systems, they induce the most personal revelations out of the individual through subtle threats or inducements of credit clearance. Yet his buying and borrowing ability is governed wherever he moves in this country or abroad by the rapid computer transmission of information about him.

As of now, however, the individual has no recourse, no chance of confronting and rebutting the data.

The forms of human psychology promoted by computer technology today are about on the same moral plane as false pretenses in a horse trade.

Whether practiced by private business or by government, they have no place in our constitutional system, and under American ideas of due process.

REMEDIES

What can be done about these threats to our liberties? How can we insure that corporations as well as Government afford substantial due process to employees and citizens?

Our Founding Fathers, with all their vision, could not have foreseen the "memory banks" and "printouts" that are beginning to dominate our society.

Our present legal system affords no protections against the excesses of computers, and no adequate legal remedies for the injuries they may cause. But under our Constitution, this can be remedied.

To mitigate, much less prevent these threats, there must be controls of several kinds.

First. There must be technical and mechanical security devices built into the machine. According to engineers, this is possible and the computer industry should be encouraged to develop these.

Second. There must be controls for those who operate and who control the machines. In this connection, the ethical conduct guidelines with some of the computer operators themselves have developed and are attempting to apply, suggest that the industry will try to police itself, will develop sanctions, and hopefully, publicize their use, for any personnel who violate its code. In addition, strict administrative personnel rules must be developed by organizations, businesses and industries using computers.

Third. To assure substantive due process, there must be controls over computer input and output. Since one of the most basic threats posed by the computer is the exchange of information among agencies and among companies, information collected for one purpose should not be utilized for another without tight conditions attached, without the involvement of the individual.

Fourth. Some system must be devised to give the individual a chance to explain personal data susceptible to derogatory interpretation. One of the drawbacks of our highly mobile, computerized society is that a man's past is ever with him. He should have a chance to expunge the record.

Walter Malone expressed the sentiment in his poem, "Opportunity":

Weep not for precious chances passed away!
Weep not for golden ages on the wane!
Each night I burn the records of the day—
At sunrise every soul is born again!

Yet the people most concerned with our growing communications—surveillance system are given no chance for due process. In many cases, the victim never knows why or how he has failed in an endeavor.

As Prof. Arthur R. Miller writes:

The computer's impact on traditional relationships between individuals and organizations, and the impending emergence of computer technology as a medium of communication with national dimensions, suggests that congressional action to protect privacy values may be both necessary and appropriate.

However, I agree with Professor Miller that the uncertain direction of the computer age and the lack of obvious and

easy solutions have combined to make the desirability and effectiveness of congressional action still very much a matter of conjecture. Furthermore, as he points out:

Our limited experience with data centers and networks and the enormously complex problems of distinguishing between governmental and private systems and determining the extent to which the private ones should be federally regulated make the obstacles to drafting comprehensive national legislation virtually insurmountable at the present.

Fifth. The most effective action Congress can take is the enactment of laws controlling the collection and the use of data in certain areas. Examples of this are S. 782, my Federal employee privacy bill; S. 1791, my bill to limit certain types of privacy invasion by governmental statistical questionnaires; and proposals for some type of credit reporting act to protect consumers against erroneous credit reporting.

Sixth. If the problem of computer technology is too vast to be dealt with in one statute, still I believe it can be controlled by the Federal Government in the same way we have handled other vast, complex communication problems such as the radio, telegraph, television, and telephone. This is through an independent regulatory agency.

I see no existing agency which could assume these complicated and delicate problems. Those charged with regulating communications have built-in biases in their operating methods and their approaches to these problems, particularly the preservation of individual privacy.

While I dislike adding to an already weighty bureaucracy, the problem is serious enough to warrant a separate agency. For this reason, therefore, I would support the creation of some separate agency to deal specifically with computer systems.

I believe we have learned enough over the past 50 years about the design and operations and problems of regulatory agencies to enable us to create one which has built-in protections to assure that it serves the interests of the individual citizen and not solely those of the industry it is supposed to regulate.

Beyond the immediate legal and practical threats to individuals, there is a greater danger to our social fabric presented by the network of computer systems which crisscross the Nation. These mammoth communications devices, while encouraging actual surveillance, in certain circumstances under certain conditions, have also created a climate of apprehension and fear of "snoopers"—private or official.

To the alienated in our society, and to the not-so-alienated, the computer card either has become, or stands in danger of becoming, a symbol of administrative coldness, of dehumanized impersonal decision slacking the input which ideally should inform administration in any organization with fairness, intelligence, and humanity.

The reasons for this growing public attitude should be carefully considered by executives in the public as well as private sector of our national life.

Seventh. On both sides, public and executive, there is a real need for edu-

cation and for reassessment as to what corporate or governmental goals are important in this computer age.

Efficiency and economy can be balanced with privacy and constitutional freedom. But it must be done now if our form of liberty is to survive.

The computer field is so vast that talking about it is like the story of the two elderly ladies in a town in North Carolina. They entertained the new young preacher on Sunday afternoon, and then invited him to dinner that evening. He said he had to preach at Sunday evening service first, so one of the ladies stayed home to prepare the dinner and the other went with the preacher to the church. When they returned after the services, the one who had stayed home asked how he had preached. The other lady said he had preached in the apostolic style. He just took the gospel and preached all over the place.

That is what it is easy to do with the subject of computers. The implications and impact of computers on our society are almost inconceivable in their immensity and intensity. One can talk about the issue at great length and to great extent and never exhaust the subject, never completely resolve the problem.

While I believe that much more thought and discussion should be devoted to the legal and social implications of a computer-based civilization, I am not in favor of our merely preaching all over the place for the indefinite future. We know enough now of the implications of this technology to begin taking action both in the private and the public sectors to bring the electronic brains under effective control of the human beings they are created to serve.

EXHIBIT 1

NOVEMBER 10, 1969.

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

DEAR MR. SECRETARY: In connection with the Constitutional Rights Subcommittee's study of data banks and individual privacy, I have been seriously concerned about the guidelines issued by the Secret Service to encourage federal employees' reporting on private citizens for a vast number of reasons. I discussed this last week in a speech on "Computers and Individual Privacy", a copy of which is enclosed for your use.

I have no quarrel with the goal of the Secret Service to perform their duties efficiently. It is clear, however, to anyone educated in our constitutional form of government, that the criteria for filing information about individuals are questionable from a due process standpoint; are impractical; and are conducive to a mass surveillance unprecedented in American history.

Your attention is directed to such examples in the guidelines as the invitation to Civil Service workers throughout government to supply:

1. Information about individuals who "make oral or written statements about high government officials in the following categories":

- (1) Threatening statements
- (2) Irrational statements
- (3) Abusive statements

2. Information on professional gate crashers.

3. Information on persons who insist upon personally contacting high Government of-

ficials for the purpose of redress of imaginary grievances, etc.

4. Information pertaining to a threat, plan or attempt by an individual, a group, or an organization to physically harm or embarrass the persons protected by the U.S. Secret Service, or any other high U.S. Government official at home or abroad.

5. Information about people who take part in demonstrations.

These guidelines are a direct threat to first amendment freedoms.

Many people, with complete faith in their government, believe that the place to start with a complaint is with the President or Vice President. Yet some of these people who write a strong letter will never know they have been fed into yet another government data system. Similarly thousands of well-meaning, loyal Americans have engaged in some form of demonstration in connection with the Vietnam war, welfare and civil rights policies of the government, and many other causes.

What the Subcommittee wishes to know in order to respond to complaints about this surveillance is:

Are these records now to be part of standard employment checks for (a) suitability and (b) security clearances? What standards have been promulgated by the Secret Service for maintaining such a data bank? Will this information be computerized? Will it be available for use by other federal agencies? If so, which ones?

What procedures have been established for (1) Preserving the confidentiality of this data; (2) affording citizens subject to such a report the opportunity to review their files and to rebut derogatory information?

Would you also supply copies of any published federal regulations governing this data bank and its use.

Your assistance in our study is appreciated.

With all kind wishes, I am,
Sincerely yours,

SAM J. ERVIN, Jr.,
Chairman.

AMERICAN CIVIL LIBERTIES UNION,
Washington, October 22, 1969.

HON. RANDOLPH W. THROWER,
Commissioner, Internal Revenue Service, U.S.
Treasury Department, Washington, D.C.

DEAR COMMISSIONER THROWER: A recent supplement to the Internal Revenue Service Manual regarding protection of the President entitled, "Guidelines for Reporting Information", dated August 26, 1969, has come to our attention. Recognizing as we do the importance of safeguarding the life of the President, nevertheless, it appears to us that a number of the guidelines contained in that supplement are overly broad and devoid of relevance for that purpose. They will succeed in doing nothing but adding to investigative files that names of American citizens who are doing nothing more than exercising their right of freedom of speech and their right to petition their government for redress of grievances. The disastrous effects of having information considered derogatory in such investigative files on employment possibilities, security clearances and even to positions on advisory committees of government agencies is too well known to require reiteration here. (You may have noticed recent news stories in the *New York Times* concerning scientists being blacklisted by HEW for service on advisory review committees on the basis of such so-called derogatory information.)

In particular, I would like to suggest modification be considered or elimination of the following guidelines:

I. PROTECTIVE INFORMATION

A. Information pertaining to a threat, plan or attempt by an individual, a group, or an organization to physically harm or embarrass

the persons protected by the U.S. Secret Service, or any other high U.S. Government officials at home or abroad.

Comment: Certainly the desire to embarrass any government official hardly indicates a desire to harm him. Embarrassment may be caused in many ways, including the exposure of peccadilloes, or even malfeasance in office.

B. Information on persons who insist upon personally contacting high Government officials for the purpose of redress of imaginary grievances, etc.

Comment: Many Americans attempt to contact high Government officials for the purpose of redressing grievances. The grievances may be in the view of some individuals including the government officials involved, imaginary. Nevertheless, it is fairly clear many of the grievances are not imaginary and it has only been by the sustained effort of such individuals that the grievances have been brought to public attention and corrective measures taken. American citizens should not be inhibited in trying to see high government officials by fear that this will be considered derogatory information by the Secret Service.

E. Information on any person who makes oral or written statements about high Government officials in the following categories: (1) threatening statements, (2) irrational statements, and (3) abusive statement.

Comment: A comment similar to the item above could be made about irrational statements and abusive statements. There are many people who write abusive letters and make abusive statements about government officials. However, merely because a letter or statement is abusive in tone does not indicate a desire to cause physical harm. Similarly, those who make irrational statements do not necessarily indicate any desire nor inclination to harm. Unless the purpose of this guideline is really just to collect a list of all those who make abusive or irrational statements about high government officials in the United States, it seems difficult to believe that this kind of information is necessary as a positive method of protecting such officials.

Just in passing—the recent speech by Vice-President Spiro Agnew reported in yesterday's *Washington Post* and *New York Times* as well as being carried by all the news media, was considered by at least Senators William Fulbright and Hugh Scott to be abusive about some Congressional leaders who are opposed to the war in Vietnam. Would Vice-President Agnew's speech be covered by this regulation and would it have to be reported?

I. Information regarding anti-American or anti-U.S. Government demonstrations in the United States or overseas.

Comment: To be specific, are the recent moratorium demonstrations on October 15th considered to be either anti-American or anti-Government and must all participants be reported to the Secret Service? If so, are you including the names of all the U.S. Senators and Congressmen who participated?

Is there a difference between anti-American or anti-U.S. Government or is one term intended to mean anti-administration?

As I stated at the beginning of my letter, I recognize the necessity for guarding the President and other government officials protected by the U.S. Secret Service. However, collecting information of the kinds suggested in these guidelines will not really focus on this problem and instead, will fill investigative files with useless information which will be derogatory to countless millions of Americans.

We would appreciate your reconsidering this manual supplement. We would be quite willing to discuss this matter further either with you or with those who have the responsibility of issuing such instructions.

Sincerely yours,

LAWRENCE SPEISER,
Director, Washington Office.

INTERNAL REVENUE SERVICE,
Washington, D.C.

DEAR MR. SPEISER: Commissioner Thrower has asked me to respond to your October 22, letter regarding our Manual Supplement "Protection of the President: Guidelines for Reporting Information." If you have a copy of the document in question, you will see that the guidelines in question were issued by the United States Secret Service. The guidelines were distributed to Internal Revenue Service employees in an effort to be of maximum assistance to Secret Service in meeting their protective responsibilities.

I have referred your letter to the Secret Service, and I assume you will be hearing from that office in the near future.

Sincerely,

LEON C. GREEN,
Deputy Assistant Commissioner.

[From manual Supplement, U.S. Treasury Department, Internal Revenue Service, Aug. 26, 1969]

PROTECTION OF THE PRESIDENT: GUIDELINES
FOR REPORTING INFORMATION

SECTION 1. BACKGROUND

The U.S. Secret Service is charged with the responsibility of protecting the President and certain other high-level Government officials and public figures. This responsibility includes the evaluation of all information concerning threats against the personal safety of those being protected. It is incumbent upon the Internal Revenue Service, along with other agencies, to assist the Secret Service in this responsibility by the timely reporting of any information which will help that organization to do its job effectively.

SECTION 2. PURPOSE

This Manual Supplement provides: *U.S. Secret Service Liaison Guidelines*, which outlines the type of information most useful to the Secret Service (see Attachment 1); instructions for reporting this information; and a list of Secret Service field offices.

SECTION 3. GUIDELINES

Employees should: familiarize themselves with the attached document, *U.S. Secret Service Liaison Guidelines*; be alert to circumstances which warrant their consideration; report information in accordance with Section 4 of this Manual Supplement; and upon request, cooperate fully with the Secret Service in discharging their responsibilities in this area.

SECTION 4. REPORTING PROCEDURES

.01 As indicated in the Secret Service guidelines, information should be promptly referred to the Secret Service Washington Office. Employees will use their discretion to determine the most judicious method of notifying the Secret Service. If the referral is urgent, employees are authorized to telephone the nearest Secret Service Office. When time permits, a written report should be sent to the Secret Service Washington Office. Attachment 2 to the Manual Supplement contains a list of Secret Service field offices giving their addresses and telephone numbers.

.02 In all cases, the person making the referral will prepare a written report for his own file. This report will contain: all the information given to the Secret Service, the Secret office and personnel notified, and the time Service and date of the referral.

SECTION 5. EFFECT ON OTHER DOCUMENTS

IRM 1941.7 is supplemented; and Manual Supplement 19G-46, dated June 1, 1966, is superseded.

U.S. SECRET SERVICE LIAISON GUIDELINES

Subject to the direction of the Secretary of the Treasury, the United States Secret Service is charged by Title 18, U.S. Code, Section 3056, with the responsibility of protecting the person of the President of the United States, the

members of his immediate family, the President-Elect and Vice President, or other officer next in the order of succession to the Office of President, and the Vice President-Elect, protect the person of a former President and his wife during his lifetime, the person of the widow of a former President until her death or re-marriage, and minor children of a former President until they reach 16 years of age, unless such protection is declined, protect persons who are determined from time to time by the Secretary of the Treasury, after consultation with the Advisory Committee as being major Presidential and Vice Presidential candidates which should receive such protection (unless the candidate has declined such protection).

Detecting and arresting any person committing any offense against the laws of the United States relating to coins, obligations, and securities of the United States and foreign Governments. Several other responsibilities are delegated to the U.S. Secret Service by the Secretary of the Treasury, such as investigation of violations of the Gold Reserve Act, and such other functions as are authorized by law.

Effective liaison with other law enforcement and Government agencies is necessary to insure we receive all information they may develop regarding any of our responsibilities. A Special Agent of the Liaison Division, U.S. Secret Service, will maintain contact with your agency at a headquarters level. Certain guidelines are set forth below which may assist you in determining our interests.

1. PROTECTIVE INFORMATION

A. Information pertaining to a threat, plan or attempt by an individual, a group, or an organization to physically harm or embarrass the persons protected by the U.S. Secret Service, or any other high U.S. Government official at home or abroad.

B. Information pertaining to individuals, groups, or organizations who have plotted, attempted, or carried out assassinations of senior officials of domestic or foreign Governments.

C. Information concerning the use of bodily harm or assassination as a political weapon. This should include training and techniques used to carry out the act.

D. Information on persons who insist upon personally contacting high Government officials for the purpose of redress of imaginary grievances, etc.

E. Information on any person who makes oral or written statements about high Government officials in the following categories: (1) threatening statements, (2) irrational statements, and (3) abusive statements.

F. Information on professional gate crashers.

G. Information pertaining to "Terrorist" bombings.

H. Information pertaining to the ownership or concealment by individuals or groups of caches of firearms, explosives, or other implements of war.

I. Information regarding anti-American or anti-U.S. Government demonstrations in the United States or overseas.

J. Information regarding civil disturbances.

2. COUNTERFEITING AND FORGERY INFORMATION

A. Information regarding counterfeiting of U.S. or foreign obligations, i.e., currency, coins, stamps, bonds, U.S. Treasurer's checks, Treasury securities, Department of Agriculture food stamp coupons, etc.

B. Information relating to the forgery, alteration and fraudulent negotiation of U.S. Treasurer's checks and U.S. Government bonds.

3. GOLD AND "GOLD COIN" INFORMATION

A. Gold regulations prohibiting the acquisition, holding, transportation, importing, and exporting of gold by persons subject to the jurisdiction of the United States. Gold in

its natural state may be purchased, held, sold or transported within the United States and may also be imported without a license.

B. Gold coins of recognized special value to collectors may be acquired, held and transported within the United States and may be imported as permitted by the gold regulations.

Routine reports may be mailed to the U.S. Secret Service, Liaison Division, Room 825, 1800 G Street NW., Washington, D.C. 20226, or handled during personal liaison contact.

Emergency information, especially in reference to Presidential protection, should be reported immediately by telephone to the nearest U.S. Secret Service field office or the U.S. Secret Service Intelligence Division, Washington, D.C. Area Code 202-WO4-2481; (Government Code 184-2481).

HOUSING CRISIS IN THE CITIES

Mr. JAVITS. Mr. President, on November 6 and 7, 1969, the Committee on Housing and Urban Development of the New York State Senate held hearings on the housing crisis in New York City. These hearings were chaired by State Senator Roy Goodman. Although I was unable to testify personally before Senator Goodman's committee, I did prepare a statement for those hearings, which I submitted for the record.

Because I believe that the housing problems of the Nation's largest city are indicative of the enormous crisis which the Nation faces in this sector of the economy, I ask unanimous consent that my statement be printed in the RECORD.

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

HOUSING PROBLEMS IN NEW YORK CITY

(By Senator JACOB K. JAVITS)

Mr. Chairman and Members of the Committee: I appreciate this opportunity to appear before you to discuss the housing crisis in New York City.

It is my intention in this statement to discuss New York City's critical housing problem in the context of the crisis. There are many factors peculiar to New York City which inhibit sufficient housing production here, but it is important to recognize that many other cities—indeed, many suburban areas—face problems of a similar nature, if of a different scope. However, the very size of New York City and the tremendous scope of its housing shortage have converted that which is a manageable, even if serious, problem elsewhere into a human tragedy here.

New York's housing problem is part of a national housing crisis, and, ultimately, no matter what progress is made in reforming local and state laws and institutions relating to the production, maintenance, rental and/or sale of housing in New York City, the resolution of that problem depends upon creative national policies.

For twenty years, it has been our national objective to provide every American family with "a decent home and suitable living environment." Only last year, the Congress restated that commitment and articulated it in terms of a specific housing production requirement—26 million units in ten years.

The simple fact is that we are not meeting that goal, and in our great central cities we have been unable to provide everyone with the opportunity to obtain safe and sanitary shelter.

The supply of housing is totally inadequate to meet the demand. Every year the imbalance between the production of housing and the growth of population becomes more acute.

In 1950 about 1.9 million housing units

were started. In the twenty years since annual housing starts rarely got above 1.5 million. At the beginning of this year the rate of annual housing starts stood at 1.9 million—still below the stated goal of the 1968 Housing Act—, but the figure has dropped steadily throughout the year, falling back to a rate of 1.3 million in August. Thus, at the best of times, housing production has been stable, in a period of two decades which has seen our population grow by 50 million and industrial output more than double.

The inevitable result has been a rapid escalation in the price of housing—whether rental or sale—and the inability of Americans to find the kind of housing they want and need at prices they can afford. In New York City, for all intents and purposes, there are no vacancies in rental housing. For the past two years the prices of houses has risen almost twice as fast as the overall cost of living. Thus, the situation of one housing consumer quoted by *Time Magazine* is not unusual: "We cannot find a decent house and we cannot afford to stay in an apartment."

It is obvious that the highest economic priority must now be given to the production of housing. No other consumer good is in such short supply—and no other element of industrial production and commercial enterprise bears such a direct relationship to the quality of American life. Poor housing contributes to poor health; an overcrowded and deteriorating environment perpetuates a process of social fragmentation; and the increasingly limited range of choices in and the escalating costs associated with housing have contributed to a sense of frustration and tension—among all income groups—in our metropolitan areas.

But to state that it is necessary to produce housing in much greater quantity offers little guidance as to how we are going to do it. The hard and unfortunate fact is that, as most consumers cannot afford to purchase or rent houses or apartments because of the limited supply, so the producers of housing cannot afford to meet this severe shortage with expanded production. In fact, except for luxury housing, there is no housing market that provides a predictable, and satisfactory profit for a developer or owner. . . . Without writedown or subsidy, nothing can be built for the average income family that simply needs a place to live in or near the city.

The continuing shortage of housing and the escalation of housing prices at a rate well in excess of increases in the cost of living is attributable to more than normal inflationary pressures. Indeed, the present anti-inflationary program of the Government—with its resulting high cost and scarcity of mortgage money—has contributed to the continuing shortage of housing and its consequent high cost.

Housing is the first casualty of tight credit—or, to quote Paul McCracken, Chairman of the President's Council of Economic Advisers, the housing industry lies "at the end of the economic whipcracker."

But, it is not just the cost of money which has increased housing costs. So, also the cost of land, labor and materials has risen drastically in recent years. At the beginning of this year sharp increases in the cost of lumber drove up housing construction costs, reflecting the direct relationship between the cost of materials and the cost of the final product to the consumer. Equally well-publicized has been the high price of construction. Construction wage rates are the highest of any major labor group in the country—and their existing rates are among those which are most rapidly increasing at the present time.

Less-noticed but perhaps more important is what has happened to the cost of land. Its high cost is a massive obstacle to construction of houses. Although there is an

enormous amount of open space in this nation, land is very scarce near the urban job centers, let alone in our core cities. In 1960 the median price of a land site for a new house covered by an FHA mortgage was \$2,404. Today—less than ten years later—the figure is \$3,882, an increase of more than 60 percent.

As a result of these national conditions, housing production in New York City faces a set of almost impassable obstacles. We can no longer build housing for low-, moderate-, or middle-income persons in this city unless there is some form of public assistance, and we can no longer build even publicly assisted housing in this city because of inflexible statutory cost limitations and inadequate funding of Federal housing and urban development programs.

For the latter reasons, in this city and in other high cost areas it is now virtually impossible to construct public housing or housing under the section 235, homeownership or the section 236, rental assistance programs. As Mayor Lindsay recently pointed out, the New York City Housing Authority is prepared to build 20 public housing projects that would produce nearly 5,700 units for low-income families. The land is acquired and the designs approved. Yet, the bids averaged more than 30 percent over federal statutory limits. Moreover, there has been virtually no construction under the home-ownership program in high-cost areas, such as the New York Metropolitan area, because of this same combination of rapidly escalating costs and inflexible cost limitations.

In the case of public housing, outdated Federal subsidies, unrelated to the present costs of construction and maintenance of projects in this and other cities, threaten to destroy this program. Many public housing authorities face a choice between increasing rents—beyond the reach of the low-income persons they are supposed to serve—and going bankrupt. This is a problem in virtually every city—in St. Louis, in Washington, D.C., and it is a very real and immediate problem in New York City.

The now-pending housing and urban development amendments of 1969 would relieve many of the pressures of the present statutory cost limitations. In particular, the Senate-passed version of this bill would permit an increase of up to 45 percent in cost limitations in the public housing and the 235 and 236 programs in high-cost areas, such as New York City. In addition, the Senate bill provides for automatic annual increases in the cost limitations on the basis of increases in a cost index.

I believe that the Senate-passed version of this bill, in making these changes in the statutory cost limitations, would permit the construction of public housing and publicly-assisted housing for low- and moderate-income persons to proceed in New York City. Accordingly, I will strongly support the final enactment of these provisions.

However, increasing the cost limitations will not alone ease the pressures of increasing costs on housing construction, generally, nor will it make such an investment an attractive one to the private builder.

Housing can be built in New York City and in the other cities of this nation, but it will not be built unless we adopt a coordinated program which will act to check the rapidly escalating costs of money, labor, materials, and land. We must reform present housing, taxing and land-use laws at the national, State and local levels, and we must devote the required national resources—of imagination and will, as well as money—to this task.

First, I urge the adoption of policies which will maintain the availability of money for housing, even during periods of high interest rates.

It is absurd that we enact bold new housing programs and establish national housing

goals only to adopt monetary policies which make it impossible to implement the programs and meet the goals.

Housing has borne far more than its fair share of the necessity of framing a monetary policy to curb inflation and the resulting tight credit. Not only are interest rates increasing the cost of money for housing so high as to price many consumers out of the market, but available funds are drying up. There has been a flow of funds out of the savings and loan institutions and mutual savings banks, which have always been the prime sources of lending for the housing market. Today, in many cases, they do not have money to lend.

Accordingly, I have urged that there be fundamental changes in the present structure of our financial institutions, so that housing will not always have to bear the major burden of high interest rates. I have repeatedly called for the Federal Reserve Board to be required to purchase FNMA ("Fannie Mae"), GNMA ("Ginnie Mae") and Federal Home Loan Bank Board obligations to increase the flow of funds into the housing industry during times of tight money.

In addition, both government and private pension trust funds should be invested in the residential mortgage market—and, if necessary, new vehicles should be established to promote the investment of these funds. I also believe that it is essential that existing authority be fully utilized to issue Federal-guaranteed, mortgage pool-secured obligations and that new authority be enacted which would permit GNMA to purchase mortgages at par and to resell them to FNMA after absorbing the discount, if any.

Second, we must act to increase the availability of skilled construction labor. I can well understand the concern of the building trades unions about the insecurities built into the construction industry and their consequently deeply-felt commitment to hourly rates and job protection. However, it is quite clear that if this nation were ever to devote the national resources required to the task of constructing 2.6 million housing units annually there would not be enough skilled workers available to meet the demand. Thus, there must be expansion of this capability. In particular, we must implement programs for the recruitment, training and employment of minority persons for his labor force. For this reason, I have commended and fully supported the Nixon Administration's "Philadelphia Plan," which would seek to ensure affirmative action to expand the construction work force.

Third, a tangle of differing local building codes has inhibited the development and use of new building materials and construction techniques, and thereby has effectively increased costs. I commend the "Operation Breakthrough" program of Housing and Urban Development Secretary Romney, which seeks to establish new housing production materials and techniques. I urge the establishment of a "National Institute of Building Sciences," as contained in the bill I have introduced in this Congress (S. 2368). Such an institute would serve as an authoritative national source to advise the housing industry and local authorities as to the latest technological developments in materials and techniques and to propose nationally acceptable building standards.

Fourth, there will be no solution to the housing crisis unless we develop a national policy for the full utilization of land and the existing housing stock in and around our great cities. Land accounts for one-fifth of the total cost of a new house compared with one-tenth twenty years ago. The housing crisis is particularly acute in the central cities where the available land is most limited and most expensive. The poor are effectively locked into a decaying inner-city housing stock through fragmented, outmoded and restrictive suburban zoning ordi-

nances. These conditions impose ever-increasing burdens on urban municipal services and make it increasingly difficult for the cities to meet necessary demands with ever-shrinking financial resources. Yet, the present property tax structure in many cities subsidizes blight, slum formation and urban sprawl, by taxing vacant land lightly and improvements heavily.

There will be no relief of the housing crisis in New York City until there is a reform of these basic land-use tools and procedures and until the suburbs have been opened up to all the residents of our metropolitan areas. As the National Commission on Urban Problems reported, the "urban problem" is not essentially a "slum problem." It is a problem of deteriorating central cities and sprawling suburban growth. "What is happening in the slums and the rest of the central city cannot be separated from the kind and the pace of growth in the suburbs," the report said.

Accordingly, I introduced in this session of the Congress the "Urban Land Improvement and Housing Assistance Act" (S. 3025). This bill would establish supplementary Federal grants—to pay 50 percent of the local share—for those assisted local programs and services which would be particularly impacted by more intensive land utilization and expanded housing opportunities for all income groups. Among such impacted local services which could receive these supplementary Federal grants would be education, transportation, water and sewers. To be eligible for such grants a locality would have to reform its zoning ordinances or property tax laws so as to provide incentives for the improvement of under utilized land, or adopt and enforce a building code comparable to nationally-acceptable standards.

Among the reforms which would make a locality eligible for these supplementary Federal grants would be the adoption of a program of property tax abatement in the case of low- and moderate-income housing. In such circumstances, the Federal government would also pay 50 percent of the amount of the tax abatement. A program of this nature would be of great assistance to such cities as New York, where tax abatement is a crucial element in the reduction of per unit housing costs and rental rates.

Within our central cities the existing housing stock must be fully utilized. This means rehabilitation of vacant and abandoned structures, including those buildings which the city has acquired through tax proceedings, code enforcement and otherwise. In New York City there are thousands of such buildings. S. 3025 would, therefore, also authorize a Federal program of assistance to the cities which would—specifically—allow them to acquire such abandoned buildings and to turn these buildings, as well as those structures already acquired by the city, over to cooperatives and nonprofit corporations which would rehabilitate them and operate them as low- and moderate-income rental housing.

It is also essential that a fully-funded program of rehabilitation be implemented in this city. At the national level, we have been talking about rehabilitation for decades, and we have enacted numerous programs. However, we have yet to pursue rehabilitation with the required energy or imagination. There must be greater flexibility in the Federal programs—and, to that end, I joined Senator Mondale of Minnesota in sponsoring the provision in the Senate-passed housing bill which would carry out the recommendation of the Mayor and would remove the income limitations from the section 312 rehabilitation loan program.

But rehabilitation, to be effective, must aim at more than the rehabilitation of individual buildings. It must involve the rebuilding and revitalization of the urban neighborhoods in which the rehabilitated units are located. It must involve the total environmental development of these areas,

including new parks, open spaces, transportation and educational and community facilities. Rehabilitation, renewal—and, indeed, new housing construction—must enlarge the range of choices and must expand diversity within the city. Variety and excitement need not be and are not necessarily found only in upper-income areas of our cities. They can and should be associated with urban living for all a city's residents.

In this context, Mr. Chairman, it must be emphasized that our cities cannot be rebuilt nor can new housing be constructed unless related Federal programs are adequately supported and funded. In particular, I refer to the Federal urban renewal program which, alone, makes it possible for land to be cleared and to be made available for low-cost housing in our central cities. Without urban renewal clearance and write-down, such land is virtually unavailable and prohibitively expensive. The present appropriation for the urban renewal program is not adequate, and I have already indicated my intent to support greatly increased funding for this program in the present fiscal year.

Finally, Mr. Chairman, the housing crisis cannot be met only through public funds and initiative. We must adopt such tax incentives as will make private investment in low- and moderate-income housing attractive—and we should adopt those incentives in the context of the now-pending tax reform bill. In September I urged the Senate Finance Committee to adopt an incentive similar to the one they have now approved—for no tax on sale of such a publicly-assisted project is transferred to a tenant cooperative or a nonprofit entity and if the proceeds of the sale are reinvested in a similar project. Such a provision, combined with the maintenance of present recapture rules for depreciation deducted on low- and moderate-income housing, should make it possible for the private sector to continue such housing construction in this City, and it is my hope that the final bill will include this incentive.

Similarly, there should be sufficient assistance to nonprofit housing sponsors which have played such an important role in providing low-cost housing in New York City. In particular, a small amount of public funds can be crucial in stimulating the formation of such non-profit entities. Both in the Federal and New York State governments have established seed money programs for non-profit institutions. However, to be successful, these programs must be adequately funded and flexible in the conditions imposed. New York City's own non-profit seed money program has, I understand, been most promising, and I would hope that both Federal and State governments might follow this lead.

Mr. Chairman, New York City faces a serious and critical housing crisis—a crisis of short supply, of little available land, and of rising costs. However, it is not an insoluble problem. I believe that, in the next few years, to meet our national commitment to provide every resident of this City—and every American family—with a decent, safe, and sanitary home, at a cost which he can afford, will require that reordering of our national priorities which this Congress has now undertaken.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letter, which was referred as indicated:

REPORT OF BUREAU OF THE BUDGET ON FISCAL YEAR 1970 OUTLAY LIMITATIONS

A letter from the Director, Bureau of the Budget, transmitting, pursuant to law, a report on the fiscal year 1970 outlay limitation through October 1969 (with an accompanying report); to the Committee on Appropriations.

PETITIONS AND MEMORIALS

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

By the PRESIDENT pro tempore:

A resolution adopted by the Common Council of the City of Lafayette, Ind., relating to the war in Vietnam; to the Committee on Foreign Relations.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore announced that, under authority of the order of the Senate of November 7, 1969, the Vice President had, on November 7, 1969, signed the enrolled bill (H.R. 11271) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Armed Services, with an amendment:

H.R. 13018. An act to authorize certain construction at military installations, and for other purposes (Rept. No. 91-527).

By Mr. ELLENDER, from the Committee on Appropriations, with amendments:

H.R. 14159. An act making appropriations for public works for water, pollution control, and power development, including the Corps of Engineers—Civil, the Panama Canal, the Federal Water Pollution Control Administration, the Bureau of Reclamation, power agencies of the Department of the Interior, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91-528).

EXECUTIVE REPORTS OF A COMMITTEE

Mr. STENNIS. Mr. President, as in executive session, from the Committee on Armed Services I report favorably the nomination of Maj. Gen. Jammie M. Philpott, USAF, for appointment to lieutenant general in connection with his assignment as Deputy Director, Defense Intelligence Agency. I ask that this be placed on the Executive Calendar.

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

Mr. STENNIS. Mr. President, in addition, I report 354 nominations in the Marine Corps and Army in the grade of major and below. Since these names have already been printed in the CONGRESSIONAL RECORD, in order to save the expense of printing 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:

Peter F. Angle, and sundry other officers, for appointment in the Marine Corps; and

Thomas J. Brantley, and sundry other persons, for appointment in the Regular Army of the United States.

BILLS INTRODUCED

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

By Mr. SPONG:

S. 3128. A bill to authorize the States of Virginia and Maryland and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to operate in the Washington-Baltimore Metropolitan Area's airports, and for other purposes; to the Committee on the Judiciary.

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

By Mr. BAKER:

S. 3129. A bill for the relief of Doctor Pio Albert Pol y Zapata and his wife, Dolores S. Alvarez de Pol; to the Committee on the Judiciary.

By Mr. McGEE:

S. 3130. A bill to amend title 5, United States Code, to establish a visiting scientist and scholar program in the Federal Government; to the Committee on Post Office and Civil Service.

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

By Mr. TYDINGS:

S. 3131. A bill to amend the Internal Revenue Code of 1954 to provide relief to certain individuals 65 years of age and over who own or rent their homes, through a system of income tax credits and refunds; to the Committee on Finance.

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

By Mr. HRUSKA (by request):

S. 3132. A bill to amend section 3731 of title 18, United States Code, relating to appeals by the United States in criminal cases; and

S. 3133. A bill 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; to the Committee on the Judiciary.

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

S. 3128—INTRODUCTION OF A BILL TO ESTABLISH A WASHINGTON-BALTIMORE METROPOLITAN AREA REGIONAL AIRPORT AUTHORITY

Mr. SPONG. Mr. President, I am introducing today a bill to authorize the States of Virginia and Maryland and the District of Columbia to negotiate and enter into a compact establishing a regional airport authority to operate the major airports in the Washington-Baltimore metropolitan area.

The bill contemplates that upon congressional approval of such a compact, the Federal Government will convey to the regional authority all title in and control over National and Dulles airports. It is anticipated that under the terms of the compact, Friendship Airport would be brought into the regional system as well.

The Washington metropolitan area is on the threshold of an air revolution which will see the number of travelers using its airports double in the next 6 years and triple by 1980. With this phenomenal growth in prospect, the area can no longer afford the luxury of treating its airports as separate, competing

enterprises. Coordinated planning, development, and operation are essential.

This need is clearly recognized by the National Capital Airports Bureau which operates National and Dulles for the Federal Government. At a recent hearing of the Senate District of Columbia Committee, Bureau Director Arven Saunders made the following observation:

Having shown that there is a continued need for all three airports, how should they be operated? Many advantages would result from planning, operating, and financing them as a single system. This has been amply demonstrated elsewhere in the United States and throughout the world as well. In my judgment, these advantages would be even more pronounced in the Baltimore, Md.-Washington, D.C., area. Many diverse organizations in this area have an interest in, and some responsibility for control of the three airports and their impact on the environment. The task of coordinating the planning and operation of airports with the community in the Baltimore, Md.-Washington, D.C. area is a complex process. Using a systems approach to operations and planning would simplify the present process and would be a major step forward for the area.

In my judgment, however, an effective systems approach cannot be achieved as things are today. Perhaps some more broadly based, more autonomous organization is needed to deal effectively with the Congress, and with the political bodies governing the communities that these airports service, and do business with the airlines, general aviation interests, concessionaires, and airport tenants.

I have not asked the National Capital Airports Bureau or the Federal Aviation Administration to comment on this bill, but on the basis of the views expressed by Mr. Saunders, I would anticipate their support of this legislation.

As a matter of legislative history, four administrations have supported legislation to take the Federal Aviation Administration out of the airport management business. From the time it was first recommended by the Hoover Commission in 1949, the administration has proposed legislation in the 83d, 86th, 87th, 88th, and 89th Congresses to create a public corporation to take over management of National and Dulles, the only two federally owned and operated airports in the country.

None of these bills met with much success principally because they did not change very much. Whether by the FAA or some new Government entity, National and Dulles would still be under Federal control. And the Washington metropolitan area would still be the only region in the Nation without some voice in the operation of its own airports.

What is needed is what the National Capital Airports Bureau itself has suggested: Some more broadly based, more autonomous organization to deal effectively with the Congress and with the political bodies governing the communities that these airports serve. This bill would provide just such an organization in a Washington Metropolitan Area Airport Authority modeled after the authority created to operate mass rail transit in the same region.

For many years, the Civil Aeronautics Board has regarded Washington and Baltimore as a single, hyphenated point for purposes of certifying air carrier service. Unfortunately, that is as far as the

regional concept has advanced. Once certified, airlines have discretion within the limits of FAA safety requirements to use any of the three airports—National, Dulles, or Friendship. There is no long-range plan or program for the balanced development of these facilities nor is there any mechanism for centralizing or coordinating their management.

The result of leaving airport policy to the pressures of the marketplace is that more than 65 percent of all air carrier traffic in the region is accommodated by one airport, the oldest and smallest of the three. National today is operating at three times its designed capacity, while Dulles and Friendship remain grossly underutilized.

Not only is this a waste of resources, but it is the source of serious environmental problems as well. It is estimated that jet traffic using National Airport deposits 35 tons of pollutants a day on the city. It is also the source of a highly objectionable noise level over a wide residential area.

This is an intolerable situation to have in the heart of the Nation's Capital and it is largely an inexcusable one. Congress long ago foresaw the need for relieving congestion at National and in authorizing the construction of Dulles Airport it assured the area of facilities adequate to meet any foreseeable need. What was overlooked was the need for some mechanism to see that rational and efficient use was made of the facilities we have. This bill proposes to correct that oversight.

It is particularly appropriate that we take this step now at a time when rapid progress is being made toward improving access to Dulles. The construction of the Three Sisters Bridge and connecting freeways on both sides of the Potomac will reduce travel time to Dulles to less than a half hour. The addition of a rapid rail link to Dulles will further enhance the convenience of using that airport. Studies are also underway for improving access to Friendship.

Five years ago, it may not have been practicable to urge the more balanced use of the area's airport facilities. But, with the growing congestion at National and the improved access to the area's other airports, it has become not only practicable but essential that this be done.

I want to emphasize that National Airport will continue to play an important role in the area's air transportation picture, primarily as a short-haul airport. Regional planning and development, however, should result in a reduction of traffic at that facility and the more reasonable scheduling of flights at Dulles and Friendship.

This bill authorizes the States of Maryland and Virginia and the District of Columbia to negotiate and enter into an interstate compact establishing a Washington Metropolitan Area Airport Authority. That compact must be approved by the Congress and by the State legislatures concerned before it has the force of law. This is the necessary first step in that process, and toward a sound airport policy for the National Capital region.

I ask that the bill be appropriately referred, and ask unanimous consent

that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD in accordance with the Senator's request.

The bill (S. 3128) to authorize the States of Virginia and Maryland and the District of Columbia to negotiate and enter into a compact to establish a multi-state authority to operate in the Washington-Baltimore metropolitan area's airports, and for other purposes, introduced by Mr. SPONG, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3128

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

(1) Airport traffic in the Washington-Baltimore metropolitan area will increase threefold by 1980;

(2) The Washington and Baltimore regions constitute a single air transportation market which is served by commercial airlines certified by the Civil Aeronautics Board to use any one of the three major airports—National, Dulles or Friendship;

(3) There now exists no means of coordinating the use of existing airport facilities in such area with the result that about 65 per centum of all traffic is accommodated by one airport;

(4) There will be a need for new and improved airport facilities and areawide planning and development is the most efficient and economical way of meeting the need;

(5) There are serious environmental problems associated with airport operations in such area and there exists no effective mechanism for dealing with them; and

(6) The jurisdictions served by such area's airports should have a voice in their operation and no agency now exists for that purpose, and such area is the only metropolitan area in the Nation without some control over its own airports.

SEC. 2. (a) The consent of Congress is given to the States of Virginia and Maryland and to the District of Columbia to negotiate and enter into a compact for the purpose of establishing a multi-state authority to operate the Washington-Baltimore metropolitan area's airports.

(b) Such compact shall not be binding or obligatory upon any of the States involved or upon the District of Columbia unless and until it has been ratified by the legislature of each such State and approved by the Congress of the United States.

SEC. 3. Upon approval by the Congress of any compact entered into pursuant to this Act the Secretary of Transportation is authorized to convey to the multi-state authority established pursuant to such compact all right, title, and interest of the United States in, and all control over, Washington National Airport and Dulles International Airport, except for such interests or rights as the Secretary may reserve for the purpose of carrying out his functions under the Federal Aviation Act of 1958 or any other laws of general application relating to aviation.

S. 3130—INTRODUCTION OF A BILL TO AUTHORIZE THE ESTABLISHMENT OF A GOVERNMENT-WIDE VISITING SCIENTIST AND SCHOLAR PROGRAM

Mr. McGEE. Mr. President, I introduce, for appropriate reference, a bill to

amend title 5, to authorize the establishment of a Government-wide visiting scientist and scholar program.

The purpose of this bill is singular: to increase the Government's ability to obtain the temporary services of leading scientists, engineers, and scholars—whether U.S. citizens or aliens—who are urgently needed for Federal research and development programs.

The idea of a visitor program is not new. The National Institutes of Health, under special authority, has been operating a highly successful visiting scientist program for more than 15 years. The Atomic Energy Commission also operates, under special authority, a program of professional term appointments to bring in highly qualified personnel for temporary assignments. The bill I am introducing would adapt and expand the idea for Government-wide applicability, but would not disturb existing special authorities.

The authorities contained in this bill would put the Government in a better position to compete for the Nation's top experts who may be willing to take sabbaticals or leaves of absence to accept temporary assignments in Federal laboratories and research institutions. Also, it would allow agencies, without regard to appropriation act restrictions on employing aliens, to seek the temporary assistance of noncitizens who may be world leaders in their fields. Under terms of this bill, for example, the Interior Department would have authority to recruit Swiss scientists skilled in mass spectrometer techniques. The U.S. Forest Service, to cite another example, would have authority to recruit the Swedish national who is the world leader in radiation genetics, and a Finnish scientist who is known worldwide for his work in pulp chemistry.

The visiting scientist and scholar program would be administered by the Civil Service Commission, which would prescribe regulations, set controls on the total number of appointments, and monitor all aspects of the program. Also, the Commission would coordinate with the Department of State all visitors appointments of aliens who would be subject to the security investigations applicable to U.S. citizens and such additional investigations as the agency head may consider appropriate.

All appointments under the visitor program, whether of citizens or aliens, would be outside the competitive service, and would be limited to 2 years with an extension possible for not to exceed an additional 2 years.

No additional agency appropriations would be needed to operate the program, since relatively few appointments would be made by any one agency and such would be absorbed in existing budgets.

It seems to me, Mr. President, that the rather modest authorities prescribed by this bill might well represent an important advance in keeping the United States in the forefront of medical, scientific, and technological discoveries that will benefit all mankind.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3130) to amend title 5, United States Code, to establish a visiting scientist and scholar program in the Federal Government, introduced by Mr. McGEE, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 3131—INTRODUCTION OF A BILL RELATING TO RELIEF FOR CERTAIN INDIVIDUALS 65 YEARS OF AGE AND OVER

Mr. TYDINGS. Mr. President, I rise today to introduce legislation to lift much of the excessive property tax burden from low-income senior citizens. This bill would provide a Federal income tax credit of up to \$215 a year in property tax relief to Americans over 65 with annual incomes of \$3,500 or less and higher than normal property tax rates.

Many elderly homeowners in Maryland and across the Nation have a great deal of difficulty paying their local property taxes. Frequently they purchased their homes years ago when property taxes were low and their incomes were greater. Now they suddenly find themselves saddled with drastically increased property tax bills which must be paid out of smaller fixed retirement incomes rapidly shrinking under the pressure of inflation.

Over the years the security they thought they had bought for their retirement has become a burden. As a result, many senior citizens are being forced to move despite the inconvenience and the sentimental attachment to an old familiar home.

This legislation meets this problem by providing elderly homeowners with a Federal income tax credit or a refund, for those who pay no Federal tax, to offset that portion of their property tax that is well in excess of what is normal. Property taxes are considered unusually high if they exceed a certain percentage of household income. These percentages are increased as household income increases.

After determining what amount of the property tax paid is an excessive portion of a senior citizen's income, a percentage of this excessive portion is relieved. For households with incomes over \$1,000, there is a refund or a credit for 60 percent of excessive part; for those with incomes under \$1,000, the refund or credit is 75 percent of the excessive part. The bill limits the amount of property taxes that can be used in computing relief to \$300.

The relief formula is rather complicated. Here is how it would work in some representative cases:

	Total household income	Credit or refund
Property tax:		
\$100	\$1,000	\$57.00
\$200	1,000	142.00
\$300	1,000	213.30
\$100	2,000	9.10
\$200	2,000	69.10
\$300	2,000	126.10
\$100	3,000	0
\$200	3,000	0
\$300	3,000	43.50

To insure that only truly needy persons receive relief, applicants must list all forms of money income, including nontaxable incomes such as social security, veteran's disability benefits, public assistance payments, and railroad retirement benefits.

Renters would also qualify for relief under this bill. It is assumed that 25 percent of the rent payment is in effect payment for property taxes.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3131) to amend the Internal Revenue Code of 1954 to provide relief to certain individuals 65 years of age and over who own or rent their homes, through a system of income tax credits and refunds, introduced by Mr. TYDINGS, was received, read twice by its title, and referred to the Committee on Finance.

ADDITIONAL COSPONSORS OF BILLS

S. 2168

Mr. JAVITS. Mr. President, on behalf of the Senator from Utah (Mr. BENNETT), I ask unanimous consent that, at the next printing, the name of the Senator from Connecticut (Mr. RIBICOFF) be added as a cosponsor of S. 2168, to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink.

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

S. 3077

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut (Mr. RIBICOFF), I ask unanimous consent that, at the next printing, the names of the Senator from Washington (Mr. JACKSON) and the Senator from New Jersey (Mr. WILLIAMS) be added as cosponsors of S. 3077, to create a tax credit offsetting the expenses of higher education.

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

SENATE CONCURRENT RESOLUTION 47—SUBMISSION OF A CONCURRENT RESOLUTION AUTHORIZING THE PRINTING OF THE REPORT OF THE PROCEEDINGS OF THE FORTY-FOURTH BIENNIAL MEETING OF THE CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF AS A SENATE DOCUMENT

Mr. MURPHY submitted the following concurrent resolution (S. Con. Res. 47); which was referred to the Committee on Rules and Administration:

S. CON. RES. 47

Resolved by the Senate (the House of Representatives concurring). That the report of the proceedings of the forty-fourth biennial meeting of the Convention of American Instructors of the Deaf, held in Berkeley, California, June 20-27, 1969, be printed with illustrations as a Senate document; and that six thousand additional copies be printed and bound for the use of the Joint Committee on Printing.

ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 45

Mr. TOWER. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Connecticut (Mr. DODD), the Senator from Nebraska (Mr. CURTIS), the Senator from Nevada (Mr. BIBLE), the Senator from West Virginia (Mr. RANDOLPH), and the Senator from Wyoming (Mr. HANSEN) be added as cosponsors of Senate Concurrent Resolution 45, concerning prayer in space.

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

ADDITIONAL COSPONSORS OF RESOLUTION

SENATE RESOLUTION 257

Mr. TOWER. Mr. President, I ask unanimous consent that at the next printing, the names of the Senator from Tennessee (Mr. BAKER), the Senator from Kentucky (Mr. COOPER), the Senator from Wyoming (Mr. HANSEN), the Senator from New Hampshire (Mr. MCINTYRE), and the Senator from Illinois (Mr. SMITH), be added as cosponsors of Senate Resolution 257, concerning humane treatment for prisoners of war held by the North Vietnamese.

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

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION BILL, 1970 AMENDMENT

AMENDMENT NO. 273

Mr. JAVITS (for himself, Mr. HART, Mr. GOODELL, Mr. PERCY, and Mr. MUSKIE) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 12307) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1970, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 274

Mr. BYRD of West Virginia submitted an amendment, intended to be proposed by him, to House bill 12307, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 267

Mr. PERCY. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Rhode Island (Mr. PELL) be added as a cosponsor of amendment No. 267, to the Family Assistance Act.

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

AMENDMENT NO. 268

Mr. TYDINGS. Mr. President, I ask unanimous consent that, at its next printing, the name of my colleague from Maryland (Mr. MATHIAS) be added as a cosponsor of amendment No. 268 to the Elementary and Secondary Education Act of 1965.

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

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that, on November 7, 1969, he presented to the President of the United States the enrolled bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

ANNOUNCEMENT OF HEARING BY COMMITTEE ON AGRICULTURE AND FORESTRY ON FRIDAY, NOVEMBER 14, 1969, ON S. 2116, THE EGG PRODUCTS INSPECTION ACT

Mr. ELLENDER. Mr. President, I wish to announce that the Committee on Agriculture and Forestry will hold a hearing Friday, November 14, on S. 2116, the Egg Products Inspection Act. All persons interested in testifying should contact the committee staff as soon as possible to schedule their appearance.

NOTICE OF HEARING BEFORE THE PARKS AND RECREATION SUBCOMMITTEE

Mr. BIBLE. Mr. President, I wish to announce that hearings have been scheduled before the Parks and Recreation Subcommittee on Friday, November 14, at 10 a.m., room 3110, New Senate Office Building on the following bills:

H.R. 9163, to authorize the disposal of certain real property in the Chickamuga and Chattanooga National Military Park, Ga.

H.R. 13767, to authorize the appropriation of funds for Fort Donelson National Battlefield in the State of Tennessee.

S. 2940, to amend the act of June 28, 1948, relating to the acquisition of property for the Independence National Historical Park.

Anyone wishing to testify on any of these measures should advise the committee staff, room 3106, New Senate Office Building.

THE PEACE MOBILIZATION

Mr. McGOVERN. Mr. President, I have today decided to participate in the peace activities scheduled for this week, including the Washington mobilization on Saturday.

The Senator from New York (Mr. GOODSELL) will also participate in this effort.

I have learned, too, from the column by Mary McGrory, published in today's Washington Star, that the Senator from Minnesota (Mr. McCARTHY) will also participate.

I ask unanimous consent to have printed in the RECORD a statement which I issued at a news conference today, the article by Miss McGrory, and an excellent article entitled "Administration Draws Hard Line Against Dissenters," written by Ward Just, and published in the Washington Post of today, November 10, 1968.

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

STATEMENT BY SENATOR GEORGE MCGOVERN,
(DEMOCRAT, SOUTH DAKOTA) NOVEMBER 10,
1969

I have decided after careful thought to participate in the peace mobilization in Washington Saturday. Several weeks ago, I was invited by mobilization leaders to speak at the Washington Monument rally. I delayed an answer until the President had an opportunity on November third to explain his policy and until I could find reasonable assurance that Saturday's effort will be orderly and constructive.

It is my belief that in spite of inflammatory predictions and rigid attitudes by the Department of Justice, the mobilization leaders are making a sincere effort to have a peaceful rally. But what is most significant is not the sponsorship of the mobilization but the multitudes of Americans who come to Washington in a good faith effort for peace. I feel an obligation to stand with these sincere people and I think the Administration has an obligation to provide them with maximum assurance of a peaceful assembly. There is, of course, no way to be certain that an effort involving tens of thousands of people will be a success or a failure, peaceful or disorderly, effective or ineffective. But I do know that I and multitudes of my fellow Americans enter it with a fervent hope that it will be orderly and successful. I am going to do my best to make it so, and that is why I participate. I hope that thoughtful citizens of all ages who are opposed to violence both at home and abroad will participate in the November peace activities as they did in October.

I participate in the peace mobilization as an act of conscience and responsibility. We have stumbled into a terrible mistake in Vietnam that is slowly poisoning both our Nation and Vietnamese. There is no moral or practical reason to continue this needless waste of life and treasure any longer. There is no higher act of patriotism than to exert every reasonable effort to end our involvement in the war.

So, recognizing the political risk of joining with vast numbers of people, including a few who may follow tactics and viewpoints different from mine, I take that risk for peace. I am participating in the peace mobilization for another reason, and that is because I am proud of the honest young idealists who will make up most of the Saturday assembly. I want them to know that some of us in elective office and some who are older feel a responsibility to respond to their concerns and to reinforce those concerns. It behooves all of us who believe in the American democratic process to do all we can to encourage young Americans to maintain both their faith and their participation in our political process.

I regret the recent onslaughts of the Ad-

ministration against the young and against the entire peace effort. Likewise, I regret that a Justice Department spokesman should publicly assert that this week's peace effort is likely to be violent because it includes students from the University of Wisconsin, Harvard and MIT. It is shocking that a Department called Justice should engage in such a cynical and provocative blanket indictment of students at some of our greatest universities.

Furthermore, in denying the request of the peace leaders to walk on Pennsylvania Avenue, the Justice Department is inviting the very provocation it claims to deplore. Pennsylvania Avenue belongs to the people of America—not to Attorney General Mitchell & Co. I hereby call on Mr. Mitchell and the President to open up this historic avenue to those walking in the peace mobilization.

I also would like to suggest to the religious leaders of America that the churches and synagogues be open this week to those citizens who may wish to witness in silence their concerns about the war. Some may wish to pray for peace; others may wish to pray for the safety of our soldiers and the return of our prisoners; others may simply wish to meet in silence in the hope for new guidance and strength.

In any event, the violence of Vietnam is, like all great issues, basically a moral question which must finally be confronted on the grounds of personal conscience and personal responsibility. That is what the peace efforts of this week are about, and that is why I feel better today now that I have decided to participate.

[From the Washington Star, Nov. 10, 1969]
NIXON SPEECH REACTION: MCCARTHY JOINS
THE MARCH
(By Mary McGrory)

From Eugene M. McCarthy, 1968's anti-war hero, has come the Senate's first all-out endorsement of this weekend's anti-war demonstration.

The senator from Minnesota, who challenged the previous President's Vietnam policies, says, "I think President Nixon's speech last Monday requires it. I will participate in any appropriate way."

"It's almost like starting over in New Hampshire," says McCarthy, whose campaign for the presidency ended in bloody street clashes in Chicago, which many think could be repeated here.

"It might be violent, but the prospect for violence is no excuse for not participating," he tells an interviewer.

The majority of McCarthy's colleagues have headed for the hills on the demonstration, which has controversial sponsorship and multiple goals, not all of them focused on ending the war.

Resolutions of support for the President's policies are being hastily prepared in both houses of Congress as a reproachful welcome to the anti-war groups hoping to march here Friday and Saturday.

"I prefer the regular political processes," says the senator, "but the President's speech calls for protest. I wasn't inclined to participate before he spoke, but the speech shows there has been no change in his attitude since the Moratorium. He has hardened his views."

Two dove senators, George S. McGovern, D-S.D., and Charles Goodell, R-N.Y., have been invited to speak at the mass rally scheduled for Saturday. They made conditional acceptances, and held back a final answer on advice of some Moratorium workers, who are groaning in double-yoke with the Mobilization. They were told that their hesitation will help the Moratorium to exact concessions on stricter marshaling and other counter-violence procedures.

McGovern's position is especially under-

stood. He is an undeclared candidate for the presidency, and riot over the weekend could be fatal.

Goodell intervened last Friday with the Justice Department on the matter of parade permits, but reiterated his stand that his support was conditional on more militant anti-violence precautions.

McCarthy, always happiest when swimming against the stream, says he thinks members of Congress who share the anti-war views of the majority of the people who will gather here have a duty to lend their support to the effort.

"It shouldn't be a confrontation between the President and the people. We who have constitutional obligations in the making of foreign policy should interpose ourselves between him and them."

"There was danger in Chicago, political and physical. There was political danger in New Hampshire—and physical too, it was pretty cold up there. There's danger in any large gathering of people."

McCarthy's offer to participate in "any appropriate way," indicates a willingness to speak. It is not so easy to get on the speakers' platform, which already has some 15 entries. Any oratorical possibility has to be strained through an 80-member steering committee of the New Mobilization, which has many considerations and many obsessions. Someone said that if Pope Paul VI offered to say a word, he would have to go through the process and qualify under a category.

The moratorium section, which is outnumbered on the steering committee, has tried to concentrate on the single issue of the war and to attract a high degree of respectability. But the Mobilization is diversity-minded and has insisted on including a demand for "self-determination for black people" as one of the goals of the march.

McCarthy, who took on the other Sen. McCarthy in public debate at the height of the terror in the early '50's, is undeterred by the problems that have proved hang-ups for most doves. Whether his unequivocal stand will inspire other critics of the war remains to be seen. It may cut down on the hand-wringing, which is the prevalent attitude toward the march and which is much encouraged by the Nixon administration.

[From the Washington Post, Nov. 10, 1969]
ADMINISTRATION DRAWS HARD LINE AGAINST
DISSIDENTS
(By Ward Just)

The Nixon administration, led by the Justice Department with moral support from the Vice President, is embarked on a campaign to directly confront the dissenters in America.

It has so drawn its lines as to encourage violence this week, when the thousands mass in Washington to protest the war in South Vietnam. The idea apparently is to make dissent extremely expensive, which is fine as long as the administration understands what the political consequences will be; and one doesn't mean "political" in the party sense.

The conclusion is reached reluctantly, on the theory that the Mitchells and the Kleindienst of this world would not wish to see violence this week. But that is the effect of the ruling that bars the use of Pennsylvania Avenue to the marchers. It is a bad ruling.

This administration has misread the temper of those who want to demonstrate against the war. Listen to Deputy Attorney General Kleindienst and the instant image is of a howling pack of crazies, bent on destroying the city and endangering the personal safety of President Nixon. At his press conference Thursday, Kleindienst said among other things that nine busloads of students from the University of Wisconsin were coming to Washington, "and we should be reminded of the violence that occurred there early this

year . . . we are entitled to the judgment that some of those students on those nine buses" may engage in violence. Sure, Kleindienst is entitled. But he might be interested to know how Mrs. Lawrence R. Knoebel, a middle-aged lady who is the wife of a banker, read his statement when she heard it on television in her living room in Glencoe, Ill., Thursday night.

"Why those are our sons at Harvard and MIT and Wisconsin and this man is reading a statement on television that all they want is violence," Mrs. Knoebel said. "It isn't true. We worked hard and struggled to send our children to college . . . you talk about a backlash. Well, there is a backlash in Glencoe."

And it is against the administration. Glencoe is a rich suburb on Lake Michigan north of Chicago. Mrs. Knoebel and some friends from the North Shore Women for Peace (it's the area's oldest peace organization; founded in 1961) began to solicit interest in the November moratorium a few weeks ago. First they hired two buses for their members, but some of them complained about riding fourteen hours on a bus, Glencoe to Washington, so they hired an airplane with 105 seats instead. All the seats are filled with middle-aged businessmen and their wives.

There is another 50-seat airplane which has been chartered by some church groups on the North Shore plus (at this writing) a half a dozen buses from Lake Forest College and Barat College, neither one a seedbed of radicalism. There are so many groups arranging for transportation to Washington that Mrs. Knoebel hasn't been able to keep track of all of them. But her phone has been ringing continually since the deputy attorney general's press conference, and the callers are angry suburban women who think they have been misunderstood. "So we are going to show them who the silent majority really is," Mrs. Knoebel said.

That is what this march is all about, in Glencoe and Kokomo (where fifty citizens stood in the town square and read the names of the war dead on October 15) as well as the East Village and Haight Ashbury. What Kleindienst and Mitchell and the others apparently do not understand is that the peace movement in this country is not confined to youthful radicals and crazies out to destroy society. These officials seem incapable of discrimination—at least that is the only plausible explanation on the evidence we have, Agnew's speeches and the Attorney General's press conference, a not-too-comforting meld of words and actions. The Justice Department, apparently badly frightened, is preparing the city for siege.

The administration does have some disturbing intelligence on planned disruptions. There isn't any doubt that a hard-core militant few will be out to bust some heads and bust some windows, to anger the establishment and discredit peaceful demonstrations. It is useful to note at this point that the "organizers" (they are really very little more than shepherds) of the demonstration have been eminently reasonable in their proposals, including the one that would have the line of march proceed from Pennsylvania Avenue to E street back of the Treasury and the White House to the Washington Monument. Anywhere from 40,000 to 70,000 persons would march that route; the rest would be confined to the Mall. It is difficult to see how such a march could pose a threat to the President or to anyone else. In any case, if the Justice Department thinks it can stop violence (if such is planned by the crazies) by denying a march permit on Pennsylvania Avenue, it is alarmingly out of touch.

The expectation of apocalypse is now so great and all-pervading that men like Mark Hatfield and George McGovern are beginning to back away. Hatfield has told his peace-minded constituents to stay home and culti-

vate their own gardens. At first look, that seems a sensible enough injunction. The larger the crowd, the greater the potential for violence. No one here is entirely easy with the thought of half a million marchers. ("If they got 200,000 kids at Woodstock to listen to a few stoned musicians, how many do you think they can get to Washington to protest the damned war?" one well-placed Republican said the other day.) But on second look, Hatfield's idea isn't really a very good one because it leaves the field to the kids.

The whole point of the peace movement in America is that while it is energized by the young, it is financed and to a degree fed by the old. It is broadly based, by sex and race, by age, by wealth, by region. As one of the moratorium leaders pointed out the other day, it is a movement, not a political party. It is not exclusive like a country club, but wide open like a public park.

The suspicion persists that what this administration may be trying to do is drive away the middle-aged people like Mrs. Knoebel with horrifying predictions of a tiger let loose in the streets. Perhaps the administration wants to influence its putative silent majority with television pictures which show only the young and bearded, bell-bottomed, sandalled, and naked. Keep the ordinary people away and give the day over to the young, and when the violence breaks out—as surely it will—the administration can point to "the kids."

It would be a tragedy if that happened with this march, because it is not just a children's crusade. It cuts across all lines, and is as deeply felt in some parts of Glencoe as in Cambridge or Madison. One ventures the thought that older, so-called respectable people can have a leavening influence in a crowd of college kids. It's a serious business, this march this week, and it ought to be representative of what the movement is about.

The Justice Department's stiff-necked attitude is a prescription for disaster. "I don't understand the magic of marching down Pennsylvania Avenue," Kleindienst told his press conference on Thursday. If he doesn't, it means he is either (a) stupid or (b) hopelessly out of touch, either way no cause for optimism now, three days before the demonstrations begin.

ADDRESS BY THE VICE PRESIDENT TO THE NATIONAL MUNICIPAL LEAGUE IN PHILADELPHIA, PA.

Mr. CURTIS. Mr. President, our distinguished Vice President made a speech this noon in Philadelphia to the National Municipal League. Among other things, he said:

The point is that while there is a lot wrong with America, there is a lot more right with America. Our strengths outweigh our problems. Our potential is vast, and the time we waste on negative introspection could be far better invested in positive action.

Mr. President, I ask unanimous consent that the Vice President's address be printed in the RECORD.

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

ADDRESS BY THE VICE PRESIDENT

From its birth, the National Municipal League has been consecrated to the concept of a dynamic American democracy where citizenship is an exacting obligation; government, a service; and politics, an honorable profession.

The founders of the National Municipal

League understood that the citizen was central to the system. In a time of political corruption, they retained their faith in democratic institutions. They were reformers, not radicals . . . and, as reformers, they would stand apart from many in the present generation of critics because of their insistence that failure was not the fault of the system, but the citizen.

In a dissertation on the causes of young radical dissent, the distinguished University of Michigan professor, John W. Aldridge, states: "Although the necessity for reform is the ostensible and conscious reason for their protests, one notices how vague the militants are about the precise nature of the measures they wish to be taken; how much more articulate they are in their demands for confrontation than they are about the concrete issues of confrontation."

Charles J. Bonaparte expressed the prerequisites of reform very well: "If you wish to secure for the community a better government, you must make the community deserve a better government, and show it deserves it by getting it."

Men like Theodore Roosevelt, Charles Shurz, Charles Eliot and Louis Brandeis, who founded the Municipal League, and you, who carry it forward today, know that workable democracy will not appear on demand, but must be deserved. Freedom is earned, not given. Citizenship involves more than voting and paying taxes. Reform requires a positive program. What held true when the National Municipal League was formed seventy-five years ago, hold true today. Progress is predicated upon the existence of constructive alternatives to replace what is being discredited and abandoned. It is not enough to see corruption and to condemn it. Work must begin—not end—with a call to "throw the rascals out."

And the work of the National Municipal League, as well as the work of its founders, began with faith in America—its system and citizens. Those men had deep, enduring confidence in the resiliency of our institutions and the destiny of our nation. One word could describe their attitude, and that word was patriotism.

It was not just jingoistic pride, but something far more profound, that inspired the vision of a Theodore Roosevelt and the perception of a Louis Brandeis. They were sophisticated men in the best sense, and they were "socially aware" by the best of contemporary standards.

Several years ago, a foreign student addressing a college seminar was asked about his future plans. The young man replied, "I want to return home to serve the country I love." Fellow students gave him a standing ovation.

But I wonder what the reaction would be if an American student at an American college announced that he loved his country? Would there be applause or embarrassment? I suspect that many have been conditioned to be embarrassed by such an overt expression of patriotic sentiment. I would guess that many in sophisticated America consider love of country gauche or irrelevant.

A double standard has emerged. We admire patriotism in others, but condemn it in ourselves. We seem to see everything about ourselves except what we have achieved. We forget that this nation fought a bloody war to secure freedom for an oppressed minority. We forget that this nation was conceived and has continued as an asylum for the world's oppressed. We overlook the fact that today our country remains the first choice among the world's immigrants.

Although we cannot be complacent about our faults, neither should we be apologetic about our strengths. Yet apology appears to be becoming our national posture. We have seen attempts to pervert the liberal virtue

of self-criticism to the national vice of self-contempt.

Some weeks ago a professor named Robert Paul Wolf wrote in review of a book called *The Making of a Counter-Culture*: "American society is ugly, repressive, destructive and subversive of much that is truly human." He contended that this view of American society "is now acknowledged to be true by virtually every sensible man and woman." Now, most Americans, and certainly most sensible Americans, don't share that view.

The point is that while there is a lot wrong with America, there is a lot more right with America. Our strengths outweigh our problems. Our potential is vast, and the time we waste on negative introspection could be far better invested in positive action.

Just because America has not implemented all the ideals of the Declaration of Independence and the Constitution does not mean that we should stop trying. Our inadequacies should be a spur to improvement. If ever American society totally achieves its ideals, it will do so because those ideals have become unchallenging and ludicrously low. In the case of a self-renewing society, each generation establishes a new and higher set of ideals. Our notable failures should not diminish our noble aspirations, but rather fuel our determination to close the distance between what is and what should be.

While I concede that some of our institutions and establishments are in serious need of change, there is no reason to believe that our free system of government will in any way impede democratic responsiveness to this need. Today's dissidents misdirect their fire when they attack the system. They should instead use the system to reform the institutions and establishments.

To those who question the validity of our system, the answer is participation in the processes of democracy. To those who question the social worth of the free enterprise system, the answer is to make business more responsive to the problems of society. The alternative to alienation is involvement.

In speaking of the lack of pragmatic involvement of the young today, Professor Aldridge links it to a tranquil, undemanding personal life. Continuing, he says: "Difficulty brings more of our essential humanity into play than tranquillity does and so heightens our responsiveness to life."

Involvement is the theme of your convention, and it must become the goal of our nation.

Today I intend to focus on the rich potential of private involvement. I recognize that this audience is fully conversant with the substance and purpose of the President's domestic proposals to achieve "the new federalism." So I want to draw upon my past experience as a Governor and County Executive to cite some immediate problems which you can best solve.

The private sector has historic precedents for initiative. As far back as the dawn of written history, the private sector has always led. Education was a private institution before it was a public one. This was true in a broad sense of welfare and health, until the Twentieth Century. Only after private citizens discern and respond to needs does the public sector adopt or extend programs. This pattern continues today. Public kindergartens, day care and community health centers, are recent derivatives of private pilot projects. Your first challenge—as citizens—is to scrutinize institutions, isolate problems and develop solutions.

The first item for action is education in citizenship. The foundation of good citizenship depends upon the inculcation of individual responsibility at an early age. There is little doubt that our generation has failed to carry out this basic requirement. In a devastating indictment of us as parents, Pro-

fessor Aldridge castigates the permissive attitudes of post-World War II parents: "It is scarcely surprising that . . . the beneficiaries of all this love and attention and self-sacrifice should have grown up contemptuous of us, or convinced that really we were dead all along, and only they are alive. . . . So we taught them by our example and by our obsequious treatment of them to have no consideration or respect for adults and a grotesquely inflated respect for themselves."

Discipline is an essential precursor to self-discipline. Self-discipline is a prerequisite to productive citizenship. Since discipline and specific personal responsibility were not required in the home, imparting essentials of good citizenship was left to the schools.

I regret to say that the trend in early education was similarly not in the proper direction. There was down-play of competitive engagement among students and the way was all too frequently provided for the young student to avoid his responsibilities on the basis that he just wasn't up to them.

The centralization in junior high schools and high schools created an impersonal environment which did little to stimulate the warm interpersonal relationships conducive to citizen involvement. Added to this, there was a scarcity of formal teaching in the practicalities of citizen obligations. The curriculum was deemed adequate if it simply narrated the concept of our Federal system. What it should have done was to make clear that no other system depends so heavily upon the participation of people. It should have stressed that a majority of observers on the side lines will produce an inferior political leadership and an uninvolved electorate will be pawns for the manipulation of a minority of political activists.

It is time that we establish training in citizenship as an educational priority and set about investigating the means of making it an integral component in our educational process.

Not only our young, but our present generation of mature citizens, have much to learn about citizenship. In a recent survey made in Montgomery County, Maryland—a Washington suburb considered to be one of America's more educated and affluent subdivisions—two out of every three citizens could not name their County Councilman. We cannot begin to talk about responsive government until we know whom we must hold responsible for governmental action or inaction.

In modern computer-oriented society, there are few severe shortages of reliable public information. However, there are formidable deficiencies in publicity and public relations techniques. And, fortunately or unfortunately, most of our citizens are conditioned to the dramatic Madison Avenue approach. Like it or not, the fact is that, until we produce a new generation of civic-oriented consumers, we can serve the total community best by following advertising techniques.

Skillful presentation will not betray the integrity of a school bond bill. It is not beneath a businessman's or a candidate's dignity to launch an attention-catching campaign, and neither should it be beneath the dignity of civic groups: As a Governor, I saw the magnificent work of a Constitutional Convention—led by one of your Council members—fall at the polls because of inability to excite the electorate. We stood by our principles and the usual public information resources. Our opponents stood by a good "fear and fury," hard-sell, radio campaign and defeated a superb document.

The media have a tremendous obligation here as well. I recognize that the subtleties of everyday government cannot compete with an axe murder. I know that reporters thrive on political controversy and publishers have to sell papers. But freedom

should be tempered by responsibility. Great causes extolled on the editorial page are often lost by reporting strident opposition on the front page while supportive but less exciting news is buried somewhere between the tire advertisements and the obituary columns.

During Maryland's Constitutional Convention, debate over regional governmental provisions was dull until enlivened by an occasional outburst of irresponsible rhetoric from one of the Convention's foes. In Baltimore County, a critical urban renewal loan became newsworthy as a result of the shenanigans of its opponents. The cumulative impact of controversy in daily dosages confuses and frightens the average voter.

Political participation remains the citizen's most effective lever. All too often citizens are reluctant to involve themselves in partisan politics. Entrepreneurs, who have never carried a precinct, have a condescending attitude toward politicians who have never met a payroll. Some think of politics as messy and believe that the best people should be above it. To say that politics is beneath us is to say that democracy is beneath us. A failure to participate in politics is a sign of ignorance, not innocence.

Anyone who does not work for good candidates is a drop-out from democracy. He not only abdicates a basic responsibility; he neglects a major opportunity.

You know that I am an outspoken critic of disruptive politics, of provocative techniques and of that small percentage of Americans who advocate destruction of our system. I am also an enthusiastic supporter of responsible participation for the young. I have continuously urged lowering the voting age to eighteen. As Governor of Maryland, I proposed a Graduate Corps—a comprehensive student internship program for state and local governments. With the cooperation of college leaders I was developing a Governor's Youth Advisory Council.

Right now I would wager that there are proportionately more young faces around the White House than around any city hall or county court house in the country. It is good business to draw new talent and energy into the governmental community, just as it is good business to draw the innovative ideas of youth into the industrial and professional communities.

We know that there is a silent majority in this country. This is the majority that President Nixon addressed on his Vietnam policy last week, and the majority which responded with such resounding support.

There is also a silent young majority who go to school, and to work, and to war, if necessary. There are the non-shouting concerned; the non-radical responsible; the non-complacent constructive activists of the under-thirty generation. Their idealism is disciplined by reason.

The presence, integrity and commitment of the silent young majority is overshadowed by the strident minority who arrogate unto themselves voice, virtue and power out of proportion to their numbers and even more out of proportion to their abilities. The silent young majority must be recognized. They must be given outlets for their concern, opportunities for their ideas, and responsibilities equal to their capabilities. The silent young majority is challenged to make itself heard, to come to its own defense. And—the older majority—are challenged to accommodate them within all our institutions.

The young American community wants to be involved. The American business community must be involved. It is time to think of industrial development in terms of human resources. Businessmen must be challenged to relate enterprise to environment—and profit to people.

America's most successful businesses are challenged to do more than share the wealth. We are asking them to share their know-how and their capital to stimulate minority businesses; we are requesting that they broaden their employment base. Our goal is to turn capitalists into catalysts—catalysts for moving those on welfare rolls onto payrolls, and for moving those already employed up the ladder.

Finally, there is the need for increased involvement of the citizen as a volunteer. Despite all the noise about America's selfish establishment, the facts prove that the silent majority is a deeply concerned and active majority. There are more than a million voluntary hospitals and private foundations—service organizations, civic groups and fraternal clubs.

The Gallup poll has estimated that 61 million adult Americans would be willing to contribute 245 million man-hours every week to voluntary activities. There isn't a social problem that hasn't been solved sometime and somewhere in America. American volunteers have tutored dropouts, trained the unskilled, counseled juveniles, taught illiterates and found jobs for the unemployed. In establishing the National Program for Voluntary Action, the President has provided a new way to tap and direct the talents of the public spirited citizen.

There is work in this country—great work for every individual. Because our potential is so great and our problems are so many, we cannot help but be impatient with unproductive idle protest.

The mob, the Mobilization, the Moratorium have become somewhat fashionable forms of citizen expression. But each suffers from the same flaws that prompted the founding of the National Municipal League. They are negative in content; disruptive in effect. They inflame emotions rather than stimulate solutions. Protest is every citizen's right, but that does not ensure that every protest is right. It simply protects every citizen's lawful protest, be it right or wrong.

Ultimately, the popularity of mass street demonstrations will wane just as we saw mass violence wane over the past year. And for the same reason—they are pointless. Turning out a few hundred thousand people in a nation of two hundred million proves nothing in the way of a public mandate. We can speed the demise of carnival in the streets by withholding our sympathy. We can blunt its adverse impact by seizing the initiative.

The body politic of America's not able to survive on adrenalin any better than apathy. We are a mature nation, which means that we should be able to navigate a moderate course without being trapped on the shoals of mediocrity.

This is the challenge of the decade ahead. It is very much your challenge. Now, as never before, we have the opportunity to turn the power of America to great humanitarian purposes. I believe that this nation has a moral obligation to prove the virtues of a free system and meet the exacting standards of free citizenship. If this is patriotism, it is also a spirit of positive action. It is a mandate for involvement and a means of restoring a sense of community to our people.

Unless we are united in spirit and dedicated to our system, we will languish and eventually backslide. It is our freedom that makes us respected throughout the world—not our wealth; and it is our regard for the freedom of others which makes us invincible—not our military strength.

Because the intolerant clamor and cacophony rage about us, let us not be afraid to raise our voices in spirited defense of the most successful society the world has yet known. In this time of danger, it is an alarm we sound—an alarm that must be audible to be heeded. I, for one, will not lower my voice

until the restoration of sanity, and civil order allow a quiet voice to be heard once again.

ABUSES OF COMPENSATORY EDUCATION PROGRAMS UNDER TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. KENNEDY. Mr. President, yesterday the Washington Post published a front-page article about a report by the Washington research project and the NAACP legal defense fund on programs under title I of the Elementary and Secondary Education Act. This is the major and important Federal program for meeting the special needs of educationally deprived children. Grants are made to local educational agencies in areas where there is a high concentration of children from low-income families.

Last year Congress appropriated more than \$1 billion for title I, and I strongly supported that appropriation. I feel that our commitment in title I—to give disadvantaged children a fair opportunity to receive a good education and to develop the background to help themselves—is essential.

Unfortunately, a program of this magnitude and with this difficult objective is easily abused. The report released yesterday indicates a number of areas in which there has been such abuse.

In many cases, title I funds have been used to supplant, rather than to supplement, State and local funds. This has frustrated the intent of title I that more should be spent on disadvantaged children because they are needier. Title I money is not intended to be used as general aid for poor and not so poor alike.

In other cases, title I money has been diverted to schools who do not serve low-income children or to projects which do not further the purpose of compensatory education.

Evaluation has been insufficient. Information about title I programs has not been readily available to the public. Poor people and representatives of community organizations have been excluded from the planning and design of title I programs.

A number of other abuses are discussed in the report and in the Washington Post article on that report.

Mr. President, as a member of the Subcommittee on Education, and as a concerned citizen who feels that every child should have the opportunity for a good education, I am deeply disturbed by these reports of abuses of title I funds. The answer is not to cut back on title I, but to cut back on the abuses.

The subcommittee is at present considering the Elementary and Secondary Education Act. I intend to study very carefully this latest report on title I; and I intend to offer additional amendments which may be necessary to correct these disturbing abuses.

I ask unanimous consent that the Washington Post article be printed in the RECORD.

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

SCHOOLS ASSAILED ON FUNDS—REPORT FINDS POOR CHILDREN GOT LITTLE HELP

(By Peter Millius)

"Millions of dollars appropriated by the Congress to help educationally deprived children have been wasted, diverted or otherwise misused by state and local school authorities," according to a long and stark report made public yesterday.

The report, which is based largely on audits made but never officially released by the Department of Health, Education and Welfare, was prepared by two private civil rights organizations, the Washington Research Project and the NAACP Legal Defense Fund.

It deals with "Title I," the largest and most celebrated of federal aid-to-education programs, for which Congress last year appropriated more than \$1 billion, roughly a third of the Office of Education budget.

Much to the consternation of its supporters, Title I, which is only four years old, has not produced marked and measurable gains in achievement among the poor children it is supposed to serve.

Critics have attributed this failure to a faulty premise, arguing that these children are beyond the help of extra funds.

The report says the premise has never had a chance, because the money has never reached the children in the way Congress intended. It is likely to touch off a major debate, in Congress and out.

Title I money is supposed to go to poor children only, in addition to their fair share of state and local and other federal funds. The intended result is that Title I children have more spent on them than is spent on their schoolmates, because they are needier.

One way or another, the report says, state and local officials all across the country have subverted this intent. They have spent Title I money as general aid, on poor and not-so-poor alike. They have used it to supplant instead of supplement state and local funds. In the South, officials have used it as well to discourage desegregation, threatening black children with loss of Title I services—free lunches, perhaps—if they transfer to white schools.

The report calls for a congressional investigation to "examine on a systematic basis the manner in which federal, state and local school officials are using Title I funds."

It declares that "the intended beneficiaries, poor children, are being denied the benefits of the act because of improper and illegal use" of the money, that state education departments "have not lived up to their responsibility" to carry out the law, and that the Office of Education "is reluctant and timid . . . and abdicates to the states."

It notes that "poor people and representatives of community organizations are excluded from the planning and design of Title I programs," contrary to federal regulations, and suggests that the money be turned over to "alternative vehicles . . . where state and local officials are unable or unwilling to operate effective Title I programs."

RIGHTS GROUPS CRITICAL

The civil rights groups made no attempt in their report to disguise their disenchantment with the education industry.

They note at one point that "to hear the educational profession and school administrators talk . . . Title I is the best thing that ever happened to American school systems."

Elsewhere, having argued that too much Title I money is spent on school equipment, they remark that "some of the major lobbyists for the passage of (Title I) were textbook publishing companies and the producers of education hardware. Their lobbying efforts have paid off . . ."

The report, which took six months to pre-

pare, was written by Ruby Martin of the Research Project and Phyllis McClure of the Defense Fund. Mrs. Martin was director of HEW's Office for Civil Rights during the Johnson administration. They offered their findings yesterday "as a defense of Title I."

"Some may think that by inquiring into Title I we risk renewing old battles over federal aid to education," they wrote. "Some may think that criticism of how Title I money is spent . . . could jeopardize the entire legislation."

"Some may take the position that it is better to have Title I funds, even though . . . not always . . . as Congress intended, than not have them at all. Still others may feel that any use of these funds helps . . . even if . . . in violation of the law."

CHILDREN ON TEST

"We disagree . . . because ultimately it is educationally deprived children who will be held accountable for the federal investment. All the tests and evaluation to determine the effectiveness of Title I will be administered to poor children, not to school administrators or to state and federal officials."

The Office of Education had no comment on the report yesterday. Partly at Mrs. Martin's instigation, the office has been besieged in recent months with dozens of complaints about Title I abuses, most of them in the South and particularly Mississippi.

Earlier this year, on the strength of the reports, Commissioner of Education James E. Allen Jr. sent investigators into Mississippi, then briefly froze the state's Title I funds until he got a promise of reform.

It was the first time federal officials had taken such a step. There have been indications since that HEW might tighten Title I enforcement. Yesterday's report was intended to hasten that day.

The report makes heavy use of HEW's own audits over the last few years, in the North as well as the South. The audits were turned over to the states involved, but not made public, and frequently ignored.

MANY EXAMPLES

The report contains hundreds of examples. Here are a few.

On use of Title I as general aid:

"An HEW audit of Louisiana school districts . . . in fiscal . . . 1966, the first year of the program, found that 23 parishes 'loaned' equipment costing \$645,624 to schools that were ineligible to participate in Title I programs. The auditors noted that much of the 'loaned' equipment was 'set in concrete and fastened to the plumbing.' Much of the equipment had been at ineligible schools since its acquisition."

On use of Title I to supplant rather than supplement state and local funds:

In a Sumter County, S.C., school district in the 1968-69 school year, "all five of the predominantly white schools had libraries which were constructed with state and local funds . . . At least six of the seven black schools now have libraries also . . . However, all six of these libraries were built and stocked since 1965 . . . with Title I funds." Title I thus paid, not for an extra, but a regular school service.

LOCAL BONDS CANCELLED

Similarly, Columbus, Ohio, spent \$195,551 of Title I funds to build additional classrooms at six schools. "The school board had previously committed local funds for the construction, but on May 3, 1966, the board cancelled encumbrances of bond funds . . . and authorized, instead . . . encumbrance of . . . Title I funds."

The report cited other and more flagrant abuses, some proven and some just suspected.

Among the proven: Use of Title I funds in one Louisiana parish to build two black swimming pools instead of desegregating white ones.

Among the suspected: Use of Title I funds to train black maids in one Southern district, to give white students summer jobs in another, "to meet the needs of researchers and the thesis requirements of graduate students rather than the needs of educationally disadvantaged children" in one Northern city.

Several abuses were cited in the District of Columbia, whose Title I expenditures in fiscal 1966-67 came under federal audit earlier this year.

The audit, given to city officials four months ago with no public announcement, criticized the District for spending its Title I money—more than \$5 million a year—among too many children and programs.

Not all of the children and programs came within the federal guidelines, the auditors said.

The civil rights group called for a crack-down by the Office of Education. One obstacle, they noted, is that "state education agencies have historically guarded their prerogatives jealously against what they consider the imminent encroachment of federal control. In some areas, local authorities are as suspicious of state power as states are of federal power."

But in this case, the groups said, "the rights of children whom Congress designated as the sole beneficiaries of Title I have gone unprotected. Clearly, fears of federal control are unwarranted based on the evidence. If anything, there has been too little federal control."

COMBATING POLLUTION CREATED BY OIL SPILLS

Mr. MUSKIE. Mr. President, I invite the attention of the Senate to a recent study on the subject of oil pollution.

Arthur D. Little, Inc., pursuant to a contract with the Department of Transportation, reviewed the question of oil discharges "to assist the Coast Guard in enhancing its short-term preparedness for combating and ultimately managing oil pollution." Volume I of the report, which has been made available to the public, is an assessment of oil pollution control and abatement methods. The summary conclusion of volume I states:

The major operational consideration in any oil spill situation is that, if at all possible, the oil spill should be treated at sea to prevent the contamination of the coastline and attendant damage to the coastal ecology and economy. Operational procedures for combatting oil spills at sea must be based on a 24-hour day capability and point to a logical order of priority. First, the oil should be, if possible, contained at the source. Second, the oil inside the containment area should be removed. And, third, the oil that has spread outside the containment area should be removed—the combatant method depending on the kind of oil, its age, the sea-state, and other considerations.

The study points out that the technological capabilities to deal with major oil spills are severely limited:

The state-of-the-art for combatting oil spills in the open ocean has not progressed significantly since the Torrey Canyon incident in March 1967, as demonstrated by the agonizing and expensive cleanup operations at Santa Barbara. In contrast, the state-of-the-art for combatting the more frequent oil spills in harbors is developing rapidly because of public pressures, harbor regulations, and the less severe conditions.

The following statements from the study indicate the present level of our capability to deal with oil pollution spills:

Mechanical Containment: Mechanical

booms are commercially available and have been successfully demonstrated in protected waters. However, none of these systems has proven effective in containing an oil spill in the open ocean, nor is there any boom system designed specifically for open-ocean use. The boom concept of open ocean containment, however, offers potential for all clean-up operations and reduction of cleanup costs by reducing the area to be treated.

Mechanical Removal: The skimmer concept offers a potentially effective way of removing the oil from the ocean environment without introduction of other foreign materials. . . . No skimming device has been demonstrated to be effective under open ocean conditions.

Physical Sinking Methods: Sinking agents were used with some success in the Torrey Canyon disaster. However, systems for efficiently spreading sinking agents are not available for treating large spills on the open ocean. More importantly, little is known about the mechanism of sinking, and the behavior of sunken oil on the ocean floor and its effect on the benthic ecology.

Chemical Dispersion: Chemical dispersion has been the most extensively used of any combatant method. Dispersants are most useful on freshly formed slicks of light oil in a moderate-temperature environment. However, the toxicity of chemical dispersants to marine life has limited their wider application. We believe that the use of dispersants has been unduly restricted, particularly in the open ocean where biological activity is low. At present, chemical dispersion offers the most effective method of treating open ocean spills.

Nevertheless, a better understanding of the physical chemistry and dynamics of dispersions is needed as well as that of the ultimate fate of the dispersed oil and the toxicity of oil-chemical mixtures. Equipment for the efficient application of dispersants must be developed before this method can be rated as operationally effective for large spills.

Physical Absorption: Inexpensive absorption materials which could be easily distributed are available for the treatment of an oil spill with minimum damage to the ecology. The major limitation of absorption, however, is that the spent, oil-soaked materials must be collected. Equipment now available for the spreading and collecting of these materials either on calm or open water is ineffective. If effective equipment can be developed, this technique would be best suited for thin to moderate oil slicks where the wind will not unduly impede the distribution of the materials and where the biology is of sufficient importance to preclude the use of sinking agents or chemical dispersants.

Combustion: . . . the feasibility of improving combustion of a large oil spill on the open ocean, has not been demonstrated.

Biological Degradation: Biological seeding of oil slicks with special bacterial cultures is neither necessary nor especially effective for the treatment of an oil spill.

The report shows that the technology to restore damaged shoreline and beaches is even less adequate:

Shoreline restoration technology is almost nonexistent and is highly labor intensive. The cleaning method to be used will depend upon the economic and recreational value and the nature of the shoreline. Restoration of sandy beaches may involve the loss of large quantities of valuable sand; the cleaning of rocky shores has had only limited success; and all restoration methods may have severe effects on the littoral ecology.

Mr. President, the most significant information provided by this study is the information on the cost associated with cleanup of an oil spill. On page 7 of the

report the following statement appears:

We estimate that these direct costs range from \$1700 to \$4100 for a small (1,000-gallon) harbor spill; from \$64,000 to \$115,000 for a medium (100,000-gallon) off-shore oil spill; and from \$4.5 million to \$8.5 million for a large (10,000,000-gallon or a 35,000-ton) off-shore spill.

Senators may recall that the section of the Water Quality Improvement Act passed by the Senate which deals with oil pollution did not establish a liability limit in those instances when the Government can prove that the discharge was the result of negligence or a willful act.

According to the report, the only operationally feasible method of oil pollution clean-up appears to be physical absorption, the use of straw to absorb the oil. This method would cost approximately \$255 per gross ton in a 35,000-ton oil spill. Therefore, only when the Government can prove that a discharge was the result of negligence or a willful act will the liability limits passed by the Senate be adequate to cover the cost of clean-up.

Mr. President, the report should help those Senators who will join with me in the conference on the Water Quality Improvement Act insist on the provisions of the Senate bill which offer the possibility of adequate liability limits as against the provisions of the House version which do not.

More important, the report should also be important to members of the United States negotiating party at the conference of the International Maritime Consultative Organization in Brussels this month where an attempt will be made to negotiate an international oil pollution agreement.

I hope that Senators, the shipping industry, the oil industry, the negotiating team, and all others who share our interest in this serious and critical problem will examine the report carefully.

SIGNALS FOR PEACE: AMERICA AND VIETNAM

Mr. BROOKE. Mr. President, I would be less than candid if I did not admit that my reaction to the President's Vietnam address last week was somewhat mixed.

On balance, however, I believe that one primary emphasis was clear: the President is committed to peace. He is committed to nothing less than the withdrawal of American combat troops from Vietnam. And that withdrawal will be speeded by reciprocal peaceful overtures on the part of Hanoi.

This understanding was the substance of a statement which I released to the press this weekend. I believe these remarks may have even greater significance at this time, in light of events which have occurred in Vietnam and in the United States in the intervening days.

I, therefore, ask unanimous consent that the text of my remarks be printed in the RECORD.

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

SIGNALS FOR PEACE: AMERICA AND VIETNAM

Mr. President, the war in Vietnam has long generated deep concern and fierce passion among the American people.

It is not surprising that reactions to President Nixon's statement of last Monday should vary widely. Attitudes about the war differ greatly, knowledge of this complex struggle is uneven, judgments and preferences about our policy in Vietnam are not the same in all quarters. Furthermore, the President's extended review of the Vietnam situation contained a multitude of elements from which many different implications can and no doubt will be drawn.

But it seems to me that the central message was clear, and I believe it is extremely important for the American people and for the Vietnamese, both North and South, to focus on the critical signals the President sought to convey. Those signals amount to confirmation of the new departures which the President has initiated in our Vietnam policy and to a reaffirmation of his determination to continue a multi-pronged effort to bring the war to a conclusion.

I am disturbed that so little notice has been given to the fundamental commitment which the President made on November 3. He has undertaken nothing less than the removal of all American combat troops from Vietnam as soon as possible. That can only be seen as an immense contribution to lowering the violence and to reducing the terrible loss of American and Vietnamese lives in this bitter struggle. Read in context, Mr. Nixon's formulation of his disengagement plan, even though he did not publish a fixed timetable, should be recognized as a basic reversal of the previous policy of ever-mounting U.S. involvement in the war. The President has pledged himself to continued de-escalation of the war.

This central message was capsuled by a wise member of the other body, Congressman John Anderson, when he said: "To those who ask, 'What is new?' The answer is, Not what has been said, but what has been done. What is new is not in the speech but in the record of this administration. President Nixon has turned the war around. Instead of escalating he is de-escalating. Instead of sending American troops to Vietnam, he is bringing them home—and some 60,000 are now on their way, more than 20 percent of all our combat forces in Vietnam. The heavy fighting is now being done by South Vietnamese troops. And the President has made a firm commitment to seek a formal peace whenever Hanoi is ready to negotiate."

This policy of de-escalation can proceed rapidly, if there is a mutual interest in reducing bloodshed in Vietnam. The other side has significantly curtailed its infiltration into South Vietnam in recent months. American casualty rates have declined to the lowest point in three years. Such changes have reflected not only the altered orders under which U.S. commanders are operating, but also, I believe, a measure of restraint on the part of the North Vietnamese. And the United States has not overlooked the other side's recent behavior in the field.

It is largely because of these factors, one judges, that President Nixon went so far as to declare that "our timetable for withdrawal is more optimistic now than when we made our first estimates in June." At that time, it will be recalled, the Administration hoped to do better than match former Secretary Clifford's proposal that we seek to remove most American combat forces by the end of 1970. Weighed in this light, what the President had to say was very encouraging. It is reasonable to expect substantial withdrawals of American troops beyond those already ordered home. What a welcome prospect that is!

It is a prospect dramatically reinforced by the United States' scheduled cutback in military spending in Vietnam. At the projected

level of conflict American spending is to be reduced from \$30 billion in fiscal 1969 to an annual rate of \$17 billion by June 1970. That is a vivid measure of U.S. intentions.

The American government has formally taken notice of the fact that, while the North Vietnamese and the National Liberation Front have dampened hopes for diplomatic progress by their "stonewall" tactics in Paris, their deeds in Vietnam have given us reason to continue groping for peace through a program of mutual de-escalation. We have, in fact, done just what we ask of them: We have looked at their actions rather than their words. To some extent, they have done the same. Both sides must now continue to pursue this diplomacy of deeds, recognizing that the most important signals for peace may come not in Paris but on the battlefield itself.

We all regret that active diplomacy has failed to produce the kind of serious negotiations which could devise a sounder and more immediate settlement of the war. The United States would much prefer direct and genuine negotiations to the awkward and difficult course on which we have embarked. We are willing to discuss all proposals for a political settlement in the war, including the other side's 10 points. The United States supports the principle of free elections under agreed international supervision, and *N.L.F. participation directly in the organization and conduct of such elections*. The Government of South Vietnam, as well as that of the United States, is pledged to abide by the outcome of such elections. Any Communist candidates elected in this manner would be accepted as the legitimate representatives of the people of South Vietnam. In addition the United States is eager to arrange a cease-fire under international supervision.

The other side's consistent unwillingness even to discuss such proposals as we and they might wish to advance is a source of deep distress. A negotiated settlement would be far more satisfactory than the informal, tacit, and less reliable alternative of a more protracted process of disengagement. The shortest route to a reduction of violence and of the U.S. troop level in Vietnam is by way of the conference table.

The refusal of North Vietnam and the NLF to negotiate has frustrated millions.

It was said—and I was one of those who said it—that a halt to the bombing of North Vietnam might produce successful negotiations. The bombing was stopped. Diplomacy stood still.

It was said—and I was one of those who said it—that a curtailment of American military operations in the South might bring true negotiations. Those operations were limited. Diplomacy stood still.

It was said—and I was one of those who said it—that effective discussions might occur if the National Liberation Front were given a place at the conference table. The NLF took its seat in Paris. Diplomacy stood still.

It was said—and I was one of those who said it—that genuine negotiations must contemplate the participation of the NLF not only in internationally supervised free elections but in the design and organization of those elections. The offer of such participation evoked no positive response from Hanoi and its partners. Diplomacy stood still.

Under these circumstances the bitter disappointment over the diplomatic stalemate is understandable.

Yet neither side should abandon the effort to achieve fruitful negotiations. We must always seek to break the diplomatic stalemate. Bargaining is better than blood-letting.

In the welter of comment which has arisen since the President's address, we and the Vietnamese should not lose sight of the essential signals it contained:

First, the United States is prepared to expedite an end to the war by earnest, open-minded, intensive negotiations among all the parties concerned.

Second, the United States will continue to de-escalate the war as rapidly as possible, and American combat troops will be withdrawn from South Vietnam on an established, but flexible, timetable.

Mr. President, it would be a grave mistake for Hanoi to overlook these constructive signals. To step up the fighting at this time could lead to consequences unwanted by either side. By responding to the affirmative aspect of American policy, Hanoi will earn the gratitude and respect of all those who seek peace.

In grasping the hopeful signs that mark the paths to peace, we can find a common ground for disengagement.

As Norman Cousins once wrote, "War is an invention of the human mind. The human mind can invent peace with justice." That is the invention for which the American people long, and for which they will continue to strive in Vietnam.

THE LEAGUE OF WOMEN VOTERS OF BALTIMORE

Mr. TYDINGS. Mr. President, the League of Women Voters celebrates its 50th anniversary this year. This outstanding organization has devoted countless hours of work to help citizens become well-informed about government and about the ways the individual citizen can influence what happens in government.

The energetic women of the League of Women Voters of Baltimore have immersed themselves in activities ranging from the preparation of a nonpartisan publication entitled "How To Register To Vote," to teaching a course in city government at Dunbar High School in Baltimore, to conducting leadership development courses for the training and encouragement of neighborhood leaders.

Service to voters and study and discussion of major issues facing our Nation are the two prominent concerns of the League of Women Voters of Baltimore. The article, entitled "Feminine Gender," written by Susan C. Dilts, and published in Baltimore magazine of June 1969, provides an excellent description of the members of this local league, their works, and their ways.

I congratulate them on their success on this 50th anniversary. 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:

FEMININE GENDER (By Susan C. Dilts)

The subject under discussion was race relations. Most of the participants had something to contribute, and their comments were knowledgeable. A few spoke with authority about the Kerner Report; it was obvious they had actually read it, unlike many people who discuss it. They talked about the resentment felt by some whites long active in civil rights toward newcomers to the movement. They pointed out that their work in the ghetto had meant as much to them as it had to the people they had worked with and for.

This discussion took place in the glass-enclosed penthouse at Sutton Place, and

those participating were about 15 white, middle-class women of varying ages. The occasion was a board meeting of the League of Women Voters of Baltimore. Some of the members lived downtown, near Sutton Place, others had come in from the suburbs. To look at them, you would think they were the sort of women who, at 10 o'clock on a Tuesday morning, would be leading the neighborhood kaffe klatch, but, although coffee was served at the meeting, gossip was not.

The League of Women Voters has arrived at its 50th anniversary with a dignity befitting middle age. Its members take it seriously, as they have been doing for half a century. Those who are active put in countless hours of work. The new president, Mrs. Edmund Glaser, has what amounts to almost a full-time job without pay.

Freda Glaser, known as Fritizi, is an attractive, efficient-yet-feminine woman who looks quite capable of handling the job in addition to her family responsibilities of a husband and three children. She lives in Mt. Washington, and her husband teaches at the University of Maryland Medical School in the Department of Physiology—a field she is familiar with, having been a laboratory technician at Johns Hopkins Hospital in pulmonary physiology for eight years. She joined the league in 1961; her most important recent pre-presidential activities centered on the league's efforts on behalf of the Constitutional Convention. The league had been working for almost 30 years on revising the state constitution, and Mrs. Glaser was chairman of the Baltimore City League on the Constitutional Convention; a large part of the effort involved going into the inner city, explaining the issues, urging people to vote, working with a segment of the population that is often forgotten at election time. Failure of the new constitution to win passage has not dampened her faith in the league's efforts at the polls.

The league's original purpose was to deal only with issues involving elections. This is no longer strictly true, and, in Mrs. Glaser's opinion, this is not necessarily for the best: "I feel the league does its best job in strictly political issues. I feel it has gone too much into social issues."

The league has changed a great deal in its 50 years. Its actual history dates from 1920, when the 19th Amendment to the United States Constitution was ratified, giving women the vote. Today it is hard to imagine a time when women had fewer rights than the newly-freed slaves. Yet it took 72 years for women to win the franchise.

The battle officially began in 1848, but it actually started in the minds of two women in 1840. In that year, a World Anti-Slavery Convention was held in London. Two Americans, Mrs. Lucretia Mott, a delegate, and Mrs. Elizabeth Cady Stanton, the wife of a delegate, were not only denied seats because of their sex, but were forced to withdraw to a gallery and remain behind a curtain. Little did those responsible for this indignity know what they had started. In 1848, the two women headed the first Women's Rights Convention in Seneca Falls, New York. Their daring proposition declared: "It is the duty of the women of this country to secure to themselves their sacred right to the elective franchise."

In 1890, two suffrage associations merged to become the National American Women Suffrage Association, which led the fight until 1920. With victory, the association saw no reason to disband and rest on its laurels; the National American Woman Suffrage Association retired and the League of Women Voters was born. The formidable Mrs. Carrie Chapman Catt, its founder proclaimed: "The vote is won. Seventy-two years the battle for this privilege has been waged, but human affairs with their eternal change move on with-

out pause. Progress is calling to you to make no pause. Act!"

Today the league is a vast national organization of 150,000 members, whose purpose is to help citizens become well-informed about government and about the ways the individual citizen can influence what happens in government. The league divides its work into two parts: voters service and the league program.

The first is probably better known, including a vast amount of nonpartisan factual information about candidates and issues, and about the actual process of voting. The league publishes an extensive list of brochures and booklets on both local and national government, as well as sponsoring candidates' meetings at election time. Voters service is becoming more and more active in the inner city, working with neighborhood groups to encourage voter participation.

The league program is more complicated. This is a study program on three levels: local, state and national. The national issues are selected every two years by a process that is democracy carried to the nth degree, being an eight-month exchange of ideas and voting carried on from the local level up through the national board. The national program for 1968-1970 includes the Electoral College; human resources; foreign policy, including United States relations with China; water resources; representative government and apportionment; tax rates and treaty making. The league has been criticized for spending two years on each national program, but many of these are issues the government has been unable to settle in many more than two years. At the end of this study, both pro and con, the league membership decides what is best for the public interest and actively promotes or opposes legislation on the subject.

State programs are also chosen every two years, and can include issues such as court reforms, election laws, constitutional revision and legislative reapportionment. The Maryland state program for 1968-1970 is welfare programs and services.

Local programs are chosen every year. Currently the Baltimore league is studying a program called "The Crisis in Baltimore . . . to Salvage our City." This includes the War on Poverty, education, the Community Action Agency, Model Cities, the Movement Against Destruction and many other aspects of Baltimore's struggle for survival. In addition to these three divisions, in the Baltimore area there is yet a fourth level: regional or metropolitan, and the issue under consideration here is a study of urban-suburban relationships.

This awesome array of subjects is studied by resource committees, then in small meetings called unit meetings, in discussions, in go-see trips. When a consensus is reached, the Board is notified and the league takes action. This can come in several ways: writing letters to newspapers and to elected officials, testifying at hearings of the Legislature, public meetings, lobbying, haunting the City Council.

The league emphasizes that any member who does not agree with the general consensus on an issue is perfectly free as an individual to oppose its decision, as long as she does not do it in the name of the league. The league is fiercely nonpartisan, although most members tend to think along similar lines. All league officers and directors refrain from partisan activities during their term of office.

In addition to all this, the league works through two special funds: the Overseas Education Fund of the League of Women Voters, founded in 1947, which, since 1961, has worked primarily with the women of Latin America, providing training for leaders and aiding civic organizations. The other is

the League of Women Voters Education Fund, which is financed not by the league but by contributions from foundations and individuals. Its purpose is to develop new techniques of citizen participation in government, notably in ghetto areas.

Baltimore was chosen for one pilot program of the education fund—the East Baltimore Citizen's Center, located at Monument, Aisquith and Gay Streets. (In 1967, the Ford Foundation gave grants to the national league education fund for citizens centers in three cities: Boston, Philadelphia and Baltimore.) The purpose of the center is to discover ways League Members and ghetto-dwellers can work together to help inner-city people exercise their full political power, and, on the other hand, to help league members, especially suburbanites, to understand and try to do something about the problems of the ghetto.

Unlike many white civil rights organizations who are greedy for glory, the league has run the center anonymously. They have tried to work with existing neighborhood groups, and in their names, rather than as the League of Women Voters. The center is run by a steering committee, the members of which represent such groups as CORE, welfare mothers, neighborhood improvement groups, ministerial alliances. The co-chairmen of the steering committee are Mrs. Iris Robinson, from the neighborhood, and Mrs. Carolyn Gause, from the league. Less than half the steering committee members are from the league, and the league hopes eventually to withdraw from the committee entirely.

The league's activities at the center have included pre-election information meetings, nonpartisan publications such as "How to Register to Vote," a course in city government taught at Dunbar High School and three leadership development courses which have been successful in training and encouraging neighborhood leaders. The league also sponsors a group of graduate students in social work who work with tenant groups in public housing.

The Baltimore league is enthusiastic about the East Baltimore Citizens Center. The learning process has worked both ways: members have been able to teach neighborhood residents and, in turn, have learned a great deal about a way of life many of them had rarely seen. League board member Mrs. William Duff, who has been active at the center, says: "I think the most important thing to the league is that members had a chance to see the diversity in the black community. The people we have worked with include the full range, from black militants to church ladies."

The Ford Foundation funding of the center expires this summer. The league is already trying to locate additional funds elsewhere to continue it. Now its anonymity is a drawback; because it has been so careful to remain in the background, people don't know about this activity and it is hard to raise money.

Nationally, the league is trying to raise money in a big way. In conjunction with its year-long 50th anniversary celebration, a campaign is underway to raise \$11 million to expand services. This is the first time the league, a non-profit organization, has had a nationwide fund-raising drive. About a third of its income is from dues—in Baltimore there are approximately 700 members, and membership costs \$10 a year—the remaining two-thirds comes from donations.

Mrs. William Balfour, first vice president of the Baltimore league, is local chairman of the anniversary fund-raising drive. "The money we raise," she says, "will strengthen all aspects of the league's work. We don't plan to do anything new. We want to do what we've been doing, only do it better. What the league has been doing during the past

50 years is going to get a lot more expensive. Before we consider the next 50 years, we have to have more money."

Funds are needed to pay a staff; all officers serve without pay. For national officers, this can be a large personal expense, since travel is frequent. Locally, only the secretary in the league office is paid. Mrs. Balfour points out that it is getting more and more difficult to find people who have time to do volunteer work. Years ago, when a woman's children had grown, she turned to this type of work. Now she returns to work for a salary. The league feels it would be strengthened if it were able to pay its officers. "As it is now," Mrs. Balfour says, "our president not only has to write her own speeches, she has to type them herself." And probably on an antiquated typewriter.

The Baltimore league headquarters is a small, crowded suite of offices at Sutton Place, furnished with Early Rejact office furniture. Mrs. Glaser points out that because of inadequate equipment, the league has to pay to have a lot of their work done outside, which it really can't afford. What is needed most is a duplicating machine to replace an old hand-cranked mimeograph. "Any businessman or company with unused office equipment hidden away somewhere . . ." she mentions with a smile that would warm the heart of the most dedicated anti-feminist.

DEFENSE PREPAREDNESS AGAINST COMMUNIST AGGRESSION IN VIETNAM JEOPARIZED

Mr. DODD. Mr. President, one of America's most distinguished and experienced foreign correspondents explained starkly and surgically the aftermath of reckless opposition to our role in Vietnam. He was especially concerned with what could happen to all our defense preparedness against Communist aggression.

I ask unanimous consent that the report of a speech by William H. Stoneman, as published in the Ann Arbor, Mich., News issue of November 6, 1969, be printed in the RECORD.

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

[From the Ann Arbor News, Nov. 6, 1969]

CORRESPONDENT FEARS VIETNAM ISSUE MAY HARM ALL MILITARY PREPAREDNESS

If opposition to the war in Vietnam broadens into widespread opposition to all military action or preparedness, the consequences to NATO and democratic Europe could be disastrous, according to one of America's most respected foreign correspondents.

William H. Stoneman, one-time special adviser to United Nations Secretary General Trygve Lie whose 40 years with the Chicago Daily News Foreign Service, ranging from Great Britain to the Soviet Union, have made him eyewitness to the 20th century's most important events, evaluated the U.S. military posture Wednesday during a homecoming address before the Ann Arbor Rotary Club.

He concluded with these remarks:

"I have been deeply impressed, since my return to the United States in August, by the strength of public opposition to our effort in Southeast Asia. Of course I can understand the aversion of anybody to any war, and of course the war in Vietnam is particularly disagreeable.

"What I find difficult to understand is the manner in which this opposition to the action in Vietnam has developed into a widespread opposition to military action or even to military preparedness. This could have

fatal consequences to NATO and the end result to democratic Europe could be disastrous.

"Of one thing we can be deadly sure. The faceless men who run the Soviet Union, many of them hold-overs from the Stalin days, and all of them accomplices in the Czech affair, are watching our every move. We can only hope that what they see will not be encouraging.

"Don't let anything happen to NATO."

A 1925 graduate of the University, Stoneman has returned to the U-M journalism department this term to teach a graduate seminar in foreign correspondence. His current leave from his Paris post as European correspondent for the Daily News permits a true homecoming, since he was born in Michigan (Grand Rapids) and attended Ann Arbor High School.

Stoneman, who describes himself as a perennial "local yokel" who has "been missing boats for 40 years" all over the globe, said he hopes never to lose what he was taught as a boy: a respect for the dignity of the human spirit and the right of all human beings to decent free existence.

"This background has made it utterly impossible for me to understand, let alone accept, the attitude of some prominent Americans in the old days that Fascism was what the Italians needed because their history was full of despots, that the Communist terror of the '30s was okay for the Russians because they were used to being beaten up by the Cossacks and the Okhrana, and that the vicious German militarism which had been revived and polished up by Adolph Hitler was, all right for the Germans because they liked to goosestep and listen to brass bands.

"Likewise it makes it impossible for me to understand those present-day Americans who accept with composure the fact that hundreds of millions of our fellow human beings are living in poverty and that a large proportion of all humanity is living under the police terror of military dictatorship.

"I know enough about the possibilities of hydrogen warfare and also know enough about the might of Russian and Chinese conventional forces to discard any thought of trying to free the enslaved peoples of the world by force."

"But," he said, "I am personally revolted by the thought that things are as they are. It is a matter of personal concern to me that the institution of military dictatorship should not be permitted to expand as long as we have it in our power to prevent it from doing so."

Stoneman, whose first foreign assignment was in Sweden, a country he personally loved, commented that "it is one of the great disappointments of my life that Sweden has now become a nest of pathological anti-Americanism."

A review of Stoneman's experiences indicates how close he stayed to the century's major events:

After Sweden he was in Italy at the time Mussolini was talking war and fighting with Pope Pius XI.

Stoneman was in the Soviet Union during the 1933 famine, and in Ethiopia in 1935 for the Italian-Ethiopian war. Then on to Berlin where Hitler was stirring up the frenzy that was a prelude to World War II. He was based in London from 1936 to 1946, a witness to the constant aggressions by Hitler that Stoneman says could easily have been stopped early.

"While Hitler and Mussolini staged a dress rehearsal for the big show by intervening in the Spanish Civil War," Stoneman said, "all France and Britain did about that was to organize a non-intervention committee."

Stoneman went to France in 1939 with the British Expeditionary Force and remained with it until the evacuation at Dun-

kirk in May 1940. On VE day he was in Prague and was "captured" briefly by the Russians.

"I have paid too many visits to our war cemeteries to feel that I was anything but a spectator at a vast catastrophe," Stoneman said, adding: "But I did learn something from all the tragedies of the '30s and from the war itself. It was this: By our refusal to recognize the truth that the civilized western world was confronted by monsters who were intent on a war of conquest we made World War II, and all the death and misery it involved, inevitable."

Stoneman paid high praise to the Marshall Plan, started in 1949, which he called "the most enlightened act of international charity in all history." It provided around \$15 billion worth of goods to the democratic countries of Europe to aid in their systematic economic rehabilitation.

"I think that every thinking student of this effort, European or American, will agree that it was largely responsible for preventing the establishment of Popular Front governments in both France and Italy, with the risk of ultimate Communist take-over," the veteran correspondent said.

AMERICAN ABDICATION IN VIETNAM WOULD BE DISASTROUS

Mr. TOWER. Mr. President, an editorial published recently in the London Daily Express clearly expresses a point which the President made in his speech on Vietnam last week. I ask unanimous consent that the editorial be printed in the RECORD.

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

THE TEST OF A PEOPLE

The American people are now facing what may prove to be the biggest test of their history. Yesterday's massive demonstration against the Vietnam war showed clearly how grave is the situation.

Yet it is vital that at this stage the Americans do not lose their nerve. Upon them and upon their resolve the security and freedom of the Western world depend.

Without them Western Europe would certainly face the same fate as Czechoslovakia.

Now the yearning to end the killing in Vietnam is understandable. That war has brought tragedy into thousands of American homes. The Government of South Vietnam is tainted with corruption. Relentless criticism has been directed at American participation in the war even from America's friends.

Not surprisingly, large numbers of Americans want to be rid of a struggle which is seemingly devoid of purpose.

Yet if the U.S. withdraws from its commitments in Vietnam without securing an honorable settlement, where will the retreat stop? The border between North and South Vietnam is part of the frontier between the Communist and non-Communist worlds. It was breached by the Communists. If the U.S. crumbles now, subversion will be rewarded and America's will to resist aggression may well weaken everywhere.

Let there be no misunderstanding about what that would mean. The freedom of everyone in the West—not least the anti-war protesters in Grosvenor Square—would be in peril.

America is the powerful champion of liberty, of the right to dissent. And the price of that liberty is the resolve to defend it—against those regimes which imprison or liquidate dissenters.

The Americans are in a desperately complex situation in which they have had no help

from their European allies. It is cheap and easy to shout "Yanks, go home." Many of those who do so in the West are free to roam the streets saying what they please because for 20 years the Yanks have not gone home.

However eager people may be to bring peace to Vietnam, American abdication there would be disastrous to the whole Western world.

COLUMNIST JOSEPH KRAFT WRITES OF "A CHANNEL TO HANOI"

Mr. MUSKIE. Mr. President, in yesterday's Washington Post Joseph Kraft contributed a significant column entitled "A Channel to Hanoi—A French Expert Says the North Vietnamese Are Quite Willing To Bargain With United States."

The article discussed President Nixon's exchange of correspondence with Ho Chi Minh earlier this year. In the column, Mr. Kraft also reported on a conversation he had in late September with Jean Saintry, the former French High Commissioner in Vietnam. At that time, M. Saintry had just returned from attending Ho's funeral in Hanoi, where he had discussed with North Vietnam's Premier, Pham Van Dong, the possibilities of a negotiated settlement of the Vietnam war.

From this conversation and the released text of the Nixon-Ho correspondence, Mr. Kraft reached the conclusion that the President had missed a conciliatory tone in Ho's response to his letter. This is much the same conclusion that I had reached and which I discussed in the Senate last Friday. I ask unanimous consent that the text of Mr. Kraft's column be printed in the RECORD.

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

A CHANNEL TO HANOI; A FRENCH EXPERT SAYS THE NORTH VIETNAMESE ARE QUITE WILLING TO BARGAIN WITH UNITED STATES

(By Joseph Kraft)

It is passing strange that so many people have made up their minds so quickly about the President's speech on Vietnam. For at the core of Mr. Nixon's argument, there is a mystery—the mystery of why negotiations have gone sour.

The President's claim, of course, is that the intransigence of the other side is to blame. But the evidence he offered argues the opposite. And so does the view of a truly weighty figure used by the President as counselor and go-between—the former French High Commissioner in Vietnam, Jean Saintry.

The issue of negotiations is central because the President offered the country an absolute choice between immediate withdrawal and his plan for Vietnamization. Since hardly anybody favors a bugout, the tendency is to go with the President, but only if there were no other alternatives available. And in theory, at least, one obvious alternative is negotiated settlement.

It is not only an obvious alternative, but a very promising one. For negotiation offers a genuine answer to two problems usually raised sophistically by persons whose public reputation or sense of the dramatic requires that the war go on.

Through negotiations, it is possible to avoid—by an international guarantee of personal safety—the bloodbath so widely feared if the Communists gained the upper hand. Through negotiations for a neutral Southeast

Asia, it would also be possible to guarantee the small states in the area against Communist domination—to prop up the dominoes.

The uses of negotiation were plainly not lost on Mr. Nixon and his chief foreign policy adviser, Henry Kissinger. Even before they took office, they had opened a line of communication to the late President of North Vietnam, Ho Chi Minh. And subsequently, they pushed negotiations through the Russians and in secret meetings in Paris.

So what went wrong? The President said in his speech that "the obstacle is the other side's absolute refusal to show the least willingness to join in seeking peace." As evidence, he released an exchange of letters with Ho Chi Minh. But Ho's letter, dated three days before his death on Sept. 2, does nothing to justify the President's staggering denunciation.

The tone is conciliatory. The text refers to the need for "good will on both sides." It speaks of an American withdrawal, but without the usual demand that it be either immediate or unconditional. It mentions the 10-point program of the National Liberation Front not as the only basis for settlement, in the manner of past demands, but more modestly, as "a logical and reasonable basis for the settlement of the Vietnamese problem."

Many American officials past and present—including the Johnson administration's chief negotiator in the Paris talks, Ambassador Averell Harriman—find Ho's letter a flexible document full of openings for negotiation. But the Nixon speech didn't say anything about making reply to the letter. Apparently it went unanswered. Why?

At this point, Saintry becomes relevant. He was an old friend to Ho Chi Minh. He slipped into Washington this summer under somewhat mysterious circumstances, and may have been the means of passing Mr. Nixon's letter of July 15 on to the other side. Previously, Mr. Nixon had sought his counsel on Vietnam even to the point of once searching him out for a chat when Saintry was off sailing on the Mediterranean.

I saw Saintry at the end of September, just after his return from the funeral of Ho Chi Minh in Hanoi. He had had a long talk with Premier Pham Van Dong. He was persuaded that the other side was prepared to accept a settlement that would include an independent and noncommunist South Vietnam set in a neutralist Southeast Asia.

The obstacle to agreement, in his view, was that Hanoi did not have any faith in Mr. Nixon's claim that he wanted agreement. On the contrary, the North Vietnamese thought the United States was still trying to impose in Saigon, by military means, a pro-American government hostile to Hanoi.

Saintry felt—and his feelings were made known to the President—that the United States could dispel Hanoi's doubts in two ways. One would be a formal statement that the United States recognized the principle of total withdrawal of American troops from South Vietnam at some unstipulated date. The other would be by broadening the present regime in Saigon to include some political figures who were not diehard anticommunists.

If these views are correct, then the responsibility for blocking negotiations does not lie only with Hanoi. Washington is to blame for not making considerable concessions, for wanting to shove the Saigon regime down the throat of Hanoi.

Maybe Mr. Nixon's plan for Vietnamization can succeed. Maybe the South Vietnamese will prove able to undertake their own defense with an American contribution so low as to be no cause for internal strife in this country. But I have looked upon the South Vietnamese government and upon its army, and I have my doubts.

In any case, the price being paid for Mr. Nixon's policy should be clear. The other side has now been confirmed in its worst suspicions of the United States. Negotiations are much more difficult than ever before—if possible at all. A long and bitter struggle, almost certain to intensify at some point, looms ahead. That struggle is, by no mere rhetorical touch, Nixon's war.

FUTURE TASKS OF NATO

Mr. JACKSON. The 15th General Assembly of the Atlantic Treaty Association, of which the Atlantic Council of the United States is the U.S. member, was held in Washington from October 20 to 24 to commemorate the 20th anniversary of the signing of the North Atlantic Treaty. The Assembly of about 400 delegates from the 15 NATO countries plus Malta devoted its debates primarily to an examination of the future state of the alliance in light of present world politics.

Its deliberations were facilitated by a report of the Secretary General of NATO, Ambassador Manlio Brosio; by a panel discussion on the state of the alliance led by four of the signers of the North Atlantic Treaty, Messrs. Dean Acheson of the United States, Lester Pearson of Canada, Halvard Lange of Norway, and Bjarni Benediktsson of Iceland; and by the active participation of 80 young leaders from all the member nations.

The Assembly delegates moved to Norfolk to the Headquarters of SAC LANT for 1 day's discussions during which they had the benefit of briefings by Admiral Holmes, supreme commander Atlantic, General Goodpaster, supreme commander Europe, and Adm. Sir Nigel Henderson, chairman of the NATO Military Committee. The Assembly also had the benefit of reports by committees, including that of the Military Committee, whose chairman was Gen. Lyman L. Lemnitzer of the United States, and whose Rapporteur was Gen. Hans Speidel of Germany, and of the Political Committee, whose chairman was Ambassador Sergio Fenoaltea of Italy, and Rapporteur, Eugene V. Rostow of the United States.

At the end of the week of sessions a final report was adopted. I ask unanimous consent that it be printed in the RECORD. I commend this report to the Senate. I think it points toward the future tasks of NATO, not only in the military field, but also in the political, economic, and environmental aspects.

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

FINAL RESOLUTION ADOPTED BY THE 15TH GENERAL ASSEMBLY OF THE ATLANTIC TREATY ASSOCIATION, WASHINGTON, D.C., OCTOBER 24, 1969

I. INTRODUCTION

The Fifteenth Assembly of the Atlantic Treaty Association, meeting in Washington to commemorate the Twentieth Anniversary of the signing of the North Atlantic Treaty, directed its debate primarily to an examination of the future tasks of the Alliance, in the light of present and prospective conditions of world politics. Its deliberations were facilitated by a Report of the Secretary Gen-

eral, Ambassador Manlio Brosio; by a panel discussion on the state of the alliance, led by four of the signers of the North Atlantic Treaty in 1949, Messrs. Dean Acheson, Lester Pearson, Halvard Lange, and Bjarni Benediktsson; and by the active and welcome presence in the Assembly of eighty young leaders drawn from all the member nations. The Assembly had the benefit of reports by its Committees on Military Affairs, whose Chairman was General Lyman L. Lemnitzer, and Rapporteur, General Hans Speidel; on Political, Economic and Social Problems, whose Chairman was Ambassador Sergio Fenoaltea, and Rapporteur, Eugene V. Rostow; and on Information Policy, whose Chairman was Raymond de Balasy, and Rapporteur, P. Mouriau de Meulenacker.

The Assembly is convinced that a dynamic, imaginative and forward-looking Alliance is more necessary than ever to the security and well-being of the peoples of the member nations, as a factor working for detente and world peace. It recognizes the contribution already made by the Alliance to the security of its members, and to peace, but realizes the stresses in public opinion produced by the frustration thus far of our long and patient efforts to secure general acceptance for the idea of peaceful co-existence, based on the principles of the United Nations Charter. It believes that the best remedy for this disease of the spirit is a renewal and deepening of Allied solidarity. Through such action, the governments could achieve the renewal of will which is indispensable to the vitality and success of the Alliance in the long run.

II. DEFENSE AND SECURITY

The Assembly recognizes the fact that the military threat to the Atlantic Alliance has not only been intensified, but has also been diversified into the political, economic and psychological fields, and is world wide in extent. In particular, the Soviet maritime build-up, not only in the Baltic and Mediterranean, but in the Atlantic, Pacific and Indian Oceans, now presents serious threats to the northern and southern flanks of the Alliance and to the interests of its members in all parts of the world.

The Assembly recognizes that the necessary response to these challenges depends upon the closest possible political consultation, forward planning and diplomatic action, backed by adequate military force. Deterrence involves anticipating crises and countering them before they become acute.

The Assembly therefore strongly supports the strategic guidelines already agreed to by the member Governments. The indispensable requirement is to provide for forward defense and for flexible and balanced ranges of response, both conventional and nuclear, to any aggression or threat of aggression. The action required implies honoring obligations to provide and maintain agreed force levels, both in quantity and quality, and the provision of the necessary reserves. The North American presence in Europe at its present strength remains as important as ever. The Alliance should cooperate to establish financial arrangements appropriate to facilitate the achievement of this goal. Better cost-effectiveness can be obtained through more standardization of research, development, production, procurement and logistics, and particularly by better coordination among the European members of the Alliance. A higher degree of mobility is also most necessary.

The Assembly views with concern the problems presented on the flanks of NATO upon which common policies and united actions are required. The increasing Soviet naval presence in the Atlantic and in the Mediterranean, the defense of Malta, and developments in the Middle East and North Africa are all of major concern to members of the Alliance.

The Assembly also calls attention to the fact that the reliance of members of the Alliance on seaborne trade, much of which is outside the Treaty area, demands special arrangements backed by the necessary maritime forces. There is an increasing air, surface, submarine and amphibious threat, and adequate anti-submarine forces, in particular, remain urgent requirements.

The Assembly therefore recommends that the NATO authorities and the governments of the member nations give due consideration to, and institute a study of measures to safeguard NATO maritime interests wherever they may be called upon to do so.

III. POLITICAL, ECONOMIC AND SOCIAL AFFAIRS

The Assembly calls on the governments of member nations, as a matter of urgency, to carry out the programs approved by the North Atlantic Council in December, 1967, on the basis of its study of the Future Tasks of the Alliance. The purpose of that Council Resolution was to deepen and improve the practice of consultation within the Alliance, in order to facilitate the harmonization of policies, and the development of concerted policies, through which a program of initiatives for peace could be pursued. These must include measures to overcome the division of Europe and of Germany. In this connection, the Assembly supports the recommendations of the United States for regular high level consultations, and the establishment of a special political planning group within the Council. It recommends also that attention be given to the problem of effective crisis management, through flexible procedures calculated to assure maximum feasible allied consultation in advance of critical decisions.

The Assembly calls special attention to the important principle recognized by the North Atlantic Council in December, 1967, that the security of the Alliance "cannot be treated in isolation from the rest of the world," and that the Council should consult with regard to "crises and conflicts arising outside the treaty area" which "may impair its security either directly or by affecting the global balance." In that connection, the Assembly believes that the Alliance has a direct and continuing interest in the security of the Mediterranean and the achievement of peace in the Middle East. The Assembly therefore recommends that the Alliance pursue an active program intended to secure these ends. As a contribution to the security of the Mediterranean, the Assembly believes that the relation of Malta to the Alliance deserves active and sympathetic study. In addition to other steps, it hopes that the European Communities can play a useful role in their relations with Middle Eastern states.

The Assembly supports the constructive proposals put forward by the North Atlantic Council in June, 1968, calling on the Soviet Union and the nations of Eastern Europe to join with the members of the Alliance in seeking to secure balanced and mutual force reductions in Europe, and agreements on arms limitations. The Assembly reiterates its conviction that appropriate arrangements for security and detente in Europe, the Mediterranean, and the Middle East must rest on agreements, and not on unilateral force reduction; it goes without saying that no European security conference should be considered without the participation of the United States and Canada. In this connection, the Assembly welcomes the assurances given in April by President Nixon that the United States will consult fully with its allies, before and during any talks with the Soviet Union on the limitation of nuclear weapons.

The Assembly reiterates its support for the principle that the long term health of the Alliance would be assured best through

the development of European unity on a wider basis, and the evolution of the Alliance as a partnership between Europe, Canada, and the United States. It therefore urges that efforts to unify Europe within the framework of the Atlantic Community should continue and deepen.

The Committee is convinced that the political, economic, technological and cultural interdependence of the nations and peoples of the free world becomes more profound, and more irreversible, with every passing month. While the North Atlantic Council has broad and flexible powers, altogether adequate to its responsibilities, the Assembly believes that our present habits of Allied cooperation, and arrangements for Allied cooperation, do not now fully provide for effective governance of this process; to this end, much can be done through the better utilization of existing international bodies, if the member governments have the will to do so.

Therefore it calls on the North Atlantic Council, the Organization for Economic Cooperation and Development (OECD), the General Agreement on Tariff and Trade (GATT), the appropriate United Nations bodies and the member governments to press for the adoption of policies and programs, and the development of institutions, which could further consolidate and improve the economic, scientific, and social development of our nations, and of all nations. In this connection, the Assembly recommends that the Alliance examine sympathetically the possibility of stimulating action by appropriate national and international bodies to improve the quality of human life in modern societies. It reaffirms the responsibility of the member nations to take their full and continuing share in the great task of helping the developing nations complete their task of modernization.

IV. PUBLIC OPINION

The Assembly recalls that political decisions in Western countries depend upon the approval of their citizens, and that it is impossible to pursue for long an important political goal without being assured of the constant support of public opinion.

Information being the principal task of the A.T.A., the Assembly therefore emphasizes the necessity for the Atlantic Treaty Association and for its national branches to organize a systematic information effort explaining the necessity for the Atlantic Alliance now and in the future.

The Assembly further calls for special steps to provide information, provoke reflection and stimulate discussion with the younger generations who will play an increasingly important part in the evolution of the Alliance into a true Atlantic Community.

LOW-COST HOUSING

Mr. PERCY. Mr. President, a most critical need in our country today is that of supplying decent, low-cost housing—a need which our technology is capable of meeting.

Recently an article was published in the Christian Science Monitor, a part of a series on housing and our urban crisis, which describes some of the ways we could utilize our "assembly-line" technology to build great quantities of housing units at low cost. The article states that many of these techniques, adopted from the United States, have been implemented in European countries.

Earlier this year while in Denmark I had the opportunity to visit the Hersted-ernas Kommune project, and its success confirms this article. This project was

begun just 5 years ago, and now 20,000 individuals are living in it. The expectation is that 40,000 people will be living in 13,500 units by 1975.

I ask unanimous consent that the article, entitled "Wanted: 26 Million Homes," be printed in the RECORD. Since Congress is aware of the need for additional housing units, the article will be most timely.

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

[From the Christian Science Monitor, Oct. 11-13, 1969]

WANTED: 26 MILLION HOMES

(By George H. Favre)

The assembly line, which put America on wheels, is putting millions of Europeans under good roofs now.

The United States has a surplus of concrete under foot and a shortage of decent housing overhead. Congress has called for 26 million new housing units to be built in 10 years, but under present conditions—antiquated building methods and zooming mortgage-interest rates—the country cannot meet that goal. Housing has been considered a basic need of life since the days of cave dwellers, but the United States is rapidly coming to a point where only luxury housing can be built.

One way to beat the high cost of housing is through assembly-line efficiencies. This is nothing new. Europe has been doing it for years.

Congressional study groups, presidential committees, and housing economists are coming to a common conclusion: The nation must repatriate the assembly line from Europe and make it perform for the housing market here as it has so admirably performed for the automotive market.

PROCESS LIMPS ALONG

The process, as a matter of fact, is already under way. But it limps along in a fashion that would appall Detroit. If automobiles were designed, assembled, and marketed the way housing is, Americas would still be driving tin lizzies (those who could afford them).

The \$25 billion-a-year home-building industry is fragmented into a mishmash of materials suppliers, developers, building contractors, subcontractors, architects, engineers, finance agencies, lawyers, and realtors. Various combinations of those coalesce to build a house or a development of hundreds of houses. That done, they quietly fold their tents and steal away into the off-season darkness of bad weather or a poor economic climate. Later they reassemble in a new combination for a new building project.

What is needed, say the experts, is a systems approach.

Bits and pieces of the fragmented housing industry have for many years been painfully moving toward this goal. But the closest they have come to it is the mobile home. And despite the fact that mobile homes made up 23 percent of the entire new housing market in 1967, these aluminum-sided, enamel-coated dwellings still are far away from many Americans' dream of what a home should be.

Therein lies the biggest problem. On the one hand, 4.5 million Americans live in mobile homes. Most of these are set up in mobile parks. Contradicting the once popular notion that only gypsies would live in mobile homes, the average stay is 5½ years—the same as residents of permanent homes.

According to the President's Committee on Urban Housing, 90 percent of the mobile-home parks are outside city or metropolitan areas. The figure is significant.

It says that neither cities nor suburbs want mobile-home parks. This is partly because mobile homes seem temporary, not perma-

nent housing. Prejudice harks back to "trailer parks" filled with shabby 8x30-foot trailers, blaring radios, screaming kids, and rootless people of little means.

Probably the biggest opposition, however, comes because mobile homes are inexpensive housing, and the parks they occupy do not yield the high property taxes of permanent housing developments. The argument is that they lower property values on the one hand and increase costs for schools, police, and other local services on the other. The conclusion is that mobile home owners do not carry a proportionate share of the property-tax burden.

SWIMMING POOLS INCLUDED

Some of these prejudices may have some weight. But many of the preconceptions do not hold water. For one thing, today's mobile park resembles the old-time trailer park as much as a Holiday Inn Motel resembles the old overnight cabins on Maine's back roads.

The best of these parks include heated swimming pools, community recreation centers, attractive landscaping, wide paved streets, professional management, and very strict rules. Objectionable tenants are ejected quickly.

None of this is to say that life in a mobile home park is either the ultimate or the inevitable in tomorrow's America. What it does say is that when a small, pioneer segment of the home-building industry can put together housing units that offer 720 to 1,500 square feet of living space, completely furnished, for \$5,400 to \$12,000—and double its sales in five years—it must be doing something right.

That "something," most expert observers agree, is assembly-line production.

(For comparison, take that 720-square-foot, \$5,400 mobile home. It sits on a well-kept lot of rented land in open countryside. Its owner pays \$50 to \$70 a month rent, and the park management pays property taxes. Compare that to a 720-square-foot, two-bedroom apartment in a high-rise public housing project in a large city. It cost taxpayers \$15,000 to \$25,000 to build, its tenants are on welfare, and public housing pays no taxes.)

PREFAB COMPONENTS USED

But mobile homes are not the only kind of prefabrication going on in the United States. They just happen to be the nearest thing to assembly-line production Detroit style.

Practically every house or apartment built in the country today has some degree of prefabrication. The assembly-line process begins with component parts for conventionally built housing. These parts may be wooden roof trusses, plumbing "trees," heat pumps, prehung doors and windows, molded fiber-glass bath units, and precast concrete panels.

Manufactured homes are the next step up toward factory-built, assembly-line production. Home builders, such as National Homes or Techbuilt, for years have been factory building precut, preassembled home components. These are sold as a package, shipped to the site, and assembled. The purchaser or builder pays for the land, site improvements, interior furnishings, fixtures, and so forth.

Most manufactured homes are wooden frame houses. They may be single homes, row houses, or low-rise garden apartments. Once assembled, they look like any house built from the foundation up by craftsmen on the site. Some firms, especially in the Southwest, are using precast concrete load-bearing panels.

MODULES SHIPPED

Still closer to Detroit's assembly line, from which the completed automobile rolls off, is the modular unit or "box" system. As the name implies, instead of a knockdown package of flat wall, roof, floor, and truss sections, the box system produces three-dimensional modules or "boxes." These are shipped

to the site and set beside, or on top of, one another to form a house. As wooden row houses or low-rise garden apartments, they can be stacked three high.

The modular or box system can also be concrete. Moshe Safdie's celebrated "Habitat '67" in Montreal is the best-known example on the North American continent. Precast concrete box units have been used for several years in England, Europe, and Russia for low-cost high-rise mass housing. Americans tend to be unreceptive to all-cement housing, especially when it goes vertical. That is why most of the modular housing being produced in the United States so far is wooden.

The modular idea is catching hold, due to its obvious economies in time and money. Sylvania, Ohio, for example recently saw a 16-unit garden apartment building put together in two weeks. The pilot project, by Scholz-Homes, Inc., has two stories. Its one- and two-bedroom apartments will rent for \$140 to \$175 a month.

More recently Stirling Homex Corporation of Avon, N.Y., put up 10 factory-built units in Akron, Ohio. They were the first of 1,500 two-story modular homes to be built for low-income families by the Akron Metropolitan Housing Authority. The 10 units were set in place and ready for occupancy within three days. The complete project will include models with up to five bedrooms. Each unit comes complete with vinyl-covered floors, central hot-air heating, insulated windows, and completely built-in bath and kitchen facilities.

The same firm put 16 three-bedroom, air-conditioned houses in Rochester in 32 hours and sold them to the Rochester Housing Authority for \$13,000 apiece to be rented to low-income families. The units have 1,200 square feet of living space, 1½ baths, and wall-to-wall carpeting.

Even at its present stage of development, which by Detroit standards is very unsophisticated, the mobile and modular home building industry points the way toward some meaningful solutions to the country's housing problems.

But in order to make the most of assembly-line economies, a number of preconditions have to be met. Detroit can produce the highly engineered automobiles that it does, in all of their varied styles, not only because of tooling, assembling, and production techniques—equally important, there is a large market to buy the product and a distribution system moves the finished cars to the automobile showrooms on Main Streets across the nation.

The automobile market does not simply exist, like some angler's dream pond, filled with fish waiting for the hook to drop in on them. As any televiewer, billboard connoisseur, or reader of magazines and newspapers knows, the market is created with the magic of advertising dollars. It took highly talented, highly priced Madison Avenue legerdemain to sell those monstrous tailfins to an undiscerning car-buying public back in the 1950's. The same techniques can be used to better ends in selling the modular-home concept.

Distribution is perhaps a stickier problem. Most modular homes and mobile homes are limited to 12-foot widths and 60-foot lengths. For a very practical reason, this is the maximum size package that can be trucked on most state highways. In any case, shipping costs become prohibitive for too great distances. As a result, almost all manufacturers service regions within a 300-mile radius of their factories.

PORTABLE FACTORIES USED

One way around this problem is on-site, portable factories. This system is used extensively in Europe for its poured-concrete industrialized building projects.

A portable-factory experiment is being tried under government contract at Georgia Air Force Base in California. There the Re-entry Systems Organization of Philadelphia, a General Electric Company subsidiary, is collaborating with a Long Beach, Calif., architectural firm to design an on-site factory. This unit, which would be placed under an inflatable dome, would build a 200-unit family-housing development for military families. The "factory" itself would be mounted on two dozen flatbed trailers. These, joined together under the dome, could eventually spew forth up to 1,000 units a year.

Government involvement is an almost essential key to developing the needed combination of research, development, financing, production, marketing, and delivery systems that can support an assembly-line approach to housing.

The National Commission on Urban Problems, which has done the most thorough probe of the whole housing picture, is insistent that without large-scale production and development the nation can never hope to meet its commitment to build 26 million dwelling units in the next decade.

It calls on the "government and public-spirited private organizations" to fund the research, experimentation, new technology, and new approaches in both the "hardware" (production) and the "software" (marketing) end of the housing field.

Congress pushed government into housing technology in Section 108 of the Housing Act of 1968. This section directs the Secretary of Housing and Urban Development to approve up to five plans, by public or private agencies, designed to experiment with promising new technologies. Each of these methods, would be tested by production of at least 1,000 units a year for five years. They would be conducted on federally owned or other land where local building regulations would not hinder use of new methods.

Currently HUD is working with the National Academy of Sciences to set up guidelines and a strategy to put the Section 108 into operation.

Meanwhile, HUD Secretary George Romney has announced "Operating Break-through." This marketing-oriented approach to assembly-line production of housing reflects his experience as former president of American Motors.

Basically the plan involves pooling of the separate housing needs of states and cities into a single mass market. Once the market is determined, according to Secretary Romney, "We can go to the national corporations and say: 'What can you produce for this market?'"

VARYING CODES INVOLVED

The corporations would submit competitive bids. State or city housing authorities could contract with the lowest bidder.

To make the plan work, governors would have to resolve the problem of widely differing zoning ordinances and building codes. These have been a major obstacle to a systems approach in the building industry.

The model-cities program, public housing projects, and urban-renewal efforts across the country offer a ready-made mass market for such a systematized approach to construction.

There is at least one optimist in all the hordes of gloomy-eyed housing experts, Ezra Ehrenkrantz, president of Building Systems Developers in California, fully expects the systems approach to bud and blossom in the United States.

He forecasts that American technology can carry the process far beyond Europe's pioneering efforts. Mr. Ehrenkrantz is one of the nation's most innovative designers of building systems. His Universal Residential Building System (URBS), designed for a series of

University of California student dormitories, is an intricate, high-precision concept that surpasses anything being done in Europe today.

The URBS itself involves five component subsystems. Different manufacturers are invited to bid on these components, which they must develop themselves. The finished interlocking components must conform to high-precision standards in order to fit together.

If sophisticated engineering systems like that being developed by Mr. Ehrenkrantz can be combined with equal quality in architectural design and finishing, and at reasonable cost, the United States could be at the threshold of a housing breakthrough that will match the brilliance of its performance in the automotive sphere. Meanwhile, Europe is the leader in the field.

TAX REFORM ACT OF 1960—PRIVATE FOUNDATIONS

Mr. HARRIS. Mr. President, considerable concern has been expressed in the past several weeks over provisions in the House-passed Tax Reform Bill, H.R. 13270, relating to private foundations.

As a member of the Committee on Finance, I favored eliminating or modifying certain of the harsh provisions of the bill. The committee did make some changes in the House bill, but some of the harsh provisions remain.

Recently, Representative JOHN BRADEMAs, of Indiana, in an address to the executive board of the American Jewish Committee, discussed certain of the provisions of the Tax Reform Bill which he feels would be detrimental to private foundations. In his thoughtful remarks, he called to the attention of the executive board the contributions to society that private foundations and institutions have made in working on problems of housing, employment, and education.

So that Senators and others will have the benefit of the address made by Representative BRADEMAs, 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:

ADDRESS BY REPRESENTATIVE JOHN BRADEMAs TO THE EXECUTIVE BOARD OF THE AMERICAN JEWISH COMMITTEE, OCTOBER 25, 1969

I want to talk to you today about some trends in American life which seem to me to be dangerous to the fabric of freedom in our country. I refer to the growing threat to the exercise of private initiative in the public interest.

As a Member of Congress and as a practicing politician who enjoys the give and take of what my old boss, Adlai Stevenson, used to call "combat politics," and, moreover, as one who feels that if we are to effectively attack many of the problems that beset our country, we must have positive action by government, I obviously am not one of those who regards all activity by the Federal government as inspired by the devil. But I believe with equal conviction that the Federal government—indeed, government at any level—should never become the only agency in our society for attacking problems.

It was the diversity and activity of private organizations which, you may recall, that extraordinary observer of American institutions, Alexis de Tocqueville, characterized over a century and a quarter ago as America's outstanding contribution to modern civilization.

"I have often admired," said de Tocque-

vile, "the extreme skill with which the inhabitants of the United States succeeded in proposing a common object to the exertions of a great many men and in getting them voluntarily to pursue it."

Indeed, it is not too much to say that the proliferation of private, non-governmental organizations at work in nearly every area of American life is indispensable to our free and open society. I must therefore regard with deep concern any effort that would undermine the pluralism and the diversity such private institutions represent.

And today there are attacks on pluralism and diversity in our country—attacks that, if left unchecked, may turn out to be even more harmful, over the long pull, than the drift in Vietnam, the alienation of our young, or the problem of the two societies of which the Kerner Commission spoke.

There is, indeed, a significant relationship between our capacity to resolve some of these great problems and the subject of my remarks to you today. For much of the hostility to established institutions in this country, especially on the part of young people, is a symptom of the failure of many of these institutions to deal responsively and effectively with the problems that plague us.

Let me here observe that the source of many of our difficulties today unlike the period of the Thirties, lies in the private rather than the public sector. While it is true that government—and especially state and local government—has a long, unfinished agenda, in recent years we have especially at the Federal level, enacted many new laws to extend equal opportunity and civil rights in recent years. And we have created many institutions of government to administer these laws.

What has been lacking, however, is implementation, and implementation of these laws, to an increasing degree, requires responsive and effective action in the private sector—if the laws are to have any substantial meaning.

In housing, employment, and education—to name only a few areas—industry, business, religious groups, the universities, trade unions, and organizations like your own must play an indispensable role. Many institutions in the private sphere have already initiated programs to grapple with some of these problems. Urban coalitions have been formed, including one in my own hometown of South Bend. Universities are groping for new ways to deal constructively with the restiveness on their campuses. Many corporations are trying to find new methods to train and provide opportunities for less advantaged workers. And private agencies like the American Jewish Committee are continuing to provide much-needed insights into the behavior of individuals and groups in our society.

This ferment within the private sector—these many attempts to deal in new ways with long-neglected problems—are, I think, ultimately our best hope for the future.

Yet I fear that there is now developing a countertrend to these positive efforts. Resistance to change can be very strong, even in a society of change like ours. The sense of excitement to meet massive challenges and to do the impossible is in many places giving way to disenchantment and gloom, to fatigue and discouragement.

This reaction is understandable, for our dilemmas are so immense that they continue to dwarf our efforts to resolve them. Yet clearly we cannot afford to give up; the future of our society is at stake. This is why those who refuse to back down, who make bold to act anew, who insist that we achieve the promise of our society for all our citizens, must somehow redouble their efforts to find solutions.

At this critical point in our history, then, we are faced with a serious attack on a keystone in the arch of private problem-solving in American life, and that keystone is, of

course, philanthropy. Private philanthropy in America has been for many years a fountainhead of research, of experimentation, of innovation—an essential tool for fashioning the institutional changes necessary to conquer our problems instead of being conquered by them.

The attack I speak of comes in the form of a provision in the Tax Reform Bill recently passed by the House of Representatives and now under consideration in the Senate. There are, as Dr. Morton K. Blaustein, your distinguished Vice President, has already indicated, many important reforms in that bill. But, the House tax measure contains provisions that would immobilize a major resource for national self-renewal, for scientific and technological progress, for social invention and experimentation.

I am talking now about legitimate philanthropic institutions which use their income and some of their assets year after year for the advancement of science, education and culture in America. I have no quarrel—indeed, I am in full accord—with those provisions of the House bill that seek to deal with the abuses by foundations or individuals that have as their dominant objective escape from taxation.

The trouble with the House bill, however, is that it fails to distinguish between the genuine philanthropies and the tax dodgers. It would tax both kinds of organizations equally. What is perhaps even more important, the bill would impose on both the same serious restrictions on the kinds of programs they can support.

I am very pleased that the American Jewish Committee has been one of the first and foremost critics of those features of the tax bill which would severely impair the ability of foundations and other groups to do their good work. Under the closed rule by which the bill was considered in the House of Representatives, there was no opportunity to offer amendments to it. We should, however, be aware of the dangers—as the Members of the Senate begin to consider their own bill.

As the Secretary of Health, Education and Welfare, Robert H. Finch, wrote to David M. Kennedy, Secretary of the Treasury: "The Act's present provisions with respect to taxation of foundation income and with respect to the permissible range of foundation activities would gravely damage the public welfare, defined in its broadest sense. These provisions would, in effect, diminish that sector of the Nation's life in which diversity, experimentation, and innovation flourish, and would constrict both the numbers and the influence of independent centers of thought and social action."

Let me review just a few ways in which, in my view, the House bill would gravely cripple philanthropy in America if it were enacted into law in its present form.

First, the bill imposes a 7½ per cent tax on the net income of all foundations, without distinction. Since this tax would reduce the funds available for grants to universities, hospitals and other nonprofit institutions, the loss would be the recipients' or potential grantees' and not the foundations'. As the Rev. Theodore M. Hesburgh, C.S.C., President of the University of Notre Dame, told the Senate Finance Committee, "a 7½ per cent tax levied on the investment income of foundations would, in effect, be a tax on Stanford and Johns Hopkins, Vanderbilt and Emory, Notre Dame and Denver and, indeed, on all the colleges and universities, great and small, in every part of this land, which benefit from the regular and substantial support of these foundations."

Now if the intention of those who drafted the House bill was to increase Federal revenues, theirs was a poor way of doing it because, according to the Committee on Ways and Means' own projection, a 7½ per cent tax on foundations would yield only

\$65 million a year to the government in the first year. This represents a mere three-hundredths of one per cent of this year's federal budget. Moreover, if we deduct from the projected \$65 million the cost of enforcement and collection, and if we also take into account the possibility that some of the activities the foundations might have performed with this money would now have to be taken over by the Federal government, it is even possible that the government would incur a net fiscal loss. So clearly, from a revenue point of view, the bill is no stroke of genius.

The House bill, simply by draining off \$65 million of venture capital from foundations, reduces the prospects for the significant kinds of breakthroughs in science, or education, or intergroup relations from which we have benefited in the past.

Everyone who marveled at Apollo 11 should recall that Dr. Robert H. Goddard's pioneering work in rocketry, which made that expedition possible, was supported almost entirely by the Guggenheim Foundation. In the early days of his experiments, you may recall, Goddard was the target of ridicule. The safer course for a foundation would have been to by-pass him and his peculiar rockets. And if venture capital is eroded by taxes, as would be the case if the House bill becomes law, the foundations will find it easier to ignore the bright young social scientists, the creative artists with long hair and strange sounds, or the small research laboratory with unusual ideas about the preventing of cancer.

Perhaps even more important than all this, the bill sets a most dangerous precedent, for if it is adopted, charity will become an object of taxation for the first time in our history. If the Federal government can levy such a tax today, why should not hard-pressed state and local governments soon follow suit? And, if the rate today is 7½ per cent, why should it not, like everything else, go up to ten or fifteen per cent in the years ahead? Indeed, on this score, even Secretary of the Treasury Kennedy seemed to be concerned, because he has recommended that the tax rate be set at two per cent.

Yet I suggest to you that even this lower figure of two per cent is wrong, dangerous and misguided. For any tax on any legitimate philanthropic institution cuts into the pluralistic base of our society.

If the government wants to do a better job of overseeing the activities of foundations—to separate the benefactors from the tax dodgers—let a fee be charged to all foundations, a fee that could pay for the increased policing responsibilities of the Internal Revenue Service. The difference between a fee and a tax is, of course, more than merely semantic. By charging a fee, we avoid setting a dangerous precedent, and at the same time we achieve the desirable social objective of preventing tax evaders from masquerading behind the cloak of philanthropy.

Perhaps the most insidious feature of the House bill is a clause that would impose heavy penalties on foundations for "any attempt to influence legislation through an attempt to affect the opinion of the general public or any segment thereof."

Now if the bill had used the word "lobbying" or "political activity" in the partisan sense, I suppose I would have no quarrel with its language. But the sweeping language in the bill seems carefully chosen to encompass the entire range of activities which have been the mainstay of foundation work in the field of social research and innovation.

The House bill as now written, according to James Day, president of the National Educational Television and Radio Center, would effectively wipe out our entire public affairs broadcasting.

Kermit Gordon, the former director of the Budget Bureau and now head of the pres-

tigious Brookings Institution, says: "It is a common occurrence for a Member of Congress or a Congressional staff member to write or to telephone a specialist on the Brookings staff to ask for information or analysis relating to proposed legislation. Is the Brookings Institution," Dr. Gordon now asks, "now required to decline to answer such questions?"

Or one might turn to the crucial field of conservation and the quality of our environment. At first glance these activities seem uncontroversial. But under the House tax bill, the Conservation Foundation, for instance, might be subject to penalties because it educates the public on such matters as clean rivers and polluted air. Why? Because these are issues that may well be the subject of pending state, municipal or Federal legislation.

A great source of our national strength lies in the fact that legislation is fashioned in the crucible of public debate and testimony. Surely we want the members of a Fish and Wildlife Service in Maine or the Izaak Walton League in Indiana to express themselves in their newsletters—and in their letters to their congressmen—on a bill that they think would be harmful to the environment.

We want nonprofit broadcasters to have the same right to express themselves that commercial broadcasters do.

We need the help of institutions like Brookings or the Council on Library Resources to improve our capacity to legislate wisely.

If the House version of the bill becomes law, however, its effect could be to curtail some of the most thoughtful and disinterested advice that harried legislators depend on to make intelligent decisions. Secretary Finch has warned against the possible effects of this provision as "a disaster for our pluralistic society."

Now any one of these provisions in the House bill could, and in my view would, tragically curtail the legitimate role of private foundations. Taken together, these provisions, if enacted, would do grave damage to the principle of pluralism which suffuses strength and vitality into our free society.

The short-sightedness of these provisions becomes still more apparent when viewed against the record of foundation work in recent years. As Professor Jonas Salk recently told the Senate Finance Committee earlier this month: "There are innumerable examples of philanthropically initiated and supported research that would have been delayed or would not have been accomplished at all were it not for the American system of private philanthropy." Dr. Salk cited the research that led to the development of polio vaccine and the early work that produced vaccines for influenza and measles. Long before that, foundations pioneered in sponsoring the research which brought yellow fever and hookworm under control.

Universities here and abroad have benefited greatly from the help of foundations; and many universities would have been much retarded without foundation support.

Medical education has benefitted enormously from foundation financing—and I cite particularly the famous Flexner Report, which had a revolutionary impact on medical education in this country.

Foundations have pioneered in early-childhood education, a field in which the subcommittee which I chair will soon be conducting hearings. It was on the basis of foundation experiments that we were able to write into law the Headstart program.

The development of high-yield miracle grains—foundation sponsored—has spawned the prospect of a "green revolution" in many of the poorest countries of the world. The promise of educational television, too, must be largely credited to foundation initiative.

The roster of foundation accomplishments,

is virtually without end. And as my friend and former colleague in the House of Representatives, Charles Goodell, now the Junior Senator from New York, said in a recent speech: "One foundation has a list of grantees that reads like an honor roll of American scholarly, scientific and creative achievement. Among the distinctions afforded its former grant recipients are 23 Nobel prizes and 78 Pulitzer prizes."

Clearly, then, to inhibit efforts that have produced such a distinguished and productive record would be against the best interests of the American people. We need more of the spirit of risk-taking, experimentation, and innovation, not less. Yet the present bill, as it is now written, would cast an aura of timidity over institutions whose *raison d'être* is boldness of thought and courage in action. As Senator Abraham Ribicoff of Connecticut said, in announcing his opposition to these proposed restrictions on foundations: "I respect foundations more for its failures than for its successes, because the failures represent risking attempts to solve mankind's problems."

My analysis of the tax bill so far has been directed at the provisions aimed at private foundations. I have tried to show that the proposed restrictions would not really hurt the foundations as foundations. If foundations have less money to distribute as a result of this legislation, it is the grantees who will suffer, not the foundations. If foundations are not allowed to make grants for certain purposes, they will be obliged to choose safe, non-controversial areas for their seed money. And it will be the public interest that will suffer, not the Fords or the Rockefellers or the Carnegies.

Indeed, only a couple of days ago, there was announced a report of a study group, chaired by Peter Peterson of Bell and Howell, which had been given the responsibility of looking into the work of private foundations in this country. The Peterson committee reported that even now foundations in this country support far too few activities which might be considered controversial.

The issue, of course, goes far beyond this immediate legislation, important as it is. The question we really face is: how can we best energize the talents and the resources of our splendidly diverse society to attack the wide spectrum of ever tougher problems that face us and the world?

We cannot afford to retard or stifle potential sources of new ideas or solutions. The Federal government can never do the job of meeting all these problems alone. Dr. Abraham Flexner, the father of the report that revolutionized medical education in this country early in this century, once said that the level of a civilization can be measured by the extent of private initiative, private responsibility and private organization in all the fields open to human culture.

One of America's proudest traditions is that a remarkable array of non-governmental groups, of non-governmental organizations, of non-governmental institutions—of the private sector, in short—contributes to the public good. Let us then harness the energies and the intelligence and the imagination, not alone of our government, at every level, but of all the individuals and organizations in our land. In this way we can build a society that is more democratic, more open, and more just—more free—the kind of society, in short, which it is the purpose of the American Jewish Committee to encourage.

VETERANS DAY, 1969

Mr. SCHWEIKER. Mr. President, on November 11 the Nation observes Veterans Day. On this day in all 50 States, in our possessions, and at our stations

overseas Americans will pause to pay tribute to brave men—living and dead—who served in our Armed Forces.

This is a day not only to honor those men who have died, but to salute and appreciate America's 27,000,000 living veterans. Those who are now hospitalized—many of them the victims of recent battle—deserve our special gratitude.

This gratitude is expressed admirably in a letter President Nixon has written to all patients in Veterans' Administration hospitals on Veterans Day. I think it is a message in which all Americans concur and which all Americans would benefit by reading. It says what is in the President's heart and in the hearts of all of us who pause to consider the great, unpayable debt we owe to our veterans.

Mr. President, I ask unanimous consent that President Nixon's letter be printed in the RECORD.

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

THE WHITE HOUSE,

Washington, November 11, 1969.

Writing of the men who had served under him at Valley Forge, George Washington said "... no history ... can furnish an instance of an Army's suffering such uncommon hardships as ours have done, and bearing them with the same patience and fortitude."

Patience and fortitude in the face of hardship have, since the American Revolution, been the pride of the American men and women who have served with valor and distinction the cause of freedom.

For many the hardships of battle did not end on the battlefield. Yet the men and women veterans who are now in our veterans hospitals still display the patience and fortitude which marked their contributions to their country.

I salute all of the veterans now in our veterans hospitals. Men and women of undoubted courage when duty called, they deserve the best care a grateful nation can give them.

But even more than care, they deserve thanks on this day of commemoration. To all men and women in our veterans hospitals, I send the gratitude of all Americans.

RICHARD NIXON.

HONOR TO THOSE WHO HAVE SERVED

Mr. PERCY. Mr. President, on November 11, 1918, an armistice was signed to bring to a close the war which was designed to end all wars and to make the world safe for democracy. Unfortunately, the war did not accomplish either of these objectives.

Often in its history our Nation has found it necessary to call upon its citizens to serve in the Armed Forces—often interrupting their education or careers and asking them to face the possibility of disability or death. Our people have responded out of a sense of duty and loyalty to their country, not out of any expectation of benefits which might accrue to them by reason of their service. In return, our Nation has always tried to show itself grateful to those brave individuals who have taken up arms in its defense. Even in regard to the war in Vietnam, the public's growing impatience and criticism of that engagement has in no way influenced its overwhelming ad-

miration and support for those who have served in that engagement.

It is, of course, impossible to measure the contribution each serviceman makes to his country and to compensate him or his family in a way that precisely reflects the value of that contribution. There is, moreover, no way our Nation can make adequate compensation for the loss of limb or life. What is possible and what has been achieved is the establishment of a comprehensive benefit program which recognizes and attempts to provide for the whole range of special needs of veterans and their families.

Medical care is provided for veterans through a network composed of hundreds of Veterans' Administration medical facilities throughout the United States. These facilities provide any care needed for disabilities which are service connected, and provide medical care for veterans with non-service-connected disabilities to the extent that facilities are available and to the extent that the veterans are otherwise unable to obtain the care they need.

Income support is also a part of the Nation's comprehensive veterans' benefit program. As with medical care, the first priority is assigned to the area of service-connected disabilities. Compensation is provided for veterans in amounts generally related to their loss of earnings capacity as a result of service-connected illness or injury. Compensation is also provided for the dependent survivors of veterans who die from service-connected causes. For needy veterans who are elderly or are disabled for reasons not related to their military service, a pension system provides monthly payments geared to the veteran's other income.

In terms of budget allocations, medical care and income support programs make up far and away the largest part of the veterans' benefit system. The total Veterans' Administration budget for 1970 comes to \$7.7 billion, and these two items represent \$6.7 billion of that amount. The remaining \$1 billion is divided among a number of other types of benefits, including home loan guarantees, vocational rehabilitation, and various insurance programs.

A veterans' benefit program which deserves special mention this year is the program of educational assistance for veterans, commonly known as the "GI bill." 1969 marks the 25th anniversary of the original enactment of that farsighted piece of legislation. With the aid of benefits provided under the 1944 law, approximately half of all World War II veterans were able to further their education, and, over the 25-year history of that program, more than 11 million American veterans have received GI educational benefits. For those who would otherwise have had to forego part of their educational advancement without such legislation, the value of these benefits is incalculable. Moreover, for the Nation as a whole, the educational benefits provided under the GI bill can be rightly viewed as an investment in human resources which has resulted and will continue to result in returns far exceeding in value the cost of the investment.

This month in response to rising living costs the Senate gave unanimous ap-

proval to legislation increasing educational benefits for recent veterans by 46 percent. The bill now goes to conference with the House of Representatives. Every effort will be made to sustain this justifiable increase in benefits to meet the rising costs of tuition, room, and board at educational institutions.

It is, therefore, not only on November 11 that we remember our veterans, but on every day of the year. We remember them not merely with words or parades, but with a comprehensive system of measures designed to help veterans in those areas where help is most necessary or useful. We remember them with benefits which ease the transition to civilian life and encourage them to get the education which will be a foundation for the remainder of that life. For veterans who have suffered bodily injury or illness during their service, we remember them with medical care for their disabilities, compensation for their lost earnings capacities, and vocational rehabilitation to try to restore those capacities. We remember them in their old age, need, and disability with income support or medical care if these are necessary. We remember our veterans in these and many other ways, all of which attempt to assure that those who have generously served their country will never have cause to feel that their country has failed to respond with equal generosity to their needs.

REPLY TO OPPOSITION OF SIERRA CLUB TO PROPOSED REFINERY AT MACHIASPORT, MAINE

Mr. MUSKIE, Mr. President, on October 8, 1969, the junior Senator from Wyoming (Mr. HANSEN) had printed in the RECORD a newspaper article from the Washington Post entitled "Refinery in Maine Opposed by Sierra."

The article announced the opposition of the Sierra Club to the proposed new refinery to be constructed at Machiasport, Maine.

The Honorable Kenneth M. Curtis, Governor of the State of Maine, has written to the Sierra Club, replying to their attack on the refinery. In his letter, Governor Curtis describes the need for balanced recreational and economic development of the Maine coast, and the steps that are being taken to assure this development.

Mr. President, I ask unanimous consent that the Governor's letter be printed in the RECORD.

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

OFFICE OF THE GOVERNOR,
Augusta, Maine, September 19, 1969.

MR. GARY SOUCIE,
Eastern Representative,
The Sierra Club,
New York, N.Y.

DEAR MR. SOUCIE: Thank you for your recent letter and the attached copy of the Sierra Club's position in opposition to the proposed oil refinery and deepwater port at Machiasport, Maine. Certainly we welcome your interest in "maintaining the environmental quality of the Maine coast" and hope that your organization and its local chapter will be active in efforts to encourage the constructive use of our coastal resource while

coincidentally suggesting valid alternatives to suggest coastal development projects proposed by the state or private industry.

In this connection, I would be most interested in your organization's position relative to the Wiscasset nuclear power plant being constructed by the Maine Yankee Atomic Power Company. Many of us are deeply disturbed by the threat of thermal pollution posed by this plant and would certainly appreciate any expertise which the Sierra Club might bring to bear on this subject.

Let me assure you that I share your concern that the Maine coast be properly utilized to the maximum benefit of all our citizens. To assist the State in evaluating alternatives, the New England Regional Commission is making a technical assistance grant of \$30,000 to help to finance the development of a master plan for the Maine coast. Such a plan should be of invaluable assistance to the State in planning for the development of our valuable coastal resource with consideration for both the economic and environmental needs of its residents. Certainly there is room enough along our coast to accommodate many different uses, and the State must plan accordingly.

Surely it is possible to achieve a balanced development of the coastal zone by taking advantage of its peculiar characteristics for the growth of both recreational and industrial development. Maine, and Washington County in particular, are badly in need of economic stimuli, and seasonal employment generated by our tourist trade is simply not a sufficient long-term solution, to our basic economic shortcomings. The development of a major refining center at Machiasport would provide much needed employment in one of our most depressed areas. I need not cite the statistical data (per capita income, out-migration of educated youths, etc.) that describe the county for I am sure that you reviewed them in the preparation of your study. Perhaps we disagree as to the importance of these statistics but I do feel that the poor housing, insufficient education, and present pollution which in large part result from the inadequacy of our present tax base are more of an environmental blight than a modern refinery and terminal facility operating under the strictest possible regulations.

As Governor, I feel a very real responsibility to assist the people of Maine to raise their standard of living to a level of parity with our New England neighbors. Yet in so doing, through a major project such as the proposed Machiasport refinery, we must be careful to insist upon full protection for the environment of the affected area. Consequently, we will insist that the highest environmental standards be applied to any industrial facility constructed in the area. And beyond this protection, we have moved to ensure that the refineries and related industrial facilities be located away from the coast (approximately 12 miles) at an inland location. While such a move will be costly to the companies involved, we feel that proper land use policies demand the preservation of as much of the coast as possible for scenic, recreational, and possibly residential purposes.

Perhaps the decision to preserve the residential and recreational potential of the coast by developing an inland site for the processing units and future satellite development best evidences our dual concern—that Maine citizens be offered meaningful employment opportunities within our state and that coincidentally every effort be made to effectively use and protect all of our natural resources.

I regret that the Sierra Club has found it necessary to oppose this worthy project but am hopeful that in other areas related to Maine's future, we can work in concert.

Sincerely,

KENNETH M. CURTIS,
Governor.

GENERAL FEDERATION OF WOMEN'S CLUBS ADOPTS A RESOLUTION ON BEHALF OF RETIRED PERSONS

Mr. WILLIAMS of New Jersey. Mr. President, the fact that a retirement crisis exists in this Nation is by now common knowledge—and it is worsening, not getting better.

Upon entering his so-called "Golden Years," the older American is often faced with insurmountable difficulties, most of which stem from the fact that he must live on a fixed income in a time of rapidly rising costs.

Many Members of Congress are acutely aware of the problems faced by older Americans, and those professionals and business people who work with the aged are also confronted with these problems every day.

However, most Americans go about their daily lives without giving much thought to the elderly or, indeed, in preparation for that time when they, too, will be counted among the older Americans.

What happens when a group of people become aware of the problems of the aged; usually brought about by their experiences with older relatives or friends?

After the initial exposure, there is often shock and dismay, and that is followed in the best American tradition of constructive action.

This kind of activity has been demonstrated by the Montgomery County Federation of Women's Clubs, Inc., who provide a free community service for the elderly, through the "Over-60 Counseling and Employment Service." The service has just been expanded to reach the "up-county" Maryland elderly and will be their first in a rural area.

In September, the Montgomery County clubwomen took their experiences and their concern to the national convention of the General Federation of Women's Clubs and so spurred the membership that a resolution was adopted by the national organization, on behalf of retired persons. That resolution is timely, realistic, and significant.

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

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

GFWC RESOLUTIONS ADOPTED AT THE CLEVELAND CONVENTION

RETIRED PERSONS (CONVENTION 1969)

Whereas, Statistics show that the population of persons over 65 years of age in the United States is increasing faster than the general population (a net increase in this age bracket of about 1000 per day); and

Whereas, A policy of compulsory retirement at a chronological age often results in inadequate income, unwanted leisure, loss of dignity and self-respect, impaired morale, and deteriorating physical and mental health; and

Whereas, There is a valuable national potential asset in the talents, abilities, experience, training and energy of persons past 65 to fill unmet needs throughout the nation; therefore

Resolved, That the General Federation of Women's Clubs urges its member clubs to encourage and to cooperate with the appropriate governmental authorities, business,

educational, religious and civic groups in providing older Americans with:

1. Pre-retirement programs to prepare them for meaningful activity and service through the extended life span.

2. Information-referral-activity centers for counseling, advice, and companionship.

3. Employment and volunteer opportunities which they are capable of performing.

4. Continuing education courses in schools, colleges and community centers.

5. Adequate housing, better nursing homes and extended care facilities.

6. Reduced rates on educational fees, transportation facilities and reduced admission to places of entertainment and recreation.

7. Realistic earning limitations under the provisions of the Social Security Act.

BALTIMORE'S OUTSTANDING ARTISTS

Mr. TYDINGS. Mr. President, the city of Baltimore is a thriving cultural center because of the talent, interest, and dedication of some very fine people.

Liz Whitney Quisgard, an artist in her own right, has written an article for Baltimore magazine of May 1969, about Baltimore's top 12 painters and sculptors. Each of these artists has stamped his mark of individuality upon his work; each has earned his colleagues' respect; and each has demonstrated his active interest in the cultural improvement of the community by teaching or writing about art as well as creating it.

I am proud of their growing contribution to the quality of life in Baltimore. 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:

BALTIMORE'S TOP TWELVE

The Baltimore art world is a vestigium. According to Artists Equity Association's recently published directory of its members, there are 150 local, professional artists "open for business" in a metropolitan area that offers very little demand for their services. In addition, there are 100 non-member artists who consider themselves professionals, plus several hundred serious amateurs and up-and-coming semi-professionals. When Baltimore asked me to do a piece about the city's 12 leading painters and sculptors, I was immediately confronted by the difficulties of drawing standards by which to judge. It cannot be claimed, as it might in discussing artists who live and work in an international art center, that those artists may be judged leaders who: (1) are being promoted by the most powerful and influential art dealers; (2) are enjoying regular publicity in national and international art magazines; (3) are being brought by the most important collectors and museums; (4) are setting the pace of contemporary art. Even the criterion of earning 100% of one's living cannot be used, for, ironically, some of Baltimore's best artists sell the least and some of the worst sell the most. What standards, then, can be applied in a city where only a small percentage of museum time and space is devoted to recognition of local artists (which is not to imply that to do otherwise would be to the museum's advantage); where there is only a handful of private, commercial galleries—with a distressingly high mortality rate; where artists must support themselves partially or entirely through employment in related fields such as teaching, administration, design and commercial art, or in unrelated fields ranging from social work to

being the wife of a rich husband or vice versa? We are confronted with the necessity of basing our judgment on a mixture of factors—some of the fringeline of the business of actually producing works of art. Therefore, with apologies to those who would judge differently, I offer the following reasons for my choice of the 12 top Baltimore artists: (1) art is the central motivation of each individual's life; he or she has been working at it long, hard and with commitment; (2) each artist has reached a degree of individuality in his work which readily distinguishes it from the work of others; (3) each artist has earned a high degree of respect from his fellows and from art enthusiasts; (4) each artist has contributed to the enrichment of the community by making his presence felt in the form of teaching, lecturing, publishing or otherwise vocalizing; (5) each artist has pushed that presence somewhat beyond the immediate community and into the national or international art world; in fact, some are far better known elsewhere than here. Within this framework of values, we will see on the following pages a wide variety of backgrounds, work-patterns, esthetic and practical goals and opinions about Baltimore as a place to live and work. These 12 artists by no means constitute the entire picture. They are, however, in my opinion, most representative of the current art establishment.

Joseph Sheppard is a graduate of the Maryland Institute, where he studied under the late Jaques Maroger and was influenced by his admiration for the Old Masters, both philosophically and technically. Mr. Sheppard was awarded a Guggenheim Fellowship in 1966 and has exhibited his work nationally.

Joseph Sheppard, best known of Baltimore's "realist" painters, has recently opened a new gallery, called Young Collectors, on Cathedral street. He has long been involved with the gallery business, having initiated a cooperative venture, The Six Realists, which ran successfully for several years before disbanding.

"The gallery didn't fail," Mr. Sheppard comments. "We closed because the artists couldn't get along together. Later on, I started the WCBM Gallery with Elane Stein, the station's public relations director. Finally, I decided I was doing all that work and not getting anything out of it, so I figured I might as well strike out on my own."

"Young Collectors is a corporation, wholly owned and financed by myself. The investment is not too enormous since I use the third and fourth floors for living quarters. I'm giving the gallery two years to succeed and I think it will because the time is right. There aren't many professionally-run galleries here in town, showing small work which is priced under \$1000."

"In selecting my stable of artists, three factors were important. First, I wanted as many out-of-town people as possible, because local artists compete with galleries by selling from their studios at lower prices. Second, I wanted to cover a wide range of tastes with each artist doing something different. Thus, there would be little or no competition among the gallery group. Third, I wanted artists who have established something of a national reputation, but who can afford to sell at reasonable prices."

Mr. Sheppard's own work has taken an unusual turn; he has gone into film making. His first effort was about boxing and was recently accepted for competition in Sports Films, 1968, an international film festival held in Oberhausen, Germany. The second was a color film of his two boys climbing a mountain. It has been seen in local theaters. He is currently working on the third film, which is about life on The Block.

"This is the biggest yet," he says. "We're shooting for a half-hour tv show. I'm very

proud; this is the first one for which people have put up money. We're actually working on a \$20,000 budget.

"Over the years, Baltimore has treated me very well. For a time, most of my sales were in New York, Washington and Philadelphia, but recently they've moved back here again. I don't know why, except that I've gradually built up a reputation and my style has a broad appeal."

Eugene Leake received a Master of Fine Arts degree from Yale University, where he also taught. He paints richly colored, flattened figures in simplified, "landscape" situations. He has exhibited in museums and galleries all over the country including New York's Museum of Modern Art.

"I find Baltimore an exciting place to live," says Eugene Leake, painter and president of the Maryland Institute since 1960. "It has a Victorian charm that hasn't been destroyed yet. It is one of the few cities I know where you can live in the country and get into town fast. And, for an artist, the Maryland countryside offers many changes of environment and climate—mountains, rivers, ocean, lakes, bay, woods.

"The trouble is, the power structure hasn't decided yet whether it wants art here or not. The public hasn't made up its mind to support the symphony or Center Stage. The Baltimore Museum doesn't have the funds it needs to do what ought to be done. One of the most exciting art schools in the country is right here and 80% of the public doesn't know it.

"I don't think the current state of art criticism is a healthy one for the city. I mean, if I want to read about New York art, I'll get the New York Times. There are important things going on here and the local papers should feel an obligation to cover them.

"You know, art in some cities develops a kind of identification with its art school. For instance, in Philadelphia, there's been a tradition of realism stemming from Thomas Eakins and the Pennsylvania Academy. In San Francisco, recently, it's been West Coast figure painting. In Baltimore, there's been some really bad academic work for a long time and a group of heavy, logy Maryland Institute graduates from 30 years ago. But in the last few years we've had an influx of young people from all over the country who have come here to attend the institute—bringing new ideas with them. I think the result will eventually be a new type of painting, associated with this city."

Speaking of his own work: "Absolutely I consider myself primarily a painter. I don't give a damn about being a college president. In fact, my worth and only worth to the school is in the fact that I am a painter.

"I still find time to paint at least two days a week during the year and a good bit more in the summer. I've always said that if I don't manage to get to the studio, it's my fault—not the school's or anyone else's."

Reuben Kramer studied at the Rinehart School of Sculpture of the Maryland Institute from 1927 to 1934 and was awarded two traveling scholarships and a Prix de Rome fellowship. His work is in the collections of the Baltimore Museum of Art, Corcoran Gallery, IBM Corporation and many others. In 1963 the Walters Art Gallery published a book, "The Art of Reuben Kramer" by Dr. Theodore L. Low.

Reuben Kramer, internationally known sculptor and lifelong resident of Baltimore, is currently working on a full-size, bronze figure of a young girl with flowers, to be installed at the Rock Glen Junior High School. The \$10,000 commission is a result of the city's recently instituted "1% for art" bill, wherein 1% of the cost of each building financed by public funds must be devoted to artistic embellishment. Mr. Kramer says emphatically:

"This law is the biggest boost for local art in my memory. Although there is no guarantee, most of the commissions will probably stay right here in Baltimore because the money involved will not command major pieces by the top out-of-town artists. Several local artists have already benefited and more will, now that the kinks are being ironed out as far as administration is concerned. It is really a momentous piece of legislation.

"For my piece, \$10,000 sounds like a lot of money, but when you consider the work involved and the fact that it will take two years from start to finish, it's actually not so much. First, I did 30 maquettes; then the architect made a choice. After that, it went to the school board for approval and finally to the design commission. Now, a half-size model is under way and from that, I'll do a full-size one, make a mold, cast it in plaster and send the casting to the foundry. There, it will go through four stages involving several months and finally, I'll go to New York to supervise the finishing.

"I've spent my life perfecting the art of the small bronze. There are very few other living sculptors who can claim 65 or 70 bronzes on hand at a given time. Not many young sculptors today develop the skill, technique and knowledge necessary to master the small bronze.

"The greatest thing that has ever happened to me in terms of recognition was the publication of the book in 1963. My sales have increased ten-fold and for that I feel tremendous gratitude toward the Walters Art Gallery for the undertaking. The book put the stamp of approval on my work so that people, who for years might have been hesitant, finally began to buy."

In 1964, the artist received one of the highest possible honors—a grant from the National Institute of Arts and Letters. The citation reads:

"To Reuben Kramer, born in Baltimore in 1909, an artist who has a deep respect for his medium and an intense concentration upon the fundamental construction of the human form, besides projecting the essence and meaning of gesture with a contained power and dignity."

Richard Ireland was born in Marion, Indiana and received BA and MA degrees from Indiana University, where he also taught. He has exhibited in New York, Washington, Indianapolis and Evansville, Indiana. Two of his works are in the collection of the New York Museum of Modern Art. His style is characterized by the exaggerated female figure rendered in strong color and "hard edge" technique.

"After giving 200 colleges all over the country an opportunity to hire me and finding no takers, I went to New York because that's where everybody goes if they don't have a job," Richard Ireland, dean of extension divisions at Maryland Institute, states dryly and unpretentiously. "After a couple of years of not setting New York on fire I was asked to take a job teaching at the institute. If it hadn't been for that, it would never have crossed my mind to settle here. But at my stage it's as good a place to work as any other, I suppose. Though, when an artist is young he needs the kind of art community New York can provide.

"I like my job; I have a bureaucratic tendency which is fulfilled by administrative duties and I suppose I'm here for good since no one has threatened to fire me.

"Even granted an ideal situation, I wouldn't want to be totally divorced from the school. Two days a week there would be perfect—with the rest of the time to paint. But I would never want to be completely holed up in my studio; it's too depressing.

"Not being terribly aggressive and ambitious I find Baltimore a difficult city for exhibiting—since I don't often go after the

opportunities that exist and when I do I'm not always lucky. For instance, in the ten years I've been here, I've only made it once in the Maryland regional show at the Baltimore Museum of Art."

Mr. Ireland averages three major canvases a year—each preceded by numerous small sketches, with the final choice expressed in a full-size cartoon which is then precisely transferred to the canvas.

He spends three weeks each summer camping in the New England woods, Michigan or Canada. "I can't stand suburbia," Mr. Ireland states flatly. "It's got to be either downtown or the country. In fact, occasionally I have visions of moving to the mountains and telling the rest of the world to go to hell."

Lila Katzen grew up in New York and studied art at the Cooper Union School. She came to Baltimore more than 20 years ago to marry her husband, Phillip. They have two teen-age children. Long known as an abstract-expressionist painter, she has recently moved into sculpture. She has exhibited widely in Baltimore, Washington and New York and currently teaches three days a week at the Maryland Institute.

For more than two years, Lila Katzen has rented an apartment in New York where she spends three or four days a week.

"I'm basically schizophrenic," she admits. "When I'm in Baltimore I give my attention to my family, my students and my larger sculpture. In New York I do my thinking, model making and keeping up with my contacts. New York makes me uncomfortable but it's what I enjoy—the cross-pollination of ideas, constant stimulation and pressure. And there I can have the aloneness I need."

The American Federation of Arts recently rented three of Mrs. Katzen's light floors (large, plexiglass sculptures, lit from within by fluorescent tubing) to send on tour around the country for a year.

"This honor was a direct result of being in New York," she says. "If I hadn't been there, it just would not have happened. Baltimore audiences are bound to resent this but I have to state that New Yorkers are much more willing to look at and give consideration to an artist's work. Collectors there are beginning to judge for themselves. They are foregoing the gallery system and contacting artists directly."

In March, New York University exhibited a new piece by Mrs. Katzen in its Loeb Center. Titled *Universe as Environment*, it involves the use of a 65-foot length of wall and embodies science fiction qualities. The artist has received some assistance and materials from NASA for her mixed media project.

"My family is all for my move to New York. I waited until the kids were old enough and then I decided the time was right—it had to be done. And, of course, it gives them a place to come to, a second home. Naturally, it hasn't been easy on my husband; he has more responsibility now, but he's been awfully cooperative and has encouraged me.

"It's tough to strike out and really be put to the test. There is safety in remaining local—but local artists don't go far, so they get their just deserts. I'm glad I left. It's been inconvenient, but it's well worth it."

Aaron Sopher studied at the Maryland Institute from 1921 to 1924. He is represented in the permanent collections of the Baltimore Museum of Art, the Phillips Gallery, the Norfolk Museum, Walters Art Gallery and many others.

Aaron Sopher's territory is markets, swimming pools, bars, streets, buses, museums, dinner parties and hospitals. His subjects are workers, children, overstuffed matrons, lovers, bums, married couples, hippies and vendors. His media are pen and ink and watercolor.

"I don't paint much in oil," he comments. "It takes too long. I am basically an illustrator of the passing world and I'm never

able to spend much time on each piece. When I was in art school I used to draw the students instead of the models. The head of the school took it as a personal affront and refused to give me a diploma.

"I've been most comfortable in newspaper work. I started free-lancing for the Sun in 1927. More recently, I've done work for the Washington Post, Johns Hopkins Magazine and the Maryland State Medical Journal.

"It has been a little tough making a living here except for the past eight or nine years. Since then, I've been doing pretty well—that is, I've been able to pay my bills. At least, I've never had to teach. Most of my income has been from the sale of work to collectors."

Mr. Sopher has illustrated several books, including "The Bull on the Bench" by Lowell Mason; "Rivers of the Eastern Shore" by Hulbert Footner; "People, People" by Isabel Naviasky; "Princess Mary of Maryland" by Nan Hayden Agle and "The Hospitalized Child and His Family," published by the Johns Hopkins Press.

The artist occupies a comfortable, bachelor establishment in a new, high-rise apartment house on University Parkway.

"More things in my life have simply come along. I don't generally go out looking for opportunities. Maybe I could have done better if I had been more aggressive but I've always liked to be comfortable and do what I wanted. I remember once, one of the big department stores asked me to do a series of drawings for an ad campaign. Their only stipulation was that all the people be pleasant and happy looking. In other words, they were giving me all the leeway in the world as long as I did it their way. I turned the job down."

Mr. Sopher is the subject of two monographs. Both are titled "Aaron Sopher"—one is by Forbes Watson, published in 1940; the other as published in 1960 and carries an introduction by Wilbur H. Hunter.

The artist comments, "I like to see myself in print—hardbound; it makes me feel like I'm in business."

Amalie Rothschild studied at the Maryland Institute and the Parsons School of Art in New York. Her commissions include the Ark Curtain for Baltimore Hebrew Congregation, a mural for the Townhouse Motor Hotel and a wall hanging for Sun Life Insurance Company. Her work has received many awards at museums in Baltimore and Washington.

Amalie Rothschild has combined careers as painter, sculptor, draftsman, teacher, mother and homemaker.

"There has always been a conflict," she says, "between being an artist and being Mrs. Randolph S. Rothschild, but I've chosen to be both so I've tried to resolve it by having my studio at home. That way, I can save traveling time and be here to keep an eye on the house. It was particularly difficult when the children were small, but setting a schedule helped. It relieved frustration by separating the two roles—there were simply those short time periods that I knew could not be devoted to art and that was that." The Rothschilds live in a large, modern house in Baltimore County.

Mrs. Rothschild was originally a commercial artist.

"After marriage, I let it slide. I was being supported so I didn't need the work. Then, to fill the vacancy I turned to fine arts. It wasn't that I felt I had anything really important to say—it was simply the recognition that I was an artist above all. At the time, it didn't occur to me that commercial art wasn't the greatest and it took a long time to realize that fine art could provide a means of expression that the other couldn't. It took even longer to realize that I had something to express. So you see, I came to fine art by default rather than by conviction. That's a switch, isn't it?"

A book titled "Amalie Rothschild: Draw-

ings" was published last April under the sponsorship of Goucher, where she was a faculty member from 1960 to 1968. It contains an introduction by Dr. Lincoln Johnson, professor of fine arts at the college.

Of the book, Mrs. Rothschild says: "Until 1966 I drew incessantly. I have always felt that drawing is the most immediate, uncensored form of expression for the artist, so I set aside some time for it every day for years. Consequently, I accumulated an enormous output and the book provided the perfect opportunity to reach a wider audience.

"I wouldn't say the success of the book has manifested itself in increased sales of my work, especially. What it has done is to increase requests to appear before the public—to give more lectures and exhibitions."

Referring to her current work, the artist comments: "I've stopped making those assembled woodbark forms I used to have cast in bronze. I'm working with aluminum, brass and copper factory scraps—small, pre-cut shapes that I'm combining into larger forms and joining with nuts and bolts. This direction is not unrelated to my previous work—in fact, it goes back to what I was doing in the early 1950's. The difference is that then, the work was two dimensional and now I'm expressing similar ideas in sculptural form."

Norman Carlberg received his BFA and MFA degrees from Yale University. His precisely crafted, mathematical, non-objective sculpture has been collected by the Whitney Museum in New York; the Pennsylvania Academy, Philadelphia; the Baltimore Museum of Art and the American Museum, Andover, Massachusetts.

After completing graduate work at Yale University, Norman Carlberg came to Baltimore in 1961 at the request of Eugene Leake, newly appointed president of the Maryland Institute, to take up directorship of the college's Rinehart School of Sculpture.

"The responsibilities of administration," he says, "are counterbalanced by the advantages of contact with young people and their ideas. Not that my work is directly affected by them—we all have our own special desires that make us choose our own directions. It's just that being around young artists is exciting. It makes the atmosphere for work more favorable."

Of his retrospective exhibition at the Baltimore Museum of Art last summer, Carlberg comments: "There were no concrete benefits; only one piece was sold. There is a definite sales category in this city. If your work is priced over \$200 or \$300, it just doesn't sell. In fact, this is pretty much the case everywhere outside of New York, so I wasn't disappointed; I expected it."

He recently completed a commission for City Hospitals on Eastern Avenue. "I could probably do more projects for architects," he comments, "if I were more regimented in my work habits."

"One big problem with living in Baltimore is that there is very little communication between artists, although I find this is bothering me less and less. The older and more involved in my work I become, the less enjoyment there is from just talking. Words wrapped around pieces of sculpture are often after the fact and have nothing to do with the work itself. You know, you make what you want to make and invent the reasons afterward."

Mr. Carlberg lives with his wife and son in a Boston Hill townhouse. "I'm pretty well settled here, I think, even though there's no place like New York for really making it. You know, there's New York and then there's the rest of the world. But I wouldn't want to bring up a child there. Anyway, even though New York is where the real test is, on a success level, the major test, as far as the work is concerned, is within myself."

Stanislav Rembski, born in Poland, studied engineering at the Warsaw Technological Institute and painting at the Warsole Ecole

des Beaux Arts and the Royal Academy of Fine Arts in Berlin. His portrait commissions include the wives of five Maryland governors, President Franklin D. Roosevelt and Governor Tawes.

Stanislav Rembski describes himself as a Baltimore fixture. He has painted hundreds of leading citizens and society matrons since settling here in 1947.

"Baltimore is an alive community," he comments, "not especially where art is concerned, but where life is concerned. This is a city of realists with strong religious influences. The Catholic background produces a certain kind of orthodoxy, but at the same time there exists an unexpected amount of common sense.

"I came to this country in 1922 when I felt the increasing influence of America on the world. After 18 years in New York, where I got to the top, I traveled west—I even did a portrait of an Osage Indian chief in Oklahoma. I decided to settle in Baltimore after meeting Gerald Johnson and because the west was still too much a frontier. Also, it was important to be near Washington. You know, I did the official portrait of Woodrow Wilson.

"When I do a portrait, I must be satisfied first. This calls for a great deal of self discipline—not to be overwhelmed by the client who says, 'Please do not touch it; leave it alone.' But I maintain my own integrity and freedom to work as I must for I am responsible to the giver of my talent—God—and not to the recipient—my client. Part of that responsibility is to paint beneath the surface of the sitter—to get to his soul. Believe me; with every painting I feel I am about to break my neck!

"You see, I am also an engineer by training and something of a musician, so I am dedicated to the search for truth. Art is not merely self-expression; it is a language. This is perhaps why I am at variance with much of what goes on today. I have never believed in following trends or worshipping false gods. One must be his own master in spite of the many temptations to run away from that responsibility. Napoleon said that any man can be bought for a price. I say that if a man pays a price, he can be free!

"There is a basic difference between the artist and the craftsman. The craftsman merely utilizes a skill learned from a teacher. The artist creates new resources to meet every problem.

"I have always felt it important to be a responsible person—both to myself and to the community. If I have made pragmatic businessmen realize that an artist does not have to be a crackpot—that he can abide by the laws and earn a living and still be an artist—then I have made a great contribution to art."

Keith Martin born in Lincoln, Nebraska in 1911, studied at the University of Nebraska and the Chicago Art Institute. He was with the U.S. Army Camouflage Engineers during World War II. His painting is in the collections of Winthrop Rockefeller, the Baltimore Museum of Art, the Corcoran Gallery, the Butler Institute of American Art in Youngstown, Ohio and many others. He is represented in the book, "Six Maryland Artists."

Keith Martin came to Baltimore in 1948 to visit a friend, who, as a decorator, had invited him to paint two ornamental screens for local clients. He remained in Baltimore to fulfill a mural commission and later rented an apartment to prepare for a New York exhibition. Since then, he has continued to make Baltimore his home.

"From what I know of the local art world," he says, "there has always been a lively interest in outside artistic trends. The exhibition opportunities around town have been more or less limited to theme shows; however, banks and theaters have made many one-man shows possible. Baltimore does not yet seem ready to support a gallery on the scale one finds in New York City."

"I believe the local collectors who might be interested in 'names,' 'investments' and 'prestige' art will go elsewhere to spend his money. On the other hand, Baltimore seems to have many collectors, on a minor scale, who buy for pleasure. Personally, I have every reason to believe in their support and encouragement.

"Baltimore could do with a real art critic, sympathetic to the local artists' needs. Reports on the big art scene are interesting but can hardly be called helpful to local activity. Real critical support and attention is, in my opinion, badly needed. I have found the Baltimore Museum of Art to be sympathetic to area artists—witness the frequent one-man exhibitions devoted to local people.

"It is difficult for me to compare Baltimore with other places. From the mid-1930's to the beginning of World War II, American art interest centered on the foreign label or the established, safe art of the past. There was little real interest in the art of America. This changed in 1945. I lived in Lincoln, Nebraska from 1945 to 1948, where I was given local and area exhibitions and my work was purchased and encouraged. There were numerous national shows to which one might submit work for jury approval.

"At the Baltimore Museum I had the rewarding experience of ten years of teaching, from 1958 to 1968. Between teaching and selling, I've made a comfortable living.

"College is not my major interest. I am equally interested in oil painting, watercolor and drawing. To sum things up, I am at least of all interested in jumping from fashion to fashion. I believe the real artist will always have something personal to contribute to the history of art, either now or later."

Grace Hartigan originally from New Jersey, came into prominence as an abstract expressionist painter in the early 1950's. Since then she has had numerous solo exhibitions in New York and throughout the country. Her work is in major public and private collections all over the world. She is currently artist-in-residence at the Hoffberger School of Painting of the Maryland Institute.

"I believe Baltimore is a place you can come to after you've known other things, but it is a place you must leave if you're young." Speaking is Grace Hartigan, internationally known painter who came here eight years ago to marry her husband, Dr. Winston Price, a research scientist.

"This is a provincial city; it doesn't enter into my professional life at all. Outside of New York, every place is a small town, however, my life there is over. I had the best of it, but it's all changed now. My contemporaries have either died or moved away. Now, it doesn't matter where I live. I could go wherever my husband's work takes him—except that I prefer a city to a small town. That's why I enjoy my studio." Miss Hartigan rents a four-story building on South Calvert Street near Pratt.

"Other than some contact with members of the institute faculty and keeping myself semi-available to the graduate students, I keep pretty much to myself. I don't have much involvement with the local art scene, except that as far as art criticism is concerned, I do think that while Barbara Gold, the art critic for the Sunday Sun, has brought a cool professionalism to this provincial town, her eyes, mind and heart are in the big art magazines. She doesn't want to be in Baltimore; she is young and longing for New York. So, while she has a lot to say that is valid about the small-town stuff that goes on here, she entirely misses what there is that is really important and searching."

Herman Maril, a native of Baltimore, studied at the Maryland Institute from 1922 to 1928. He has held the position of Professor of Art at the University of Maryland since

1947. He has received numerous grants and awards and has held solo shows all over the country. A book entitled "Herman Maril" was published by the Baltimore Museum of Art in 1967.

Herman Maril lives with his wife and 14-year-old daughter in a century-old house in Mount Washington. His son is away at college.

"I like the physical location of Baltimore," he says. "I like its proximity to both New York and Washington. I can get on the Pennsy in the morning, be in New York in three hours, see the shows I want and be back home the same day. I do that quite often to keep in touch, but I like the peaceful situation here.

"I lived in New York once, but there was so much going on that I found it difficult to work. Then too, there's the liability of personal competitiveness there—that drive to succeed. And you know, a lot of New York success is 30-day success."

Mr. Maril was honored by a retrospective exhibition at the Baltimore Museum in 1967.

"This was my first big show here in 20 years. At the same time I had shows in New York, Washington and Massachusetts which were very successful. I always sell better out of town than I do in Baltimore. Then too, I like to limit my sales to dealing through galleries. I don't like to sell from the studio; it's embarrassing and it takes time. I think one of the reasons galleries fall here is that they can't compete with their own artists. The gallery tries to handle the artist's work and he's busy underselling from his studio."

Mr. Maril reminisces about his professional past:

The Federal Arts Program really kept me going in the mid-1930's. I was commissioned to do two murals. From that, my work was shown at the New York Museum of Modern Art and Mrs. Roosevelt picked a piece for the White House. All of my easel work from that period is now part of the National Collection at the Smithsonian. That program was a life saver when artists couldn't even buy paint.

"You know, I painted in an abstract direction when it was still new and unpopular, while many other artists were doing social realism. In fact, my work has always been rooted in the abstract, even though it has subject matter. I'm not hostile toward the new things going on now—although I personally don't care for some. I believe artists should try whatever they want; you never know what the outgrowth will be. For that reason I don't close my eyes to anything and seeing new ideas opens me up and keeps me out of a rut. I'm never dogmatic about other people's work; I'm extremely dogmatic about my own direction."

WISCONSIN ASSEMBLY REJECTS PETITION FOR CONSTITUTIONAL CONVENTION

Mr. TYDINGS. Mr. President, on Tuesday, November 4, the Wisconsin Assembly emphatically rejected a resolution to petition Congress for a constitutional convention. This wise action is another blow to the fading hopes of those who would overturn the Supreme Court's one-man, one-vote decisions. It is gratifying to those of us who have fought so long on this issue to be joined by the Wisconsin Legislature. There was little hesitation on the issue in Madison; the vote to reject the petition was 62 to 36. Speaker Harold Froehlich, a Republican leader pushing for the convention, admitted after the vote that issue was totally dead in Wisconsin.

As many Senators are aware, the opponents of apportionment pinned great

hopes on Wisconsin. Now a convention seems safely out of reach of the rotten borough adherents: Wisconsin has said no; Utah's petition was declared void; and Oklahoma's attorney general has ruled invalid its petition.

I ask unanimous consent that a Baltimore Sun article describing the event in Wisconsin be printed in the RECORD.

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

A REJECTION BY WISCONSIN PERILS DIRKSEN AMENDMENT

MADISON, WIS.—The Wisconsin Assembly rejected today a resolution to petition Congress for the first Constitutional Convention since 1787.

Backers of the so-called Dirksen Amendment had hoped that Wisconsin would become the 34th and final state needed to secure the convention. The resolution was killed by the assembly by the margin of 62 to 36.

The proposal by the late Senator Everett Dirksen (R., Ill.) called for a convention to consider a constitutional amendment to allow one house of a bicameral state legislature to be apportioned on a basis other than population.

Earlier in the year, Wisconsin's approval of the measure would have provided the final vote necessary to call such a convention. But, legal tangles in several states which have approved the proposal raised serious questions of its status even before today's Assembly action.

The legislatures of 33 states approved the measure, but last month a federal judge ordered Utah's resolution recalled, reducing the number of petitioning states to 32. The decision has been appealed, and no ruling has been given as yet. In Oklahoma, the validity of the legislative action on the measure has been questioned.

"DEAD ISSUE"

Supporters of the amendment had said previously that they were pinning their hopes on a favorable vote in Wisconsin.

One of the Dirksen amendment's most powerful backers in the Wisconsin legislature, Speaker Harold Froehlich, a Republican from Appleton, said that so far as this state is concerned, the question was a dead issue from the outset.

Attempts to modify the Supreme Court's one-man, one-vote edict have drawn little enthusiasm in Wisconsin, which 121 years ago decreed that legislative districts must be based on population.

Several supporters of the measure, including Mr. Froehlich, had hoped that a constitutional convention could propose amendments other than Senator Dirksen's, such as popular election of federal judges.

One of the amendment's bitterest opponents in the Assembly, Frederick Kessler, a Milwaukee Democrat, told his colleagues that the proposal "could plunge our nation into a constitutional crisis."

DEATH OF V. GILMORE IDEN, NOTED WRITER, OF AIKEN, S.C.

Mr. THURMOND. Mr. President, one of the best known and most distinguished citizens of Aiken, S.C., V. Gilmore Iden, passed away on October 27. He was a former editor of U.S. News & World Report, an economist, author, reporter, and newspaper editor.

A nationally known writer, Mr. Iden had much to give because of his exceptional journalistic abilities, and he gave of his talents and energies without res-

ervation. His last column was as incisive and well researched as those he wrote many years ago. Although in retirement, he kept his hand on the pulse of the Nation and the world through reading of newspapers, periodicals, and books. This is a trait we would all do well to emulate. Of the many positions and titles he held in over a half-century of journalistic endeavors it is my feeling his service as an editor of U.S. News & World Report was the most significant. Among the mourners at his funeral was the editor of that great magazine, the Honorable David Lawrence.

When Mr. Iden retired more than a decade ago, he and his good wife of 54 years chose Aiken as their home. Soon, other members from both sides of the family chose Aiken as they retired. Within a space of about four blocks alone there were six homes which various relatives purchased and moved into as they retired.

The Idens took an active interest in their new home city and soon Mr. Iden began writing a column which appeared regularly in the daily Aiken Standard.

The citizens of Aiken, of which I am happy to be a member, were proud of Mr. Iden and the fact that so many members of his family and his wife's family selected Aiken as their place of residence.

My deepest sympathy goes out to Mrs. Iden, their daughter, and members of the family. They must be consoled in the knowledge that Mr. Iden gave so much of himself to his fellow man through his long journalistic career.

Mr. President, I ask unanimous consent three articles be printed in the body of the RECORD following these remarks: an article published in the October 28, 1969, issue of the Aiken Standard on the death of Mr. Iden; an editorial published in the Aiken Standard, also on October 28; and Mr. Iden's last newspaper column, entitled "Some Vain Hopes," which was published in the Aiken Standard on October 23, 1969.

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

[From the Aiken (S.C.) Standard, Oct. 28, 1969]

AN EDITORIAL—V. GILMORE IDEN

Death removed one of Aiken's most distinguished citizens Monday afternoon.

V. Gilmore Iden, a regular and frequent columnist for the Aiken Standard, died quietly at his home on Wyman Street, Crosland Park, while he was engaged in his favorite occupation, reading.

Just minutes before his death, he had delivered another column to the editorial offices of the Aiken Standard, and had returned home and settled in a favorite chair to resume his reading.

He was a voracious reader. And at age 84, his curiosity about the world around him remained insatiable. It was through his wide-ranging reading that he was able to keep up with events and trends throughout the world and then to write incisively and meaningfully about them.

Mr. Iden's journalistic career spanned more than half a century. Although he undertook a variety of assignments, he was perhaps most keenly interested in politics and economics. One never doubted where he stood. His thoroughness was admired widely,

and it was doubtlessly a contributing factor to his international reputation as a journalist.

He knew personally every president from Wilson through Kennedy, and he numbered among his friends kings, princes, ambassadors and other world figures.

He was active until his death. A column written by him a few days ago appears today on the editorial page. Two others, written more recently, will appear soon.

A kindly, courtly, modest gentleman, Gilmore Iden left his mark on our civilization. He will be sorely missed.

To his family, the Aiken Standard extends its sincerest sympathy. We salute a departed colleague who has been a great credit to his profession and a wise and steadfast friend.

SOME VAIN HOPES (By Gilmore Iden)

(EDITOR'S NOTE: This column by Gilmore Iden, an internationally renowned journalist, was written a few days prior to his death Monday afternoon at his residence in Crosland Park. He had been a regular columnist for the Aiken Standard and had a wide circle of friends in the Aiken area.)

President Nixon has received suggestions of all his advisors on Vietnam and spent a weekend conferring with his closest cabinet members, but no one is certain what he is likely to broadcast to the public November 3. Very likely he himself has as yet made no final decision. The few important facts which are generally known would seem to indicate what the general tone will be. The negotiators in Paris have shown no desire to discuss terms, and Ambassador Lodge walked out when the communists continued their diatribes. For two months now the fighting in South Vietnam has continued at its lowest level, and the first 60,000 American troops scheduled for withdrawal have left. Washington gossip is that Hanoi has no intention of negotiating peace, but is permitting the fighting to fade out.

None of the President's closest advisors think for a moment that Nixon will desert South Vietnam; he is not the man to acknowledge defeat. His critics feel assured he cannot go back to a full-scale war again, that he is definitely committed to de-escalation and ultimately full Vietnamization of the fighting. Therefore, they are prophesying that the November broadcast will announce a decision to withdraw not less than 150,000 additional men during 1970.

That will leave us with many more than the 7,000 we sent in early in the 60's before Lyndon Johnson decided to commit American troops to the fighting. We would still be prepared to assume the responsibility for another long-time commitment. In Germany, 24 years after the armistice, we have 228,000 American troops stationed. In Korea, 16 years after the armistice, we are maintaining 55,000 Americans. In South Vietnam we now have 505,000 troops, of whom 300,000 are combat ready. Without peace, it will be necessary to maintain there a support force of engineers, communications and logistics troops, as well as some air support.

Secretary of State Rogers said: "We will withdraw our forces as they are replaced by the troops of South Vietnam." Infiltration into South Vietnam is way down, he continued, replacements down, resulting in a net decline in enemy forces of probably 30,000 men during the past six months. Casualties are way down because of the reduced combat, but the Secretary added: "I don't at the moment see any possibility for a negotiated settlement." While hope springs eternal and the doves gloat in their expectations of getting out of Vietnam entirely, there is a really no promise that such

is going to be the result. President Eisenhower lifted the public hopes high in 1955 when he promised to stop the war in Korea, but we realize that there has been no real stop. The same may well happen again in Vietnam, and probably upon much more expensive terms.

At the moment the doves are muting their criticism, convinced that the public resistance to the Johnson war is bringing results. Their expectation is unwarranted and hard reality may dash their hopes. Hanoi's new Premier, Phan Van Dang, not only released an open letter to our anti-war protestors through his Paris negotiators, but was sent on a state visit to Peking. Not only has he called upon our doves to continue protesting but more firmly he has taken the necessary steps to make sure that Peking will continue military aid to Hanoi.

According to news reports Hanoi signed a new treaty with China, embracing a promise from Peking of increased aid to Hanoi in an effort to outbid the Soviet for their alliance. Obviously the ties between all communist factions are much stronger than any peace offer from a capitalistic power.

On October 15 Moscow announced that the Soviet had signed a new aid agreement with Hanoi, promising economic as well as continued arms aid and long term credits. The announcement did not reveal the figures but declared that it provides for all aid "necessary for strengthening the defense capacity" of North Vietnam and restoring and developing the economy.

Cambodia's Prince Norodon Sihanouk visited Peking on their 20th anniversary celebration and Chou En-lai plans to make a return visit to Cambodia. China obviously believes that Cambodia commands special consideration.

For the past two months our troop losses in Vietnam have run less than one hundred a week; this desultory fighting could continue and our troop losses could remain low, and more troops could be withdrawn but our material contributions to Vietnam will not diminish. Much depends upon the conferences now starting in Peking between the Chinese and Russians over their "border dispute." Our diplomats are still not certain what that portends. Our Congressional doves may still reach for the headlines, but they should seriously consider the advisability of remaining silent so long as the issue is fraught with so many uncertainties.

Between Nixon and a dove like Senator McGovern, however, a fundamental difference exists. The first insists Saigon is still the only recognized government in South Vietnam and should not be replaced except by democratic elections. McGovern has no confidence in the Saigon regime and is willing to desert them. On this point we have an indication of implacability.

Our doves may not be the only misreaders of the signs. Any hope that the communists intend to compromise their claims is not in accordance with history. A peace treaty is the very last thing they would sign, and armistice only if compelled. To those trained for guerrilla warfare, infiltration is a way of life. They would have you believe that a subversive is no revolutionary.

Laos? Thailand? The war is far from over.

V. GILMORE IDEN, JOURNALIST, DIES

V. Gilmore Iden, internationally known journalist whose career spanned more than half a century, died yesterday afternoon at his Crosland Park home at the age of 84.

Funeral plans are incomplete.

Mr. Iden was well known to readers of the Aiken Standard. His penetrating views—especially on politics and economics—appeared regularly on the editorial page of the Aiken Standard.

Although he had been a resident of Aiken

for less than a decade, he was a dedicated booster of the area. He came to know a wide circle of friends of many walks of life. He retained a lively interest in all the happenings abroad, throughout the nation and in his adopted home town.

Born in 1885 at Manassas, Va., he was a son of the late William G. and Susan Hoe Iden.

He was graduated from Manassas Institute in 1903 and in the same year entered Washington and Lee University where he was graduated in 1907.

In 1913 he married Miss Minna S. Thompson. They have a daughter, Mrs. Nicholas Giannestras, of Cincinnati and two grandchildren.

When President Woodrow Wilson held the first presidential news conference in history, Mr. Iden was there to cover it.

He was head of the Washington Bureau of the U.S. News in 1910 and joined the New York Journal of Commerce in 1913.

His hand has been in much journalism-history since he began his writing career during Theodore Roosevelt's administration. He was personally acquainted with every president from Taft through Kennedy and received from each an autographed photograph.

During World War I, Mr. Iden wrote on government finance and one of his first assignments was to write a review of the Federal Reserve Act. His article appeared in his own papers and in the Sunday magazines as well.

He became interested in industrial reporting and aligned with the steel industry. He became associate editor of Marine Review of Cleveland, Ohio. Later, he was to become associate editor of Iron Trade Review, published by the same company.

He was recalled by the Journal of Commerce in 1921 and was appointed managing editor.

In 1925 he was invited by the governments of the Scandinavian countries to become a consultant on economic affairs to the heads of state. He had an audience with King Haakon of Sweden and later received special consideration and recognition for accounts he published following his tours.

To help an old friend, David Lawrence, he left the Journal of Commerce and went back to Washington as associate editor of the U.S. Daily in 1926.

He became director of public relations for the American Institute of Steel Construction in 1928. In 1933 he was named secretary of American Steel Industry in Construction.

In 1943 he came back to the U.S. News & World Report to join his friend David Lawrence once again, and in 1948 became the United Nations Correspondent for the magazine.

His beats in the capital and New York have included both business and industry as well as the United Nations, and have taken him to many foreign countries.

He was the author of a number of books and articles on financial and economic subjects.

An original member of the National Press Club in Washington, he was also a member of the Overseas Press Club and the National Arts Club in New York. The United Nations Correspondents Association and the World Trade Writers Association.

He retired as an editor of U.S. News & World Report in 1960.

He came to Aiken in 1961 and was one of the first persons to buy a retirement home in Crosland Park.

SUCCESS OF TOLEDO GUN CONTROL LAWS

Mr. TYDINGS, Mr. President, 2 weeks ago, I brought to the attention of the

Senate an article published in the Wall Street Journal describing the success of the Toledo gun control laws. It has just come to my attention that the Baltimore Sun had also taken note of this dramatic evidence of the effectiveness of gun control laws.

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

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

[From the Baltimore (Md.) Sun, Oct. 8, 1969]

THE GUNS OF TOLEDO

In little more than a year since the enactment of a tough gun control ordinance Toledo, Ohio, has experienced a 31.5 per cent drop in its violent crime rate. This is an amazing statistic, all the more so in view of the easy availability of guns outside Toledo. The ordinance, enacted only after the Toledo City Council had repeatedly failed to win legislative support for statewide controls places restrictions not only on buyers, but on dealers as well. It is a tough law and has been made tougher by a stringent court crackdown on violators.

Although unusual in the United States, the Toledo experience actually fits in with what has happened in other countries. In Japan, for example, a country with about half the population of the United States, only about 50 people a year die from gun shots. The Japanese are protected by strict controls on guns. The total of such deaths in this country is more than 100 times Japan's total.

Not long ago Senator Tydings produced statistics dramatizing this country's high rate of violence as compared with that in other western democracies. Thus, taken in context, the drop in Toledo's crime rate is not so surprising at all. Yet the minions of the National Rifle Association are ever active and ever clamorous. As a result of their activities, Congress seems to have lost much of its interest in new gun control laws.

Senator Tydings, meantime, is in trouble with a group of gun enthusiasts known as Citizens Against Tydings, an outfit organized for no other purpose than to frustrate the Senator's bid for reelection. The Senator, one of the leading advocates of a stringent gun licensing and registration act, may gain some comfort from the knowledge that the opinion of the American people, as reflected in polls and not in the contrived letter-writing campaigns of the National Rifle Association, is overwhelmingly in favor of stricter controls. The latest news from Toledo offers additional encouragement.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1970

Mr. PASTORE, Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 12307) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1970, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PASTORE, 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. PASTORE, Mr. President, the independent offices and Department of Housing and Urban Development appropriation bill of 1970, H.R. 12307, as reported, totals \$14,981,949,000 in new obligational authority, which is \$67,297,000 under the appropriations for 1969, \$531,020,000 under the revised budget estimates for 1970, and an increase of \$72,860,000 over the House bill.

In addition, the bill includes contract authorization to make grants, as follows: College housing, \$7,500,000; section 235, homeownership, \$100 million; section 236, rental assistance, \$100 million; and rent supplement, \$100 million.

The largest amount included in the bill for one agency is \$7,691,257,000 for the Veterans' Administration, of which \$5,041,355,000 is for compensation and pensions of veterans, and \$1,541,701,000 is for their medical care.

The next largest amount is for the National Aeronautics and Space—commonly referred to as NASA—\$3,715,527,000.

Next is the Department of Housing and Urban Development, under title II of the bill, \$1,896,181,000, of which \$250,000,000 is for urban renewal, to be added to \$750,000,000 advanced in last year's appropriation, for a total available of \$1 billion; \$600 million is for model cities, and \$473 million is for low-rent public housing annual contributions. Various other programs of the Department of Housing and Urban Development get lesser amounts.

After those agencies come the General Services Administration, with \$535,243,000, and National Science Foundation with \$461,000,000.

The bill also funds three budget amendments sent to the Senate and not considered by the House, for the following:

disaster relief, additional \$125,000,000. That is because of the recent disasters. GSA, FBI Academy, \$7,396,000. Civil Service Commission, \$160,000. That is for the new commission to assist the President in personnel exchange.

This makes a total of \$132,556,000 which is included in the bill before the Senate and which was not considered by the House.

If this amount is deducted from the amount of increase over the House of \$72,860,000, the bill is actually some \$60 million under the House allowance.

For the Appalachian regional development programs, there is an unusual situation. The House, prior to the authorization bill, had allowed \$350 million to fund their highway program for 1970 and 1971. The authorization, passed last week in the Senate, substitutes contract authority for new obligational authority, with payments for liquidation to be appropriated later.

I think that is a very significant point to bring out, Mr. President, so that our figures will not be misleading to anyone.

The committee is advised that no liquidation appropriation will be required until next year, and the committee has deleted the \$350 million for the highway program, because of this contractual authority; \$105 million is included in the bill to fund the nonhighway programs under the Appalachian regional development programs.

That is the substance of the bill.

This is the first year it has been my privilege to serve as chairman of this subcommittee, although I have been a member of the subcommittee for many years. It has been a very exciting and rewarding experience. I follow an exemplary predecessor, Chairman MAGNUSON, who had this responsibility last year, and under whom I served on that particular committee. The Senator from Washington (Mr. MAGNUSON) handled this bill, I understand, for about 14 years. My distinguished friend from Colorado (Mr. ALLOTT), who now acts as minority leader, is serving his 11th year on the consideration of the bill. It is a delight to serve with him. Then, we have our very distinguished staff director of the subcommittee, the Honorable Earl Cooper, who has been serving this particular responsibility for 21 years. So, you see, Mr. President, there is a tremendous amount of experience behind the particular bill now before the Senate.

The committee has three technical amendments which were inadvertently omitted from the bill. They are as follows:

On page 4, line 11, after "1855g)" insert: "the Disaster Relief Act of 1969 (Public Law 91-79)"

The purpose of this amendment is to cover the funding for the recently passed Relief Act within the amount appropriated.

On page 22, line 17, strike out "one" and insert "two"; and on page 22, line 18, strike out "three" and insert "four".

The purpose of these amendments is to conform the authorizations for the National Science Foundation to the statements in the report.

Mr. President, I ask unanimous consent that the three technical amendments which were inadvertently omitted from the bill be added to the bill.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

Mr. PASTORE. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, and that the bill as thus amended be regarded as original text for the purpose of amendment, that no point of order shall be considered to have been waived by reason thereof.

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

The amendments agreed to en bloc are as follows:

On page 2, line 14, after "U.S.C. 3109", strike out "\$500,000" and insert "\$524,000".
On page 3, line 20, after "U.S.C. 3109", strike out "\$1,875,000" and insert "\$1,958,000".

On page 4, line 4, after the word "expended", strike out "\$445,000,000" and insert "\$105,000,000"; and, in line 5, after the amendment just above stated, strike out "of which \$175,000,000 shall be available during the fiscal year 1971 for the Appalachian Development Highway System".

On page 4, line 13, after the word "disasters", strike out "\$45,000,000" and insert "\$170,000,000".

On page 5, line 11, after the word "Code"; insert "hire of passenger motor vehicles"; and, at the beginning of line 13, strike out "\$40,000,000" and insert "\$41,397,000".

On page 8, line 4, after "5 U.S.C. 3109", strike out "\$21,600,000" and insert "\$22,850,000".

On page 8, line 11, after the word "expenses", strike out "\$16,000,000" and insert "\$16,400,000".

On page 9, line 7, after the word "moving", strike out "\$301,500,000" and insert "\$309,119,000".

On page 9, line 24, after the word "equipment", strike out "\$70,000,000" and insert "\$81,600,000".

On page 10, line 17, after the word "buildings", strike out "\$19,137,000" and insert "\$13,248,000".

On page 11, after line 17, strike out: "Federal office building, Chicago, Illinois, in addition to the sum heretofore appropriated, \$13,285,000";.

On page 12, after line 8, insert: "Federal Bureau of Investigation Academy, Quantico, Virginia; in addition to the sum heretofore appropriated, \$7,396,000";.

On page 13, line 10, after the word "furnishings", strike out "\$750,000" and insert "\$1,250,000".

On page 20, line 25, after the word "Administration", strike out "\$3,000,000,000" and insert "\$3,019,927,000".

On page 21, line 5, after the word "law", strike out "\$53,233,000" and insert "\$58,200,000".

On page 21, line 17, after the word "property", strike out "\$643,750,000" and insert "\$637,400,000".

On page 22, line 24, after the word "services", strike out "\$418,000,000" and insert "\$458,000,000".

On page 23, line 25, after "(7 U.S.C. 1704 (b) (3))", strike out "\$2,000,000" and insert "\$3,000,000".

On page 24, line 8, after "5 U.S.C. 3109", strike out "\$3,640,000" and insert "\$4,140,000".

On page 24, line 13, after "5 U.S.C. 3109", strike out "\$19,750,000" and insert "\$20,416,000".

On page 25, line 4, after the word "Specialists", strike out "\$67,375,000" and insert "\$69,321,000".

On page 28, line 12, after the word "administration", strike out "\$69,152,000" and insert "\$55,217,000".

On page 31, line 7, after the word "law", strike out "\$17,700,000" and insert "\$50,700,000"; and, in line 8, after the word "exceed", strike out "\$19,100,000" and insert "\$19,700,000".

On page 31, line 15, after the word "defense", strike out "and"; in line 16, after the word "spaces";, insert "and constructing and equipping Federal regional operating centers";; in line 17, after the amendment just above stated, strike out "\$16,500,000" and insert "\$21,800,000"; and, in line 18, after the word "expended";, insert a colon and "Provided, That not to exceed \$1,800,000 of this appropriation may be transferred to appropriations of the Department of Defense available for military construction for construction of Federal regional operating centers".

On page 32, line 21, after the word "services", strike out "\$6,000,000" and insert "\$4,000,000".

On page 33, line 22, after "(42 U.S.C. 1452a)", strike out "\$100,000,000" and insert "\$250,000,000".

On page 34, at the beginning of line 23, strike out "\$5,500,000" and insert "\$7,500,000"; and, in the same line, after the amendment just above stated, strike out "And provided further, That none of the funds appropriated by this Act for payments authorized by section 1705 of the Housing and Urban Development Act of 1968, shall be used to formulate or carry out any grant or loan to any institution of higher education unless such institution shall be in full compliance with section 504 of Public Law 90-575".

On page 35, line 8, strike out "\$37,000,000" and insert "\$37,500,000".

On page 37, line 7, after "(80 Stat. 1255-1261)", strike out "\$500,000,000" and insert "\$600,000,000".

On page 37, line 13, after the word "exceed", strike out "\$6,500,000" and insert "\$7,000,000".

On page 38, line 20, after "(82 Stat. 477 and 498)", strike out "\$16,500,000" and insert "\$26,500,000"; on page 39, line 2, after the word "by", strike out "\$80,000,000" and insert "\$100,000,000"; and, in line 4, after the word "by", strike out "\$70,000,000" and insert "\$100,000,000".

On page 39, line 11, after the word "by", strike out "\$50,000,000" and insert "\$100,000,000".

On page 40, line 24, strike out "\$5,000,000" and insert "\$6,000,000".

On page 41, line 6, after the word "expenses", strike out "\$7,000,000" and insert "\$9,000,000".

On page 41, line 11, after the word "Department", strike out "\$9,800,000" and insert "\$11,905,000".

On page 42, after line 4, insert:

"SPECIAL INSTITUTIONS

"NATIONAL HOMEOWNERSHIP FOUNDATION

"For the National Homeownership Foundation, established by section 107 of the Housing and Urban Development Act of 1968 (82 Stat. 491), \$250,000, to remain available until expended."

On page 52, line 12, after "Sec. 408.", strike out "None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project." and insert "None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals for projects not specifically solicited by the Government: *Provided*, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research."

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

Mr. PASTORE. I yield.

Mr. MANSFIELD. Mr. President, before the Senator gets into the main part of his speech I wish to ask a question about the Veterans' Administration hospital at Fort Harrison, Mont.

I have been receiving a number of communications from various veterans' organizations and individual veterans in Montana about the fact that the Veterans' Administration at Fort Harrison has closed a 40-unit wing, stating they could give better service with the remaining facility. That may be true or it may not be true, but the fear on the part of veterans in Montana—and the State covers approximately 148,000 square miles—is that the Veterans' Administration is using this as a first step to close down permanently this 40-unit wing, thereby reducing the capability of Fort Harrison to take care of the needs of veterans in Montana. Can the distin-

guished chairman of the committee give me some information on this particular situation?

Mr. PASTORE. Yes, I would be delighted to do so.

Mr. President, the distinguished Senator from Montana raised the same question at the markup in full committee. Pursuant to that statement we had the staff check into it in detail. The staff took the matter up with the proper agency and the proper authorities therein. We have been assured that that particular wing is closed temporarily because of the lack of patients, but it is available and will be available, and it is not to be abandoned.

Mr. MANSFIELD. I could not ask for more of an assurance than that. On behalf of the veterans of Montana I wish to thank the chairman of the committee, the Senator from Rhode Island (Mr. PASTORE) for his assurance that this 40-unit wing will not be abandoned.

Mr. PASTORE. It was a pleasure to make the inquiry and gain that assurance.

Mr. President, I have one further request before I yield to the distinguished Senator from Colorado. There is included in the report a comparative statement of new budget—obligational—authority for 1969 and budget estimates and amounts recommended in the bill for 1970. The statement shows in the first column the appropriations of last year, the next column shows the budget request for this year, the next column shows what the House did, the next column shows what the Senate did, and the last column shows the differences marked out in each specific item.

I ask unanimous consent to have printed in the RECORD the chart to which I have referred which appears on pages 24 through 31 of the report.

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

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1969 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1970

[Note—All amounts are in the form of "appropriations" unless otherwise indicated]

Agency and item	New budget (obligational) authority enacted to date, fiscal year 1969 ¹	Budget estimates of new (obligational) authority, fiscal year 1970	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	Increase (+) or decrease (–) Senate bill compared with—		
					Appropriations NOA, 1969	Budget estimates NOA, 1970	House bill NOA, 1970
TITLE I							
EXECUTIVE OFFICE OF THE PRESIDENT							
National Aeronautics and Space Council							
Salaries and expenses.....	\$500,000	\$524,000	\$500,000	\$524,000	+\$24,000		+\$24,000
Office of Emergency Preparedness							
Salaries and expenses.....	4,950,000	5,290,000	5,000,000	5,000,000	+50,000	–\$290,000	
Salaries and expenses, telecommunications.....	2,175,000	2,095,000	1,795,000	1,795,000	–380,000	–300,000	
Defense mobilization functions of Federal agencies.....	3,130,000	3,260,000	3,200,000	3,200,000	+70,000	–60,000	
Total, Office of Emergency Preparedness.....	10,255,000	10,645,000	9,995,000	9,995,000	–260,000	–650,000	
Office of Science and Technology							
Salaries and expenses.....	1,800,000	1,958,000	1,875,000	1,958,000	+158,000		+83,000
Total, Executive Office of the President.....	12,555,000	13,127,000	12,370,000	12,477,000	–78,000	–650,000	+107,000
FUNDS APPROPRIATED TO THE PRESIDENT							
Appalachian regional development programs.....	713,600,000	* 462,500,000	445,000,000	105,000,000	–68,600,000	–357,500,000	–340,000,000
Disaster relief.....	45,000,000	* 170,000,000	45,000,000	170,000,000	+125,000,000		+125,000,000
Total, funds appropriated to the President.....	218,600,000	632,500,000	490,000,000	275,000,000	+56,400,000	–357,500,000	–215,000,000
INDEPENDENT OFFICES							
Appalachian Regional Commission							
Salaries and expenses.....	850,000	890,000	890,000	890,000	+40,000		
Civil Service Commission							
Salaries and expenses:							
Appropriation.....	38,564,000	* 41,830,000	40,000,000	41,397,000	+2,833,000	–433,000	+1,397,000
By transfer.....	(6,460,000)	(7,364,000)	(7,364,000)	(7,364,000)	(+904,000)		
Annuities under special acts.....	1,350,000	1,265,000	1,265,000	1,265,000	–85,000		
Government payment for annuitants, employees health benefits.....	40,478,000	41,185,000	41,185,000	41,185,000	+437,000		
Payment to civil service retirement and disability fund.....	72,000,000	73,000,000	73,000,000	73,000,000	+1,000,000		
Total, Civil Service Commission.....	152,662,000	157,280,000	155,450,000	156,847,000	+4,185,000	–433,000	+1,397,000
Commission on Executive, Legislative, and Judicial Salaries							
Salaries and expenses.....	100,000				–100,000		
Federal Communications Commission							
Salaries and expenses.....	20,720,000	23,950,000	21,600,000	22,850,000	+2,130,000	–1,100,000	+1,250,000
Federal Power Commission							
Salaries and expenses.....	15,878,000	* 16,650,000	16,000,000	16,400,000	+522,000	–250,000	–400,000
Federal Trade Commission							
Salaries and expenses.....	16,900,000	19,940,000	19,500,000	19,500,000	+2,600,000	–440,000	

Footnotes at end of table.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1969 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1970—Continued

[Note—All amounts are in the form of "appropriations" unless otherwise indicated]

Agency and item	New budget (obligational) authority enacted to date, fiscal year 1969 ¹	Budget estimates of new (obligational) authority, fiscal year 1970	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	Increase (+) or decrease (–) Senate bill compared with—		
					Appropriations NOA, 1969	Budget estimates NOA, 1970	House bill NOA, 1970
TITLE I—Continued							
INDEPENDENT OFFICES—Continued							
General Services Administration							
Operating expenses, Public Buildings Service	\$278,671,000	\$309,119,000	\$301,500,000	\$309,119,000	+\$30,448,000		+\$7,619,000
Repairs and improvement of public buildings	80,000,000	⁷ 61,600,000	70,000,000	61,600,000	–18,400,000		–8,400,000
Construction, public buildings projects		⁸ 12,748,600	19,137,000	13,248,000	+13,248,000	+\$499,400	–5,889,000
Construction, official residence of the Vice President		150,000				–150,000	
Sites and expenses, public buildings project	10,995,000	11,000,000	11,000,000	11,000,000	+5,000		
Payments, public buildings purchase contracts	2,400,000	2,400,000	2,400,000	2,400,000			
Expenses, U.S. court facilities	750,000	1,500,000	750,000	1,250,000	+500,000	–250,000	+500,000
Operating expenses, Federal Supply Service	72,500,000	78,873,000	77,515,000	77,515,000	+5,015,000	–1,358,000	
Operating expenses, National Archives and Records Service	19,348,000	⁹ 22,153,000	21,350,000	21,350,000	+2,002,000	–803,000	
National historical publication grants	350,000	350,000	350,000	350,000			
Operating expenses, Transportation and Communications Service	6,150,000	6,150,000	6,150,000	6,150,000			
Operating expenses, Property Management and Disposal Service	28,500,000	29,780,000	29,000,000	29,000,000	+500,000	–780,000	
Salaries and expenses, Office of Administrator	1,939,000	1,926,000	1,926,000	1,926,000	–13,000		
Allowances and office staff for former Presidents	307,000	440,000	335,000	335,000	+28,000	–105,000	
Expenses, Presidential transition	900,000				–900,000		
Administrative operations fund (limitation on administrative expenses)	(13,700,000)	(13,833,000)	(13,800,000)	(13,800,000)	(+100,000)	(–33,000)	
Total, General Services Administration	502,810,000	538,189,600	541,413,000	535,243,000	+32,433,000	–2,946,600	–6,170,000
National Aeronautics and Space Administration							
Research and development	3,370,300,000	¹⁰ 3,006,427,000	3,000,000,000	3,019,927,000	–350,373,000	+13,500,000	+19,927,000
Construction of facilities	21,800,000	58,200,000	53,233,000	58,200,000	+36,400,000		+4,967,000
Research and program management	603,173,000	650,900,000	643,750,000	637,400,000	+34,227,000	–13,500,000	–6,350,000
Total, National Aeronautics and Space Administration	3,995,273,000	3,715,527,000	3,696,983,000	3,715,527,000	–279,746,000		+18,544,000
National Science Foundation							
Salaries and expenses	400,000,000	497,000,000	418,000,000	458,000,000	+58,000,000	–39,000,000	+40,000,000
Scientific activities (special foreign currency program)		3,000,000	2,000,000	3,000,000	+3,000,000		+1,000,000
Total, National Science Foundation	400,000,000	500,000,000	420,000,000	461,000,000	+61,000,000	–39,000,000	+41,000,000
Renegotiation Board							
Salaries and expenses	3,140,000	4,140,000	3,640,000	4,140,000	+1,000,000		+500,000
Securities and Exchange Commission							
Salaries and expenses	18,624,000	¹¹ 20,416,000	19,750,000	20,416,000	+1,792,000		+666,000
Selective Service System							
Salaries and expenses	66,418,000	¹² 69,321,000	67,375,000	69,321,000	+2,903,000		+1,946,000
Veterans' Administration							
Compensation and pensions	4,930,936,000	5,041,355,000	5,041,355,000	5,041,355,000	+110,419,000		
Readjustment benefits	701,200,000	742,200,000	742,200,000	742,200,000	+41,000,000		
Veterans insurance and indemnities	9,350,000	7,253,000	7,253,000	7,253,000	–2,097,000		
Medical care	1,474,064,000	¹³ 1,524,101,000	1,541,701,000	1,541,701,000	+67,637,000	+17,600,000	
Medical and prosthetic research	48,018,000	¹⁴ 54,638,000	54,638,000	54,638,000	+6,620,000		
Medical administration and miscellaneous operating expenses	14,789,000	¹⁵ 16,994,000	16,950,000	16,950,000	+2,161,000	–44,000	
General operating expenses	207,000,000	¹⁶ 220,865,000	220,865,000	220,865,000	+13,865,000		
Construction of hospital and domiciliary facilities	7,926,000	¹⁷ 55,217,000	69,152,000	55,217,000	+47,291,000		–13,935,000
Grants for construction of State nursing homes	4,000,000	¹⁸ 1,000,000	4,000,000	4,000,000		+3,000,000	
Grants to the Republic of the Philippines	1,776,000	1,362,000	1,362,000	1,362,000	–414,000		
Payment of participation sales insufficiencies	9,505,000	5,716,000	5,716,000	5,716,000	–3,789,000		
Loan guaranty revolving fund (limitation on obligations)	450,000,000	Language	425,000,000	425,000,000	–25,000,000		
Total, Veterans' Administration	7,408,564,000	7,670,701,000	7,705,192,000	7,691,257,000	+282,693,000	+20,556,000	–13,935,000
Total, independent offices	12,601,939,000	12,737,004,600	12,667,793,000	12,713,391,000	+111,452,000	–23,613,600	+45,598,000
DEPARTMENT OF DEFENSE							
Civil Defense							
Operation and maintenance	48,040,000	50,700,000	47,700,000	50,700,000	+2,660,000		+3,000,000
Research, shelter survey, and marking	12,500,000	24,600,000	16,500,000	21,800,000	+9,300,000	–2,800,000	+5,300,000
Total, civil defense, Department of Defense	60,540,000	75,300,000	64,200,000	72,500,000	+11,960,000	–2,800,000	+8,300,000
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE							
Public Health Service							
Emergency health		¹⁹ 4,000,000	6,000,000	4,000,000	+4,000,000		–2,000,000
Total, title I	12,893,634,000	13,461,931,600	13,240,363,000	13,077,368,000	+183,734,000	–384,563,600	–162,995,000

Footnotes at end of table.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1969 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1970—Continued

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					Appropriations NOA, 1969	Budget estimates NOA, 1970	House bill NOA, 1970
TITLE II							
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT							
Renewal and Housing Assistance							
Grants for neighborhood facilities.....	\$35,000,000	²⁶ \$45,000,000	\$40,000,000	\$40,000,000	+\$5,000,000	-\$5,000,000	
Alaska housing.....	1,000,000	1,000,000	1,000,000	1,000,000			
Urban renewal programs.....	²¹ 750,000,000	²² 250,000,000	100,000,000	250,000,000	-500,000,000		+\$150,000,000
Rehabilitation loan fund.....		²³ 50,000,000	45,000,000	45,000,000	+45,000,000	-5,000,000	
Low-rent public housing annual contributions.....	366,000,000	473,500,000	473,500,000	473,500,000	+107,500,000		
Housing for the elderly or handicapped fund.....	25,000,000				-25,000,000		
College housing:							
Increased limitation for annual contract authorization.....	(5,500,000)	(7,500,000)	(5,500,000)	(7,500,000)	(-2,000,000)		(+2,000,000)
(Cumulative limitation for annual contract authorization).....	(5,500,000)	(13,000,000)	(11,000,000)	(13,000,000)			
Appropriation for payments.....		2,500,000	2,500,000	2,500,000	+2,500,000		
Salaries and expenses.....	35,907,000	²⁴ 37,500,000	37,000,000	37,500,000	+1,593,000		+500,000
Total, renewal and housing assistance.....	1,212,907,000	859,500,000	699,000,000	849,500,000	-363,407,000	-10,000,000	+150,500,000
Metropolitan Development							
Comprehensive planning grants.....	43,838,000	²⁵ 60,000,000	50,000,000	50,000,000	+6,162,000	-10,000,000	
Community development training programs.....	3,000,000	8,000,000	3,000,000	3,000,000		-5,000,000	
Fellowships for city planning and urban studies.....	500,000	²⁵ 5,000,000	500,000	500,000			
New community assistance.....		5,000,000	2,500,000	2,500,000	+2,500,000	-2,500,000	
Open space land program:							
Appropriation to liquidate contract authorization.....	(75,000,000)				(-75,000,000)		
Appropriation.....		²⁷ 85,000,000	75,000,000	75,000,000	+75,000,000	-10,000,000	
Grants for basic water and sewer facilities.....	165,000,000	135,000,000	135,000,000	135,000,000	-30,000,000		
Grants to aid advanced acquisition of land.....		5,000,000	2,500,000	2,500,000	+2,500,000	-2,500,000	
Salaries and expenses.....	7,280,000	²⁸ 7,850,000	7,500,000	7,500,000	+220,000	-350,000	
Total, metropolitan development.....	219,618,000	306,350,000	275,000,000	276,000,000	+56,382,000	-30,350,000	
Model Cities and Governmental Relations							
Model cities program.....	625,000,000	²⁹ 675,000,000	500,000,000	600,000,000	-25,000,000	-75,000,000	+100,000,000
Salaries and expenses:							
Appropriations.....	1,466,000	³⁰ 550,000	550,000	550,000	-916,000		
By transfer.....	(6,171,000)	(7,000,000)	(6,500,000)	(7,000,000)	(+829,000)		(+500,000)
Total, model cities and governmental relations.....	626,466,000	675,550,000	500,550,000	600,550,000	-25,916,000	-75,000,000	+100,000,000
Urban Technology and Research							
Urban research and technology.....	11,000,000	³¹ 30,000,000	25,000,000	25,000,000	+14,000,000	- ,000,000	
Low-income housing demonstration programs (appropriation to liquidate contract authorization).....	(2,000,000)	(2,510,000)	³² (1,000,000)	³² (2,000,000)		(-510,000)	
Total, urban technology and research.....	11,000,000	30,000,000	25,000,000	25,000,000	+14,000,000	-5,000,000	
Mortgage Credit							
Homeownership and rental housing assistance:							
Homeownership assistance, increased limitation for annual contract authorization.....	(70,000,000)	(100,000,000)	(80,000,000)	(100,000,000)	(+30,000,000)		(-20,000,000)
(Cumulative annual contract authorization).....	(70,000,000)	(170,000,000)	(150,000,000)	(170,000,000)			
Rental housing assistance, increased limitation for annual contract authorization.....	(70,000,000)	(100,000,000)	(70,000,000)	(100,000,000)	(+30,000,000)		(+30,000,000)
(Cumulative annual contract authorization).....	(70,000,000)	(170,000,000)	(140,000,000)	(170,000,000)			
Appropriation for payments.....	7,000,000	³³ 46,500,000	46,500,000	26,500,000	+19,500,000	-20,000,000	-20,000,000
Rent supplement program:							
Increased limitation for annual contract authorization.....	(30,000,000)	(100,000,000)	(50,000,000)	(100,000,000)	(+70,000,000)		(+50,000,000)
(Cumulative annual contract authorization).....	(72,000,000)	(172,000,000)	(122,000,000)	(172,000,000)			
Appropriation for payments.....	12,000,000	³⁴ 23,000,000	23,000,000	23,000,000	+11,000,000		
Low- and moderate-income sponsor fund.....	500,000	³⁵ 3,000,000	2,000,000	2,000,000	+1,500,000	-1,000,000	
Salaries and expenses.....	1,975,000	³⁶ 4,100,000	3,500,000	3,500,000	+1,525,000	-600,000	
Total, mortgage credit.....	21,475,000	76,600,000	75,000,000	55,000,000	+33,525,000	-21,600,000	-20,000,000
Federal Insurance Administration							
Flood insurance.....	1,500,000	³⁷ 2,400,000	2,400,000	2,400,000	+900,000		
Fair Housing and Equal Opportunity							
Fair housing and equal opportunity program.....	2,000,000	³⁸ 10,500,000	5,000,000	6,000,000	+4,000,000	-4,500,000	+1,000,000
Departmental Management							
General administration.....	6,230,000	³⁹ 9,000,000	7,000,000	9,000,000	+2,770,000		+2,000,000
Regional management and services.....	6,778,000	⁴⁰ 10,500,000	9,800,000	11,905,000	+5,127,000	+1,405,000	+2,105,000
Working capital fund.....		5,750,000	4,338,000	4,338,000	+4,338,000	-1,412,000	
Total, departmental management.....	13,008,000	25,250,000	21,138,000	25,243,000	+12,235,000	-7,000	+4,105,000
Participation Sales							
Payment of participation sales insufficiencies.....	47,638,000	56,238,000	56,238,000	56,238,000	+8,600,000		
Special Institution							
National Homeownership Foundation.....		⁴¹ 250,000		250,000	+250,000		+250,000
Total, Department of Housing and Urban Development, title II.....	2,155,612,000	2,042,638,000	1,660,326,000	1,896,181,000	-259,431,000	-146,457,000	+235,855,000

Footnotes at end of table.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1969 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1970—Continued

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Agency and Item	New budget (obligational) authority enacted to date, fiscal year 1969 ¹	Budget estimates of new (obligational) authority, fiscal year 1970	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	Increase (+) or decrease (—) Senate bill compared with—		
					Appropriations NOA, 1969	Budget estimates NOA, 1970	House bill NOA, 1970
TITLE III							
CORPORATIONS							
Federal Home Loan Bank Board							
Construction of headquarters facility.....		⁴⁹ \$8,400,000	\$8,400,000	\$8,400,000	+\$8,400,000		
Grand total, new budget (obligational) authority.....	\$15,049,246,000	15,512,969,600	14,909,089,000	14,981,949,000	-67,297,000	-\$531,020,600	+\$72,860,000
Consisting of—							
Appropriations:							
Fiscal year 1969.....	(14,299,246,000)				(-14,299,246,000)		
Fiscal year 1970.....	(750,000,000)	(15,337,969,600)	(14,734,089,000)	(14,981,949,000)	(-14,231,949,000)	(-356,020,600)	(+247,860,000)
Fiscal year 1971.....		(175,000,000)	(175,000,000)			(-175,000,000)	(-175,000,000)
Memorandum—							
Appropriation to liquidate contract authorization.....	(77,000,000)	(2,510,000)	(⁴⁴)	(⁴⁴)	(-77,000,000)	(-2,510,000)	
Grand total.....	(15,126,246,000)	(15,515,479,600)	(14,909,089,000)	(14,981,949,000)	(-144,297,000)	(-533,530,600)	(+72,860,000)

¹ Amounts have not been reduced to reflect reserves established pursuant to Public Law 90-218. Includes 2d supplemental but interaccount transfers are excluded.
² Includes \$175,000,000 advance funding for fiscal year 1971.
³ Includes \$25,000,000 in H. Doc. 91-113 and \$125,000,000 in S. Doc. 91-36.
⁴ Reflects reduction of \$210,000 in H. Doc. 91-100 and addition of \$160,000 in S. Doc. 91-34.
⁵ Reflects reduction of \$80,000 in H. Doc. 91-100.
⁶ Reflects reduction of \$2,052,000 in H. Doc. 91-100.
⁷ Reflects reduction of \$19,672,000 in H. Doc. 91-100.
⁸ Reflects reduction of \$7,477,400 in H. Doc. 91-100 and addition of \$7,396,000 in S. Doc. 91-29.
⁹ Reflects reduction of \$80,000 in H. Doc. 91-100.
¹⁰ Reflects reduction of \$45,000,000 in H. Doc. 91-100.
¹¹ Includes \$300,000 in H. Doc. 91-113.
¹² Reflects reduction of \$405,000 in H. Doc. 91-100.
¹³ Reflects reduction of \$17,600,000 in H. Doc. 91-100.
¹⁴ Reflects reduction of \$5,000,000 in H. Doc. 91-100.
¹⁵ Reflects reduction of \$333,000 in H. Doc. 91-100.
¹⁶ Reflects reduction of \$2,200,000 in H. Doc. 91-100.
¹⁷ Reflects reduction of \$41,151,000 in H. Doc. 91-100.
¹⁸ Reflects reduction of \$4,000,000 in H. Doc. 91-100.
¹⁹ Reflects reduction of \$3,728,000 in H. Doc. 91-113.
²⁰ Reflects reduction of \$7,500,000 in H. Doc. 91-100.
²¹ Advance funding for fiscal year 1970.
²² For fiscal year 1970. Original budget estimate for \$1,250,000,000 advance funding for fiscal year 1971 deleted in revised estimate in H. Doc. 91-100.
²³ Reflects reduction of \$28,000,000 in H. Doc. 91-100.

²⁴ Reflects reduction of \$1,250,000 in H. Doc. 91-100.
²⁵ Reflects reduction of \$5,000,000 in H. Doc. 91-100.
²⁶ Reflects reduction of \$500,000 in H. Doc. 91-100.
²⁷ Reflects reduction of \$10,000,000 in H. Doc. 91-100.
²⁸ Reflects reduction of \$150,000 in H. Doc. 91-100.
²⁹ Reflects reduction of \$75,000,000. Original budget estimate of \$1,250,000,000 advance funding for fiscal year 1971 deleted in revised estimate in H. Doc. 91-100.
³⁰ Reflects reduction of \$100,000 in H. Doc. 91-100.
³¹ Includes \$5,000,000 in revised estimate in H. Doc. 91-100.
³² By transfer from previous items.
³³ Reflects reduction of \$22,500,000 in H. Doc. 91-100.
³⁴ Reflects reduction of \$7,000,000 in H. Doc. 91-100.
³⁵ Reflects reduction of \$2,000,000 in H. Doc. 91-100.
³⁶ Reflects reduction of \$4,900,000 in H. Doc. 91-100.
³⁷ Reflects reduction of \$70,000 in H. Doc. 91-100.
³⁸ Reflects reduction of \$4,000,000 in H. Doc. 91-100.
³⁹ Reflects reduction of \$1,100,000 in H. Doc. 91-100.
⁴⁰ Reflects reduction of \$400,000 in H. Doc. 91-100.
⁴¹ Contained in H. Doc. 91-100.
⁴² Reflects reductions of \$15,000,000 for "Grants for tenant services"; \$5,000,000 for "Urban information and technical assistance"; \$10,000,000 for "Planned areawide development"; and \$7,750,000 for "Urban transportation."
⁴³ Contained in H. Doc. 91-117.
⁴⁴ Included in Urban Research and Technology.

Mr. ALLOTT. Mr. President, I wish to thank the distinguished chairman for his kind remarks. I have worked on this bill a long time, with the distinguished Senator from Washington (Mr. MAGNUSON), who was the chairman of the committee for so many years. I wish to congratulate the distinguished Senator from Rhode Island on the very able and expeditious manner in which he has handled the bill. I think it is fair to say on behalf of the committee that had it not been for the situation of waiting for three different authorization bills our committee would have had this bill before the Senate and passed by the Senate prior to the August recess. Our hearings were completed by that time and we would have had it passed. We did order it out of committee as soon as we had those authorizations and that is the occasion for its being before the Senate today.

I have two things in general that I wish to say about the bill. One of them pertains to a matter which really affects the jurisdiction of the Committee on Appropriations. I do not see the chairman of the other committee that is affected in the Chamber at the moment, but I do want to make this part of the RECORD.

As explained by the chairman, on the Appalachian bill there was \$350 million that we did not appropriate for this year. The reason we did not appropriate for that was that the Committee on Public Works granted advanced contract authority for the Appalachia program for \$350 million for each of 2 years for roads in the Appalachian region. This partic-

ular matter is of great concern to me, as I am sure it is to every member of the Committee on Appropriations.

The net effect of advance authorizing is to take over complete jurisdiction of the appropriation process from the Committee on Appropriations. In this particular instance the Committee on Public Works, having given the advanced authority for contracting for \$350 million, if the Appalachian Region Commission makes these contracts the Committee on Appropriations is then left with no jurisdiction whatever to act at all except to fulfill a contract that the Government has previously made.

I personally feel this is a very great error. I think it deprives the Committee on Appropriations of the right of discretion and it puts all of the authority in one committee. I would particularly hope that we try to avoid this sort of situation in the future, because one of the two committees is deprived of the right of discretion to act. It is perfectly ridiculous to assume that once the Government has made the contracts, the Committee on Appropriations will not appropriate the full amount of money.

Then, I would like to comment on three items in the bill, to which the distinguished chairman has referred. One of them is the rent supplement program, together with section 235 funds and section 246 funds, the latter two being the interest subsidy funds for home rental and the interest subsidy funds for homeownership. There is \$100 million in each of these three items.

To a person who is particularly con-

cerned about urban affairs and the social problems of the day, \$300 million might not seem like a lot of money, but I invite the attention of the Senate to the fact that these contracts go up to 40 years, and with \$300 million contained in this bill alone; that the total commitment of the Government can be as high as \$12 billion over the next 40 years.

As we appropriate each year in each of these areas, if we multiply the annual appropriations by 40, we will get some concept of the kind of commitment the Government is making to housing in one way or another.

My personal feeling is that I hope to see the time when we will gradually phase out the rent supplement program. It was the intention of the Committee on Banking and Currency, with the inception of section 235 and section 236 funds last year, to phase out the rent supplement, and that the section 235 and section 236 funds would fulfill and fill the need in our home development, home construction, and home rentals in this country.

Other than those three items, I think there are no other remarks I want to make at this time. I would invite attention to the fact that last year, up through July 1 of this year, we had already appropriated \$72 million for rent supplements. To get the full impact of that, it is necessary to multiply that figure by 40, although we may come out a little under that, but the round figure will give some idea of the commitment the Federal Government has made to housing.

Mr. PASTORE. Mr. President, I should like to pursue two of the points the Senator just made and wish to confer with him in that regard.

I call attention to page 2 of the report where we show a chronology of the three authorization bills the Senator spoke of; namely, NASA, the National Science Foundation, and the Appalachian regional development programs.

There one will readily see that the first one, NASA, was resolved in conference on November 4.

So far as the National Science Foundation is concerned, that conference report was filed October 27.

So far as the Appalachian regional development program is concerned, the conferees agreed to file a report on October 21, and later the conference report was filed.

As we stand here today, I do not think that the President has yet signed the authorizations.

Mr. ALLOTT. I am not sure.

Mr. PASTORE. Further, we explain that the subcommittee undertook hearings on June 12 and completed them on July 22. We have been waiting to mark up the bill. We could not mark up the bill until the authorization conferences were resolved. They were not resolved until November 4. Here we are, and today is November 10, the day before Armistice Day, and we acted as expeditiously as we could; but we have been waiting since July 22.

We say this with no impertinence at all to any of the legislative committees, but it seems a poor way to run a railroad.

I think the time has come when we have to be more expeditious concerning the authorizations if we are going to get the appropriation bills out.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the committee report, beginning on page 2 with the caption "Authorizations," and ending with the second paragraph on page 3.

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

AUTHORIZATIONS

Since the House passed the bill, authorizations have progressed as follows:

For the National Aeronautics and Space Administration, the authorization passed the House June 10 at \$3,966,377,000, passed the Senate September 19 at \$3,715,527,000, and the House named conferees October 30 and agreed in conference November 4 at \$3,715,527,000.

For the National Science Foundation, the House reported the authorization June 5 and passed it October 7, the Senate passed it on September 18 and the conference report was filed October 27, authorizing their regular programs totaling \$477,605,000. For national sea grants, the authorization is contained in Public Law 90-477, at \$15 million.

For Appalachian regional development programs, the authorization passed the Senate July 8, passed the House July 15, was sent to conference July 17, and the conferees on October 21 agreed to file a report, authorizing appropriations for the highway program of \$175 million for each fiscal year from 1970 to 1972 and \$170 million for 1973. The authorization also substitutes contract authority for new obligational authority for the highway program, with liquidation payments to be provided later. Nonhighway programs are authorized at \$268,500,000 for the 2-fiscal year period ending June 30, 1971.

As this report is filed, none of these authorizations have been enacted.

COMMITTEE ACTION DELAYED

The committee began hearings on the bill on June 12 with statements from some of the agencies on budget estimates. After the House reported the bill, on June 19, the committee continued hearings with statements from the remainder of the agencies on budget estimates as well as requested restorations. The committee also heard statements from numerous public witnesses on various subjects and concluded the hearings on July 22.

At that time it was the intention of the committee to report the bill promptly, with the hope that the bill could be finally enacted in the comparatively early days of the new fiscal year beginning on July 1.

The good intentions of the committee have been hopelessly stymied month after month after month by the failure of the legislative committees to act upon three authorizations which are essential to the consideration by the committee of the funding required for those agencies in the bill—National Aeronautics and Space Administration, National Science Foundation, and Appalachian Development Act.

The real victims of this frustrating delay are the other agencies in the bill that do not require annual authorization. Personnel and funding restrictions in recent years have held them back, including the continuing resolution, and they must await the enactment of the bill for any relief in the way of new authority.

CONTRACT AUTHORITY

The Appropriations Committee takes note that a practice is developing which it feels is unwise and economically inadvisable; namely, the granting of contract authority by various legislative committees without consultation with the Appropriations Committee as to what ultimate effect this might have on our fiscal stability. We would hope that the Appropriations Committee, which is responsible for all Federal appropriations, would not be denied through this process the opportunity and the jurisdiction of determining the funding process of the Senate.

Mr. PASTORE. Mr. President, this is what we say:

The real victims of this frustrating delay are the other agencies in the bill that do not require annual authorization. Personnel and funding restrictions in recent years have held them back, including the continuing resolution, and they must await the enactment of the bill for any relief in the way of new authority.

Then, of course, speaking on this question about the contract authority, our committee is pretty much irked over the procedure taking place, because we feel, there again, that is not the proper way for the Senate and the Congress to proceed.

This is what we say:

The Appropriations Committee takes note that a practice is developing which it feels is unwise and economically inadvisable; namely, the granting of contract authority by various legislative committees without consultation with the Appropriations Committee as to what ultimate effect this might have on our fiscal stability. We would hope that the Appropriations Committee, which is responsible for all Federal appropriations, would not be denied through this process the opportunity and the jurisdiction of determining the funding process of the Senate.

Mr. President, my colleague from Colorado and I both feel very strongly about this, and so does the whole committee.

I thought I would point that out again,

with no impertinence, that it should be called to the attention of the Senate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ORDER FOR RECOGNITION OF SENATOR HATFIELD TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished senior Senator from Oregon (Mr. HATFIELD) be recognized for not to exceed 45 minutes tomorrow at the conclusion of the morning business.

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

RECESS

Mr. PASTORE. Mr. President, I ask unanimous consent that the Senate stand in recess until 5 minutes of 2 today.

There being no objection, at 1 o'clock and 36 minutes the Senate recessed until 1 o'clock and 55 minutes, when called to order by the Presiding Officer (Mr. MANSFIELD in the chair).

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

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

TRUTH IS THE FIRST CASUALTY: THE GULF OF TONKIN AFFAIR

Mr. FULBRIGHT. Mr. President, in recent years it has become distressingly apparent that there is often a great discrepancy between the facts of a given international crisis and the image of them as presented by the executive branch to the American public and Congress. This may be attributed in part to the increasing complexity of our foreign relations. Upon closer examination, however, other, deeply disturbing, explanations are revealed. Foremost among these is an increasing tendency on the part of the executive branch policymakers to make arbitrary decisions regarding what the public needs, or has a right to know. In some instances, it is difficult, if not impossible to avoid the conclusion that the "facts" selected for public revelation have been chosen with an eye to their utility in justifying actions contemplated or, indeed, already taken.

There are, to be sure, certain restraints which inhibit this practice: the greater the body of openly available information, the greater the difficulty in staging selective presentations. When all the pertinent evidence of a highly classified intelligence nature, as was the case in the

events in the Tonkin Gulf on August 2 and August 4, 1964, is in the hands of the policymakers, however, the public and Congress are relatively helpless.

An even more serious aspect of such situations is the degree to which the highest policymakers themselves may be in the hands of intelligence technicians and managers operating without policy guidance or responsibility.

This problem has been carefully documented in the recently published book "Truth Is the First Casualty: The Gulf of Tonkin Affair" by Mr. Joseph C. Goulden. There is no single piece of writing on this subject which I could commend more highly to my colleagues as we struggle to extricate ourselves from the aftermath of the Tonkin Gulf affair and to assess the implications of the secret war in Laos.

Mr. Goulden's book has already received widespread and highly favorable recognition in book reviews and news articles. I ask unanimous consent that these items be printed in the RECORD.

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

[From the Dallas Morning News, Oct. 9, 1969]

THE BIG QUESTION: WHAT HAPPENED?

(By Jim Wright)

In trying to evaluate our entry to the Vietnam War, one of the first steps—and one of the hardest—is trying to find out what happened.

A new book, just out, is the result of an expert's attempt to find out what happened during the two confusing days in the summer of 1964 in the Gulf of Tonkin. In the writing business, the experts at finding out what actually happened are the reporters.

Author Joe Goulden, who once worked in that capacity for The News, was and is an excellent reporter, skilled at digging up facts, interviewing witnesses, comparing stories and giving an account of events that sorts out fact from rumor or opinion.

His efforts to find out what happened in the Gulf of Tonkin have produced "Truth Is the First Casualty" (Rand-McNally, \$6.95). In his conclusions, Goulden makes it clear that he believes the Johnson administration's actions during the incident were a "medley of misrepresentations, contradictions and half-truths."

But what lifts this book far above the mass of works on Vietnam is that the text is aimed primarily at getting the facts and letting them speak for themselves.

Goulden did not try to slant or choose his facts to project any particular line, hawk or dove, liberal or conservative. He just reported them, allowing the reader to form his own conclusions which may be somewhat different from Goulden's.

The combination of exhaustive research and objectivity in presenting the results has drawn praise from such disparate sources as the leading dove, Sen. Fulbright, and Holmes Alexander, syndicated conservative columnist.

If anything is clear about the incidents of Aug. 4, 1964, it is the lack of clarity in the reports back to the States on what happened.

On Aug. 2, the destroyer Maddox, on patrol through an area in which the South Vietnamese had recently staged commando raids, intercepted radio messages indicating that the North Vietnamese intended hostile action against the ship.

When three Red PT boats approached the Maddox in what appeared to be a high-speed torpedo attack, the destroyer fired three

"warning shots." Then, when the boats launched torpedoes, she opened fire with her main batteries, hitting one boat. The air cover called in damaged the other two boats.

The Maddox left the area, but was ordered back and two days later, accompanied by the Turner Joy, patrolled the waters off North Vietnam. Earlier on the morning of Aug. 4, the South Vietnamese raided two Red bases and the Maddox picked up radio traffic indicating that the North Vietnamese considered the U.S. destroyers to be part of the raiding force. Later that day, the Maddox' sonar went on the blink, but the ship later reported that repairs had been made.

That night in the rain and darkness, the ships intercepted Red radio messages that suggested an ambush of the two destroyers was planned. Shortly thereafter the ships began to pick up on radar what appeared to be a night torpedo attack. However, the ships had difficulty with their radars in finding and locking onto firm targets in the darkness. The Maddox sonar reported torpedoes in the water, but there were serious doubts by one sonarman that the noises were in fact torpedoes. The reports that began to go back to Washington were, as Secretary McNamara put it, "ambiguous and confusing."

The skipper of the Maddox reported back that the "entire action leaves many doubts except for apparent attempted ambush at beginning. Suggest thorough reconnaissance in daylight by aircraft."

After the engagement, the destroyers' officers tried to get eye witnesses together to form a coherent picture. The Maddox gunnery officer said he didn't think any of the Red boats had come "within gun range." The men on the bridge of the Turner Joy reported having seen a searchlight flicker briefly.

The Maddox skipper sent back another cautious report, "Review of action makes many reported contacts and torpedoes fired appear doubtful . . . Freak weather effects and overeager sonarman may have accounted for many reports. No actual visual sightings by Maddox. Suggest complete evaluation before further action."

And later: "Maddox scored no known hits and never positively identified a boat as such . . . Weather was overcast with limited visibility . . . Air support not successful in locating targets . . . There were no stars or moon resulting in almost total darkness throughout action . . . First boat to close Maddox probably fired torpedo at Maddox which was heard (on sonar) but not seen. All subsequent Maddox torpedo reports were doubtful in that it is supposed that sonarman was hearing ship's own propeller beat."

In Goulden's efforts to find out what happened, his most notable finding was that nobody knows, even now, exactly what really happened in the Gulf of Tonkin that night or, in fact, if there really was an attack by the Red PT boats at that time.

Months later, according to Goulden, President Johnson brought up the incident of Aug. 4 in private conversation and said, "For all I know, our Navy was shooting at whales out there."

The significance of this event and the confusion surrounding it goes far beyond the event itself, the handling of it by the Johnson administration or even the U.S. war effort in Vietnam.

It bears directly on two agonizing problems of survival in a nuclear-armed world. There is, first, the intelligence and technological problem of trying to get the facts straight in a fast-moving situation. It is often hard enough for the men on the spot to get a clear picture, let alone the nation's leaders who are 10,000 miles away and forced to rely on second hand information.

And it is the latter who must make decisions on the survival of men and nations.

The second problem is that of determin-

ing who makes the final war decisions and by what procedure. The constitutional power to commit the nation to war belongs to Congress, yet it has increasingly been exercised by the executive in this century. Declarations of war are outmoded for missile wars.

Yet the hair-trigger response needed to deter nuclear war may lead to dangerous miscalculation when tripped by mistaken or conflicting reports from the field.

Both of these problems require serious national debate that is designed to reach workable solutions, Goulden's book does not furnish any pat answers, but it gives a better understanding of the question.

[From the Boston (Mass.) Christian Science Monitor, Sept. 20, 1969]

RED TARGETS VANISHED? BOOK GIVES NEW LOOK AT TONKIN GULF AFFAIR

(By Richard L. Strout)

WASHINGTON.—Seaman Patrick N. Park, United States Navy, had his finger on the device that would fire the 6 five-inch guns of the Destroyer USS Maddox near midnight Tuesday, Aug. 4, 1964.

"Open fire!" ordered the bridge.

The target was right on him, about 1,500 yards off the side, a nice fat blip on his radar controls. The two destroyers, Maddox and C. Turner Joy, had been firing for three hours in the eerie, lightning-lighted overcast at what they took to be enemy attackers like those in the daylight attack two days before.

More than 20 times the sonarman called out "torpedoes in the water," sending the destroyers into zigzag turns.

Time and again the Turner Joy reported ranges of "targets" upon which it was firing. But the Maddox's own radar room, near to anguish, could find nothing since the first contacts and was having trouble locating even the Turner Joy.

Seaman Park's hand went to the trigger—hesitated. "Where is the Turner Joy?" he demanded through the intercom.

COMMAND REPEATED

"Open fire before we lose contact!" came back the command in his earphones. The seaman faced possible court-martial. "I'm not opening fire until I know where the Turner Joy is," he said.

The bridge spoke to its sister ship over the phone: "Turn on your lights, Turner Joy."

There she was, right in Park's cross hairs. "I had 6 five-inch guns right at the Turner Joy, 1,500 yards away," Patrick Park told Joseph C. Goulden, author of a new book, "Truth Is the First Casualty: the Gulf of Tonkin Affair—Illusion and Reality" (\$6.95; Rand McNally & Co.).

"If I had fired, I would have blown it clean out of the water. In fact I could have been shot for not squeezing the trigger. . . . People started asking, 'What are we shooting at? What is going on?' We all began calming down. The whole thing seemed to end then."

Only it didn't end.

JOHNSON DRAWN IN

The Tonkin Gulf incidents—the actual attack by North Vietnamese boats on the Maddox Aug. 2, 1964, and the supposed engagement between the Maddox, the Turner Joy, and North Vietnamese vessels the night of Aug. 4—triggered a reaction in Washington in which President Johnson did not withhold his finger.

Here is the reported chronology from then on:

Mr. Johnson ordered retaliatory bombings within 12 hours of the supposed (second) attack. It was not till after the first U.S. bombers had started out that Capt. John J. Herrick, commander of Tonkin Gulf Patrol, reported to the Pentagon that air support did not locate any targets; that Maddox scored no known hits; that it never positively

identified a boat; that a "probable" torpedo was detected on sonar but that "Maddox torpedo reports are doubtful in that it is suspected that sonarman was hearing ship's own propeller beat."

Mr. Johnson late at night solemnly told the nation over TV that "air action is now in execution" against North Vietnam.

RESOLUTION RESULTS IN BUILDUP

On Aug. 7, 1964, at Mr. Johnson's request, Congress passed with but two dissenting votes—Sens. Ernest Gruening (D) of Alaska and Wayne Morse (D) of Oregon—a generalized Tonkin Gulf Resolution which Undersecretary of State Nicholas deB. Katzenbach later called the "functional equivalent" of a declaration of war. Within a year U.S. troops in Vietnam rose from 16,000 to half a million.

It is possible that the second Tonkin Gulf attack never occurred. There is no doubt about the first, however. It did occur. But there were elements which Congress did not know.

Then Secretary of Defense Robert S. McNamara told Congress that there had been "unprovoked and deliberate attacks in international waters on our naval vessels."

Congress did not know that on July 30 and 31 South Vietnamese patrol boats attacked a Communist area (Hom Me). Just subsequent to this the USS Maddox began its patrol in the same area. It apparently came within four to six miles of the area previously attacked by the South Vietnamese.

RADIO WARNING REPORTED

On Aug. 2 radio intercepts by the Maddox indicated preparations to attack it. It put out to sea on the ground of "unacceptable risk." The Seventh Fleet commander, however, ordered it to resume patrol.

Later, an attack actually occurred by three high-speed Communist PT boats. The Maddox had moved from 4 miles off the Communist area to 30 miles off coast. The enemy PT boats were damaged, the U.S. destroyer was not.

On Aug. 3 Captain Herrick recommended termination of the patrol; Adm. Ulysses S. Grant Sharp, then Pacific Forces commander, refused. Captain Herrick reported that radio intercepts indicated that the enemy considered the U.S. patrol part of the South Vietnamese attack.

When Congress passed the Tonkin Gulf resolution, Mr. Goulden recalls, it did not know that the Communists apparently thought the U.S. patrol and the South Vietnamese attack were one operation. Nor, he said, did they know that the so-called second "attack" may not have occurred at all.

[TRB from Washington]

THE SHORT WAR

In the summer of 1967, I took a 10,000-mile trip across America in a battered old Rambler, asking people everywhere what they thought of the war. They didn't think much of it. It had been going on 17 years for the Vietnamese but only about two for the US if you start from the big troop buildup. People shrugged; they didn't like the war but felt it had to be finished; it was bound to be short, thank God.

Then about midsummer President Johnson suddenly said that the nation faced a \$25-billion deficit and that he wanted a \$10-billion tax increase. Maybe it was my imagination but I thought I felt the mood stiffen. By Denver I was pretty sure of it. "President Johnson is in trouble, bad trouble," I wrote.

The war still goes on and two or three hundred Americans get killed every week. There have been several new developments. Ho Chi Minh has died. The State Department is weighing what Hanoi's chief negotiator at Paris meant when he said a sizable withdrawal of US troops might break the deadlock (was this a signal?). In Saigon, our man Thieu picked a new premier (a general), and enlarged his cabinet (soldiers and techni-

cians of the old regime) but didn't broaden its base which is what it agonizingly needs. Truong Dinh Dzu, the runner-up peace candidate in the September, 1967 election, got five years in jail for his presumption.

Here at home, the draft generation is going back to college. Everybody hopes they won't be violent. After all, why should they be? The country is prosperous! It is in the eighth year of the longest uninterrupted upswing in history, and the Vietnam war is fattening dividends, making big corporations bigger and pumping \$30 billion a year into the economy. Why should those kids behave so uncooperatively; what's bugging them, anyway? They have nothing to lose but their lives.

"But what are we fighting for?" ask the youngsters. Ah, to be sure; that's the question. Glad you asked me that.

We are fighting, I suppose, for reasons that go back a long way. America has a yen for world-crusading, followed by resentful periods of isolationism. After World War II our ersatz partnership with Russia collapsed suddenly in angry confrontation. If you believed spheres of influence were bad, that a balance of power was a makeshift, that Soviet control was temporary, that saboteurs in the State Department had "betrayed" China, that nations would implacably put ideology ahead of national interest, and that Communism was a monolithic world conspiracy—then the war in Vietnam made sense.

So, perhaps, would any war of containment. The US had very good reason for wanting to stop Moscow after the war, but it developed into a frenzy that threatened to commit the country beyond its capacity. General Douglas MacArthur warned that anyone who got the US into a land war in Asia ought to have his head examined. Walter Lippmann looked at the matter with Olympian calm. He urged succeeding Presidents to uphold our presence in Asia by sea and air forces and not to get bogged down in guerrilla fighting. It would be like an elephant fighting a swarm of mosquitoes, he said. Vietnam was not external aggression, he declared, but a civil war. In December, 1966, he wondered in print whether Lyndon Johnson "will not withdraw before 1968?" He wrote that "if the only way out of the quagmire is to elect a Republican it is not improbable that there will come forward a Republican to elect." Mr. Lippmann has made his share of mistakes in 60 years of journalism but as he reaches his 80th birthday, September 23, he can boast remarkable prescience on Vietnam.

The great theory of monolithic Communism fell apart when Peking and Moscow split. (There is even now talk of a preemptive Russian strike against China.) In Europe Mr. Nixon has just visited a Communist country, Rumania. This softens a little the rationale of our Asian crusade.

But there was the "domino theory." Depending on circumstances it may have validity, but then, why is the U.S. so agonizingly alone in the war? James C. Thomson, Harvard East Asian specialist, says, "the domino theory was not merely inaccurate but also insulting to Asian nations." Again, there was Walt Rostow's theory that phased bombing would bring North Vietnam quickly to its knees. Well, it didn't. It is now almost universally acknowledged that the bombing strengthened Vietcong morale.

There was the 1964 Tonkin Gulf incident that gave LBJ the functional equivalent of a declaration of war. Only two senators voted against the resolution, Morse and Gruening—both defeated in 1968. A startling book is just to be published, "Truth is the First Casualty: The Gulf of Tonkin Affair," by Joseph C. Goulden (\$6.95; Rand McNally). I can read it with no other thought than that Congress was deceived, perhaps deliberately. Even while U.S. retaliatory bombs were falling on North Vietnam the Administration was frantically pleading for verification that enemy patrol boats in Tonkin Gulf had actually attacked our destroyers, and getting

foggy answers. In fact, in that eerie, overcast night, with fitful lightning flashes and a damaged sonar system, it is not certain that enemy boats were even present.

The public now mostly thinks the war was a mistake. One casualty is social reform at home—the poor old Great Society. Lyndon Johnson was saying only last year that the amount of money required to bring every last American up out of deep poverty was only the equivalent of a quarter of the nation's annual economic growth. In a war with bands and banners, and patriotic zeal, you can wage war on two fronts, but this was different. A taxpayers' strike doomed the double effort.

Two years ago people across America were not bothering much about the merits of the war, the big thing was that it would be over quickly; it would be cheap and easy. Anybody could see a primitive land of 16 million couldn't stand up long against a giant of 200 million. . . .

So why fight now? Because, I suppose, we feel we have certain obligations and to save face, and because we are trapped. Is that worth 200 to 300 lives a week? Not for me, it isn't.

[From the Army Times, Oct. 15, 1969]

PROVOCATIVE STUDY: TONKIN BAY INCIDENT: FICTION VS. FACT

(Reviewed by John Romer of "Truth is the First Casualty" by Joseph C. Goulden. Rand McNally, N.Y., 285 pages, \$6.95.)

After reading this shocking, provocative account erupting from the Gulf of Tonkin incident, one would almost be forced to admit that the truth no longer hurts. It is frightening.

"Nothing overshadows truth so completely as authority," said a wise man, particularly when authority has the ability to shade facts and fill the gaps with fiction. And the characters who played lead roles in this living drama at times as if they were performing (in reality they were campaigning). At least this is the conclusion this reader draws from this expose.

Take the best efforts of Perry Mason, James Bond, Adam Smart and Commander McHale. Put Perry on the Hill to conduct Senate Foreign Relations Committee hearings.

Unfortunately the Tonkin incident is no scenario. It had no writer to think ahead. And the results were horrendous.

According to Goulden's fact-laden account, the incident had to be played by ear. But what was heard was not always fact. A considerable dose was vague to say the least. And his book austere hangs a dark cloud of suspicion over the credibility of some of our leaders—past and present.

He does a frightening job in piecing the conglomeration of fact and "reportedly fiction" to tell his readers what happened in August 1964. But Goulden does not cut the line there. He pulls names and events from the past to draw parallels of how similar incidents could have been.

No one escapes scrutiny which begins at the top of the ladder with President Johnson and slides down to the radarman on the destroyer Maddox at the time of the reported incident.

Unfortunately, Goulden's book does not answer all the questions which triggered escalation in Vietnam. He admits this in his epilogue. But Goulden has done as thorough a job as could be done.

Despite the negative information turned up against high-ranking officials, Goulden's candid report is rigidly objective. All accusations—and there are plenty to make—are left to the reader and the Senate investigation committee. His interjected opinion is held to a minimum. Then only to clarify a statement or sketchy fact.

The entanglements, political maneuvers, personality clashes and outright contradic-

tions spawned by the Tonkin incident are bluntly told.

It is difficult to describe the reaction a reader could get from this book. It is frightening and can be quite depressing. Nonetheless, this book is a must for all.

[From the New York Times, Oct. 4, 1969]

BOOK GIVES VIEW OF TONKIN AFFAIR—SAYS JOHNSON ATTEMPTED TO STOP A FULL INQUIRY
(By E. W. Kenworthy)

WASHINGTON, October 4.—A new book on the affair in 1964 in the Gulf of Tonkin states that the Johnson Administration tried in December, 1967, to avert a full-scale inquiry into the affair by the Senate Foreign Relations Committee.

The title of the book, just published, is "Truth Is The First Casualty—The Gulf of Tonkin Affair, Illusion and Reality." The author is Joseph C. Goulden, a former Washington reporter for The Philadelphia Inquirer. The publisher is Rand McNally & Co.

Mr. Goulden relates how Under Secretary of Defense Paul H. Nitze and Secretary of the Navy Paul R. Ignatius visited Senator J. W. Fulbright, chairman of the committee, and Senator Richard B. Russell, then chairman of the Armed Services Committee, and "strongly pleaded that the Foreign Relations Committee should abandon any thought of reopening the Tonkin incident, saying it would be a 'bad show' for the United States."

DENIED U.S. INVOLVEMENT

According to Mr. Goulden, Mr. Nitze strenuously denied the United States destroyers Maddox and C. Turner Joy were implicated in any way in the attacks by South Vietnamese boats on the North Vietnamese islands of Hon Me and Hon Ngu on July 31 and against North Vietnamese radar security stations on Aug. 3.

Because the destroyers were not serving as cover or decoys for the South Vietnamese attacks, Mr. Nitze insisted that the North Vietnamese had no provocation for a PT-boat attack on the Maddox on the night of Aug. 2 and another on both destroyers on Aug. 4.

As to whether there was actually an attack on Aug. 4—which was to be a principal object of the committee's inquiry—Mr. Nitze, according to Mr. Goulden, conceded there had been "some initial doubts about details of the August 4 engagement because of 'reporting and communications snafus' but that all questions had been resolved before (President) Johnson ordered the (retaliatory) air strikes (12 hours later on Aug. 5.)"

MISSION TERMED "FAILURE"

Mr. Nitze's mission, Mr. Goulden writes, "was an unqualified failure," and the committee continued its investigations.

The principal witness in that inquiry was Secretary of Defense Robert S. McNamara. It was on the basis of his testimony that Congress quickly passed, with only 2 dissenting votes, the resolution proposed by President Johnson authorizing the President to take all measures deemed necessary to repel attacks on United States forces and "to prevent further aggression."

Mr. Johnson later used the resolution to justify the bombing of North Vietnam and the commitment of United States soldiers to combat.

One of the Maddox crewmen interviewed by Mr. Goulden was Patrick N. Park, an enlisted sonar man, who on the night of Aug. 4 was posted in the main gun director, watching the radar controlling the six five-inch guns. This radar was more sensitive than the ship's main radar at short ranges.

NOTHING ON RADAR

Seaman Park told Mr. Goulden that although the Turner Joy had been continually reporting the ranges of targets at which it was firing, he had seen nothing on his radar "but the occasional roll of a wave as it broke into a white cap."

"Then," Mr. Goulden writes, "A few minutes before midnight, the bridge gives Park a range reading from Combat Information Center. Park hastily directs the gun-control radar toward the area of contact

"It was a damned big one, right on us. No doubt about this one," he said. "About 1,500 yards off the side, a nice fat blip." Park asks for the firing key—that is, for control of the triggering device on the five-inch gun mounts—and for permission to fire. "Open fire!" is the response. Park tells what happened:

"Just before I pushed the trigger I suddenly realized, that's the Turner Joy. This came right with the order to fire. I shouted back, "Where is the Turner Joy?" There was a lot of yelling of "God damn" back and forth, with the bridge telling me to fire before we lose the contact, and me yelling right back at them.

"I finally told them, "I'm not opening fire until I know where the Turner Joy is." The bridge got on the phone and said, "Turn on your lights, Turner Joy."

"Sure enough, there she was, right in the cross-hairs. I had six five-inch guns right at the Turner Joy, 1,500 yards away. If I had fired it would have blown it clean out of the water. In fact, I could have been shot for not squeezing the trigger."

Mr. Goulden writes that Seaman Park said that after this near disaster: "People started asking: 'What are we shooting at? What is going on?' We all began calming down. The whole thing seemed to end then."

[From the Chicago (Ill.) Tribune, Sept. 19, 1969]

NAVY FOULUP IN TONKIN GULF ATTACK TOLD—ASSERTS MADDOX GUNS PERILED TURNER JOY
(By Fred Farrar)

WASHINGTON, September 18.—A crew member aboard the destroyer Maddox when it and the destroyer Turner Joy were attacked the night of Aug. 4, 1964, in the Gulf of Tonkin has been quoted as saying that the Maddox nearly opened fire on the Turner Joy in the confusion of the controversial attack.

He is quoted as saying the Turner Joy would have been blown out of the water if the Maddox had opened fire.

RELATED IN BOOK

The account of the incident as related by the former crewman is contained in a book to be published here Monday by Rand McNally & Co. entitled "Truth Is The First Casualty; The Gulf of Tonkin Affair—Illusion or Reality."

The author, Joseph C. Goulden, a former Washington correspondent for the Philadelphia Inquirer and now a free-lance writer, quotes Patrick N. Park, who subsequently left the Navy and is now living in California, as saying he was working as the main gun director of the Maddox during the night of the attack and that the main radar room was having difficulty getting and keeping contact with the North Vietnamese torpedo boats which the Maddox believed were attacking it. Then, Goulden writes:

SPOTTED BY RADAR

"Around midnight Park . . . was given a range on a target spotted by the main radar room. 'The finest target we've had all night.'

"He directed his radar toward the target. 'It was a damned big one right on us, no doubt about this one. About 1,500 yards off to the side, a nice fat blip.'

"Park asked for the firing key—control of the triggering device on the 5-inch gun mounts—and for permission to open fire. Park tells what happened next:

"Just before I pushed the trigger, I suddenly realized—that's the Turner Joy. This came right with the order to open fire.

"I shouted back, "Where's the Turner Joy?" There was a lot of yelling back and forth, with the bridge telling me to fire before

we lost the contact, with me yelling right back at them. . . ."

REFUSED TO FIRE

Park, according to Goulden, said he refused to open fire until he knew where the Turner Joy was and the Turner Joy was told to turn on its running lights. Goulden goes on to quote Park as saying:

"Sure enough, there she was. Right in the cross hairs. I had six 5-inch guns right on the Turner Joy, 1,500 yards away.

"If I had fired, it would have blown it clear out of the water. All I had to do was squeeze the trigger. In fact, I could have been shot for not squeezing the trigger."

Elsewhere in the book, Goulden says without attribution that between the first attack on the Maddox on Aug. 2, 1964, and the attack on the Maddox and the Turner Joy two days later former President Johnson used the so-called hot line between Washington and Moscow for the first time.

CITES U.S. RIGHTS

Goulden said Johnson told then Premier Nikita Khrushchev that he was sending the Maddox and the Turner Joy back into the Gulf of Tonkin after the first attack only to demonstrate the American right to operate in international waters and that the United States did not want to widen the war.

Asked about the assertion, Johnson's office in Austin, Tex., said the hot line was not used during the time of the Gulf of Tonkin incident.

In his book, Goulden suggests that evidence uncovered after the Gulf of Tonkin incident casts doubt on whether there ever was a second attack.

Johnson used the Gulf of Tonkin resolution passed by Congress as a result of the second attack as authorization for sending American combat troops into South Viet Nam in large numbers, starting in 1965.

[From the Library Journal, Sept. 15, 1969]

(Goulden, Joseph. "Truth Is The First Casualty." 288p. maps. biblog. index. Rand McNally, Oct. 1969. \$6.95. LC 70-90840. Political science.)

A first-class piece of research and writing, this work shows how the Gulf of Tonkin incidents of August 1964, involving the USS Maddox and resulting in the Gulf of Tonkin Resolution, were handled in such a way as to deceive the American people and Congress. This deception led to the passage of a resolution that was the functional equivalent of a declaration of war. It divided the body politic and damaged the relations between President Johnson and Congress. Through careful documentation, Goulden narrates the action reports of the USS Maddox and indicates how they were misinterpreted and distorted at a time when the true scope of United States operations in Vietnam as hidden from the public because of impending Presidential elections. Because of the tenacity of Senator Fulbright, originally a supporter of the Gulf of Tonkin Resolution, the duplicity of the Johnson Administration was exposed. This book is worthy reading because it demonstrates how a government can knowingly or unknowingly distort the truth about any international incident and bring its people into a war. Of comparable importance is how the Congress of the United States has allowed much of its power to be taken over by the executive branch of the government. Recommended for all libraries.—Alex Birkos, ABC-Clio Press, Santa Barbara, Calif.

[From the Houston (Tex.) Chronicle, Sept. 28, 1969]

THE TONKIN AFFAIR—FACT OR FANTASY?

(By Nathan Broch)

(Truth is The First Casualty, the Gulf of Tonkin Affair—Illusion and Reality, by Joseph C. Goulden, Rand McNally, \$6.95.)

Among history's least pleasant ironies are the battles and incidents fought or manufactured on the world's most placid waters. It is therefore not surprising that the Gulf of Tonkin should have been the setting for America's open-ended involvement in Vietnam. What is astounding, however, is the ease with which an American Congress, comprised in its entirety of adult U.S. citizens, accepted with only two opposing votes what even in that long-ago summer of 1964 looked and almost smelled either like an American error or suicidal North Vietnamese madness: On Aug. 2, 1964, North Vietnamese boats attacked the U.S. warship Maddox. During the night of Aug. 4, 1964, the North Vietnamese again indulged in a "supposed engagement between the Maddox and the Turner Joy." Both events took place in the Gulf of Tonkin and were promptly labeled by Washington as "unprovoked and deliberate attacks in international waters on our naval vessels." On Aug. 7, 1964, Congress passed the now-somewhat-limping but still historic Tonkin Gulf Resolution which led President Johnson to raise the 16,000-man U.S. Advisory force in Vietnam to well above the half-million nonadvisory and highly combatant mark.

Joseph C. Goulden, a longtime Washington newsman with excellent connections and a fine nose for details, dissects the Tonkin Gulf incidents with equal measures of brilliance and candor—one as salutary as the other. He believes the Tonkin Gulf Resolution should not have been passed and that it "contains the fatal taint of deception" on the part of the Johnson administration. He condemns President Johnson for having used the resolution "as his basic congressional authority for conduct of the war."

[From the Livermore (Calif.) Herald & News, Sept. 18, 1969]

A SHAMEFUL CHAPTER IN NAVY HISTORY
(By Holmes Alexander)

WASHINGTON.—For years our U.S. Navy has been in a streak of bad luck, and a just-published book about Tonkin Gulf indicates how remorselessly misfortune rides the waves.

Worse, this book by Joseph Goulden, "Truth Is the First Casualty," has given inordinate delight to a couple of unilateral disarmament buffs, Senators Bill Fulbright and Frank Church.

"It was a fitting book for me to read over the Fourth of July," says Fulbright in a mash-note to the publisher.

"Thank you (Rand McNally & Co.), and Mr. Goulden," gurgled Church in a similar letter.

Why any American should be happy over such terrible events, I just dunno. It's a book to make the angels weep. I think they must have begun sobbing for the Bay of Pigs (a Navy officer was President then), and kept right on moaning for the USS Liberty, the USS Pueblo, the Navy EC-121 and so much else that has gone wrong in the Stressful Sixties. Joe Goulden, the author, shudders, to do him credit, as he tells Maddox and USS Turner Joy during the first week of August, 1964.

These two destroyers became a pair of pawns in one of the crookedest chess-games ever played on the international board. To begin with, President Johnson needed a pretext to get what was described as the "functional equivalent" of a declaration of war out of Congress. The document, later the Tonkin Gulf Resolution of Aug. 5, 1964, had been drafted by McGeorge Bundy back in June. It was quickly updated between Aug. 2 (after a flea-bit attack on the Maddox) and Aug. 4 (when attacks on the Maddox and the Turner Joy allegedly took place, but in all probability never did).

"For all I know, our Navy was shooting at whales out there," the President privately admitted later, in one of the many aston-

ishing revelations in this book. His administration did not produce a single member of the two ships' crews, including their commanders, who could testify that North Vietnam ships fired on the U.S. vessels that dark night of August 4.

The closest moment of peril came when Seaman Patrick Park, the Maddox sonarman, was ordered to press a button that would have fired six five-inch guns into a supposed enemy target, which turned out to be the sister ship.

"Just before I pushed the trigger," Park said afterwards, "I suddenly realized, 'That's the Turner Joy.'"

What would have happened if one U.S. destroyer had blown another out of the water at a time when the Navy was trying, under political orders, to draw enemy fire? Had this happened and been truthfully revealed, it's conceivable that Johnson would have taken himself out of the presidential race, as he did some five years later. We might have had Barry Goldwater elected on his policy, "Why Not Victory?" instead of Johnson elected on his devious policy of preaching peace, planning escalation, posturing as a world strategic, waging limited and indecisive war.

This lively book actually becomes tiresome in listing and exposing all the deceits of Johnson and the yes-men liars around him. The Maddox was not on a "routine patrol" but was an electronic spyship. The Communists had every reason for supposing it was a decoy for South Vietnam raids simultaneously being carried on in other ships supplied by the U.S. Navy. The retaliation bombing of North Vietnam took place while Johnson was still frantically trying to get "proof" that the non-attacks on the Maddox and Turner Joy had been real attacks.

It is a sorry story. It involves high-ranking Navy officers, as well as their commander-in-chief and Defense Secretary. It is a book that should have been written and published, for the sake of shameful truth.

But I can't imagine how Senator Fulbright, writing on Foreign Relations Committee stationery and signing himself "chairman," could call it "fitting" reading for the Fourth of July.

[From the Chicago (Ill.) Sun-Times, Sept. 21, 1969]

BOOK, "TRUTH IS FIRST CASUALTY," ADDS TO TONKIN DOUBT

WASHINGTON.—"For all I know, our Navy was shooting at whales out there," President Lyndon B. Johnson is quoted as saying in a new book purporting to give the full story of the Gulf of Tonkin incident that led to full-scale U.S. involvement in Vietnam.

The book, "Truth Is the First Casualty" by Washington newsman Joseph C. Goulden, says Mr. Johnson made the statement in 1965 referring to Navy reports the previous year of Communist torpedo boat attacks on the American destroyers Maddox and Turner Joy.

Goulden's book, to be issued Monday by Rand-McNally, presents an in-depth report on the incidents which led to congressional passage of the "Tonkin Gulf Resolution" which gave the President authority to use whatever force might be necessary in Vietnam.

The resolution subsequently was cited by Mr. Johnson and Sec. of State Dean Rusk as legal authority for the commitment of a full-scale U.S. war effort there.

Yet soon after the double incidents in the gulf in August, 1964, rumors began circulating that the reported second attack by North Vietnam on the destroyers never really happened.

As presented by the Navy to Congress at the time, the facts were that the patrol ship Maddox was attacked by three small North Vietnamese gunboats in international waters of the gulf on Aug. 2 and repelled the vessels after sustaining minor damage.

Mr. Johnson promptly warned Hanoi the United States would retaliate if any additional such attacks occurred. On the night of Aug. 4, the Navy said, the Maddox and the Turner Joy were steaming south out of the gulf when they were fired upon by an undetermined number of the little boats, which the Vietnamese call "swatows."

Within hours, a fleet of U.S. bombers attacked naval installations on the North Vietnamese coast, and the Tonkin Gulf resolution was sent to Congress.

OR WERE THE "BOATS" JUST WAVES?

The Senate Foreign Relations Committee conducted a full investigation last year into the circumstances of the second incident. It took place on an "ink black" stormy night in which cresting waves could be mistaken on radar screens for small pursuing boats, and when the heavy wakes created by the destroyers' own evasive courses were virtually identical with torpedo tracks on sound detection units.

The committee drew no conclusions as to whether the attacks occurred but did determine there was sufficient doubt indicated in the official messages at the time that Washington should have been more cautious about reacting.

REVEALING INTERVIEWS WITH CREWMEN

Goulden's book described the Senate investigations in depth and added another dimension to the story through interviews with many of the crewmen involved, something committee chairman J. William Fulbright (D-Ark.) has since conceded the committee should have done itself.

One of the interviews cited in the book was with a Maddox sonarman, Patrick N. Park of California. He described the hours he spent vainly watching for targets on his screen and wondering where the Turner Joy was finding the targets at which it was firing.

Finally, a few minutes before midnight, the bridge gave Park a range reading.

"It was a damned big one, right on us," Park is quoted by Goulden. "No doubt about this one. About 1,500 yards off the side, a nice fat blip."

WHERE IS THE TURNER JOY?

Park asked for, and got, control of the firing key for the five-inch gun mounts, along with permission to fire. Park's story continued:

"Just before I pushed the trigger I suddenly realized, that's the Turner Joy. This came right with the order to open fire. I shouted back, 'Where is the Turner Joy?' There was a lot of yelling back and forth, with the bridge telling me to fire before we lose the contact, and me yelling right back at them . . . I'm not opening fire until I know where the Turner Joy is."

Finally the bridge radioed the Turner Joy to turn on her lights, and Park said: "Sure enough, there she was, right in the cross hairs. I had six five-inch guns right at the Turner Joy, 1,500 yards away. If I had fired, it would have blown it clean out of the water. In fact, I could have been shot for not squeezing the trigger."

[From the Saturday Review]

(By William R. Corson)

(NOTE.—William R. Corson based his controversial book, "The Betrayal," on his experiences as the Marine colonel with the principal responsibility for the pacification program in Vietnam.)

("Truth Is the First Casualty: The Gulf of Tonkin Affair—Illusion and Reality," by Joseph C. Goulden, Rand McNally, 285 pp., \$6.95.)

The blunders and perfidy surrounding America's entry into the Vietnam War are devastatingly bared by Joseph Goulden in *Truth Is the First Casualty*. By meticulous attention to detail the author has reconstructed the actual events surrounding the

Gulf of Tonkin affair, related these events to the general situation of which they were but a part, and shown how they bear on our future ability or inability to avoid national catastrophes like Vietnam.

Goulden's presentation of the tangled web of official deception surrounding the Gulf of Tonkin "attack" is straightforward and reportorial. In Part One, entitled "The Illusion," he shows how the Gulf of Tonkin incidents were described to the United States Congress and the American people by the Johnson administration between August 2 and August 9, 1964. This section of *Truth Is the First Casualty* reveals quite clearly President Johnson's arm-twisting style of leadership and the confusion it created among his principal advisors as each subordinated his responsibilities to the task of keeping the Chief Executive satisfied. There is not so much a tale of conspiracy in high places as one of surrender of independent judgment to President Johnson's ego.

Part Two—"The Reality"—reviews the same incidents, not as they were depicted to the Congress and the American people, but, as Goulden is able to demonstrate, the way they actually occurred. He also points up how those who direct America's hydra-headed world-wide electronic and scientific espionage apparatus exist almost as a law unto themselves and, in fact create the very conditions that make war by accident more likely than not. This portion of Goulden's book is of considerable significance because it shows most clearly the menace to our nation from faceless, nameless individuals who are able to define the national interest according to their own lights. From Goulden's disclosures about the "dangerous business of electronic espionage" and the paramilitary activities of the United States before Tonkin it seems evident that, regardless of the true intentions of the President and those who surround him, all are captives of an intelligence/information system that is beyond their capacity to control or understand.

President Johnson's information/decision system is starkly revealed in all its inadequacies by the actions of one lone sailor, Patrick N. Park, who refused to be swept along by the pressures originating in Washington to execute his assignment of firing the guns of the *USS Maddox* against the "enemy" targets in the Gulf of Tonkin on the night of August 4, 1964. Park, who was in control of the *Maddox's* main gun battery firing key, said:

"I finally told them, 'I'm not opening fire until I know where the *Turner Joy* is.' The bridge got on the phone and said 'Turn on your lights, *Turner Joy*.' Sure enough, there she was, right in the cross hairs, I had six five-inch guns right at the *Turner Joy*, 1,500 yards away. If I had fired, it would have blown it clear out of the water. All I had to do was squeeze the trigger. In fact, I could have been shot for not squeezing the trigger."

Goulden comments: "What if Seaman Park had fired? The possible consequences are too frightening to contemplate." But one thing is certain from reading Goulden's book: never was it so necessary for one man to defy so many.

In Part Three—"The Revelation"—the author recounts the process through which the United States Senate learned of the difference between illusion and reality in the Gulf of Tonkin affair. Here Goulden traces the incidents leading to Senator Fulbright's disenchantment and final awareness that he, like the rest of the Senate and the public, had been deceived by President Johnson's and Secretaries McNamara and Rusk's distortion of the facts about Tonkin. These events underscore the decline of our nation's system of checks and balances to prevent such an anomaly as a "Presidential War." Fortunately, there was a few hardy souls in the government hierarchy who were willing to jeopardize their own positions in order to

expose the truth about Tonkin to Mr. Fulbright and other members of the Senate.

For those who have been growing increasingly uneasy about the operations of our national security machinery *Truth Is the First Casualty* is an important book. By revealing the actual story and the significant issues of the Gulf of Tonkin affair Goulden has raised serious questions concerning the drift of national policy, the division of war-making power between the President and the Congress, and the almost frenetic efforts of elected and appointed officials to keep unpleasant truths from the American public. Thanks to his sharp focus on the last, Goulden has performed a major public service by showing the explicit and implicit hazards in "government by secrecy."

Truth Is the First Casualty provides the factual basis on which to begin a full re-examination of our national security goals and how they might be achieved, or changed. The book is highly recommended to those who may be disposed to believe that in times of war and hostilities the one casualty we cannot afford to sustain is Truth.

THE TRUTH ABOUT THE TONKIN GULF (By Wayne Morse)

("Truth Is the First Casualty," by Joseph C. Goulden; Rand McNally, \$6.95.)

"Truth Is the First Casualty" is an appropriate title for this book of disclosures about the cover-up job done by the Johnson Administration in concealing the truth from Congress and the American people concerning the events in the Gulf of Tonkin between August 2 and August 9, 1964. An equally appropriate title would be: "Truth Will Out."

The author carefully documents the misrepresentations by spokesmen for the Johnson Administration. The Congress and the American people were deceived. If only a small percentage of the truth had been told, the Tonkin Gulf Resolution never would have passed the Senate; I doubt if it even would have been called up for a vote.

This book should be read by all who have doubted the charge, which I made in the Senate, that the United States was a provocateur in the Gulf of Tonkin. It should be read by those who have doubted that the United States committed acts of aggression there. It should be read by those who never knew or chose to ignore that—to use the words of Under Secretary of State Nicholas deB. Katzenbach, as quoted by the author—"It was subsequent to the Tonkin Gulf Resolution that North Vietnam used regular military forces to come across the demilitarized zone and down the Ho Chi Minh Trail to engage in support of the insurgency movement there. . . . Indeed to invade and to commit an act of aggression against South Vietnam. That came subsequent to Tonkin."

Secretary Katzenbach, in keeping with the Johnson Administration line, called the military intervention by North Vietnam "an invasion to commit an act of aggression against South Vietnam." To the contrary, North Vietnam responded to the acts of aggression committed by the United States against her in the Gulf of Tonkin. She also responded to the acts of aggression committed by South Vietnam in the bombardment of two security posts on the mainland, and two islands a few miles off her coast.

The author discloses that these acts of aggression by South Vietnam were committed July 30 and July 31, 1964. The code name for the naval attack by South Vietnam against North Vietnam was Operation 34. It was a plan of which the United States Navy was fully aware. In fact, the United States supplied South Vietnam with the boats, trained the crews, supplied the weapons and torpedoes, and advised in the preparation of the plans for the attack.

Yet, as the author points out, Secretary of Defense Robert McNamara testified at the Senate hearings on the Tonkin Gulf Resolution that the United States Navy played ab-

solutely no part in, was not associated with, or was not aware of any South Vietnamese actions in connection with the bombardment of North Vietnam by South Vietnamese naval vessels during Operation 34. Secretary McNamara's statements simply were not true.

The author documents the references to Operation 34 in various U.S. Navy and Pentagon messages exchanged throughout the period of the Tonkin Gulf incidents. In fact, the record made by the Senate Foreign Relations Committee in its subsequent investigations of the Tonkin Gulf crisis produced its disclosures of February, 1968, showing that truth was the first casualty in the Johnson Administration's account of the Gulf of Tonkin incidents.

The United States involvement in the Tonkin Gulf incidents helped direct attention away from our country's military intervention into a civil war in Vietnam. It clouded the thinking of many Americans concerning our violations of the United Nations charter, the Geneva Accords, and our own Constitution.

The author also indicates some of the dangers of government by executive supremacy, government by secrecy, and government by abdication of Congressional powers and responsibilities.

He pinpoints the turning point of our military involvement in Southeast Asia. We have suffered casualties of more than 38,000 American soldiers dead, and 200,000 wounded because the President proposed the Tonkin Gulf Resolution, and the Congress passed it without constitutional right or moral justification.

"Truth Is the First Casualty" is a valuable contribution to the history of the Vietnam war. It should be read by all who want the truth, and all who don't.

[From the Philadelphia Magazine]
(By Joe McGinnis)

("Truth is the First Casualty, The Gulf of Tonkin Affair—Illusion and Reality," by Joseph C. Goulden, Rand McNally, \$6.95.)

The first question I asked Joe Goulden a year-and-a-half ago, when he told me he was going to write a book about the Gulf of Tonkin incident, was "why". The war was big and growing. August 1964 and a shadowy sea battle that involved no casualties seemed long ago and far away.

Goulden did not answer my question at the time. The answer, in fact, did not come until this October, when he sent me the finished book: *Truth is the First Casualty*, subtitled *The Gulf of Tonkin Affair—Illusion and Reality*. It is such an overwhelming, chilling, infuriating piece of work that the only one sentence comment I can think to make is that it is a book I wish I had written.

Joe Goulden was Washington bureau chief for the *Inquirer* until the daily incompetence of desk men in Philadelphia drove him into a frenzy and he quit. With this, his third book (the others: *The Curtis Caper*, a study of Curtis publishing, and *Monopoly*, a powerful, uneven and totally ignored muckraking job on AT&T), he has gained a prominent place among that small coterie of Washington-based investigative reporters which is really all that stands between the rest of us and the bureaucratic steamroller that is crushing truth and decency all over the country.

Reporters like Goulden are rare. That is because what they do is hard and not much fun. A reporter can catch the Pentagon, the Navy, even the President in a lie: Goulden has. But it takes the tenacity and investigative skill of a Ralph Nader to do it. There are hundreds of thousands of words crammed into secret, half-secret and public reports that must be absorbed, understood and then checked out against each other before the inconsistencies that reveal the deceit come to light.

All this Goulden did, and then he did more. He compressed his data into a tight, realistic narrative that, at its best, reads like a

Fletcher Knebel novel. But Goulden's story is true. And its epilogue is the 25,000 or so Americans who have been killed in its wake, not to mention that percentage of the country of Vietnam that has been bombed and shelled to pieces because Lyndon Johnson and his friends felt like winning a war and decided they needed an excuse.

August 2, 1964: the United States has 16,000 troops in Vietnam and two spy ships in the Gulf of Tonkin. The commander of the lead ship, the U.S.S. *Maddox*, is apprehensive because he knows the South Vietnamese have been conducting nighttime raids on the North Vietnamese coast and his proximity to them, he feels, might cause the North to consider his ship somehow involved in the raids.

The commander asked if he could abort his mission because of this excessive risk, but was told no by the Pacific Naval Command.

Then, to summarize what Goulden relates in marvelous detail:

The United States ship fired first at approaching North Vietnamese patrol boats.

When fire was returned the commander reported he was under attack, and the message, by the time it reached Washington, somehow neglected to mention the fact that the American ship, engaged in a mission which the North Vietnamese obviously and with good cause regarded as hostile, had fired first.

Two nights later, when, incredibly, the *Maddox* and its sister ship, the *Turner Joy*, were sent on a mission straight toward the recently shelled coast of North Vietnam, an attack upon them was reported and Lyndon Johnson went on television to tell America he had ordered bombing of North Vietnam begun—*despite the fact that the commander of the Maddox had already cabled fleet headquarters that the whole thing might simply have been a faulty interpretation of radar and sonar blips and beeps.*

Goulden's organization is masterful. He divides the book into three sections: the illusion, or the story as it was reported by the Pentagon at the time; the reality, or what really happened, as he pieced it together from the hundreds of reports and from interviews with personnel from both ships, and the revelation, or how Senator Fulbright (who had been deceived so thoroughly that he actually served as floor manager of the Tonkin resolution) finally learned the truth and tried to let the nation know.

To return to my original question of a year-and-a-half before: Why write it now? Goulden takes up the point in his introduction: "Of what relevance is Tonkin to us today? Johnson and the men who handled the Tonkin affair are out of office. . . . But the legacy of mistrust Johnson bequeathed will be in the minds of Congress and of the discerning public for years to come."

And there is even better reason to write the book, and to read it, now, five years too late: the bombing of a foreign country by the United States of America was begun under a false pretense by a President who, in the years after Tonkin, sent more than half a million additional troops to the same country to fight a war that he said had been provoked by the Tonkin attack.

A lot of men are dead because of this false pretense, and although Johnson, McNamara, Rusk and the others, mercifully, are gone, the system goes on. The Navy is still there, roaming the Pacific, and the Pentagon desk officers are there, and the temptation to deceive the public—and to get men killed—for the sake of an admiral's pride, still exists.

Joe Goulden has rendered a real service to his country. He has also written a hell of a book. Read it, and if you get as angry and scared as I did, lend it to a friend.

And for now between the time you finish reading this and the time you buy the book, you might keep yourself angry and scared by remembering what Goulden quotes Lyndon

Johnson as saying, privately, six months after he ordered bombing begun because of Tonkin: "*For all I know, our Navy was shooting at whales out there.*"

[From the Des Moines (Iowa) Register, Sept. 24, 1969]

TONKIN GULF DECEPTION

Did high officers of the U.S. Navy order the destroyers *Maddox* and *Turner Joy* into Tonkin Gulf Aug. 2-4, 1964, in such a manner as to provoke a North Vietnamese attack and involve the United States in the Vietnam war? Or did sheer Navy incompetence and poor communication with higher headquarters "create" the incidents which brought forth the Tonkin Gulf resolution, which President Johnson later used to bring U.S. forces into the war?

These questions cannot be definitively answered, but the new book, "Truth Is the First Casualty" by Joseph C. Goulden (Rand McNally), goes a long way toward doing so. The author, an experienced newspaperman, fully supports his recommendation that the Tonkin Gulf affair should be investigated further by the Congress.

Goulden's report, based on study of documents obtained by the Senate Foreign Relations Committee and interviews of Navy personnel, is a damning story of deception by the military establishment and by the Johnson Administration. It deserves the close attention of the American public.

President Johnson rammed the Tonkin Gulf resolution through the Senate on the argument that North Vietnam, without provocation, had attacked U.S. naval vessels on the open sea. The Senate believed Defense Secretary McNamara's report of the attack and gave Johnson the unlimited authority he wanted to bomb North Vietnam and deploy U.S. ground troops in the war.

The Administration did not say that the *Maddox* was a spy ship, like the *Pueblo* which got captured off North Korea, and was spying on shore installations. The *Maddox* and *Turner Joy* were within waters that North Vietnam had declared its territorial waters. The commander of the *Maddox*, an experienced combat veteran, warned against the patrol course and told his superiors that North Vietnam regarded the *Maddox* as a belligerent. Nevertheless, he was ordered to continue his patrol.

Admiral Ulysses Grant Sharp, Jr., from Pacific headquarters of the Navy in Hawaii, confirmed to Secretary McNamara that an attack on the *Maddox* had occurred Aug. 4, though Capt. John J. Herrick, the commander on the scene, would not confirm the attack. Goulden's research indicates no objective evidence that the North Vietnamese actually fired torpedoes or that the American vessels had sunk any PT boats which were alleged to have fired the torpedoes.

At 1:30 a.m. Aug. 5, Herrick told Pacific headquarters, "Review of action makes many reported contacts and torpedoes fired appear doubtful. . . . No actual visual sightings by *Maddox*. Suggest complete evaluation before any further action." This message went to Washington, and McNamara called Admiral Sharp immediately. He said the retaliatory air strikes which President Johnson had ordered were to be held up "until any doubts as to what went on are eliminated, at least to the point of justifying retaliation."

Admiral Sharp was able to convince himself and McNamara within 75 minutes that the ambush by the North Vietnamese torpedo boats was bona fide. Sharp's additional "evidence" was nothing but vague reports of "lights" and "torpedoes" seen. The air raids went ahead.

The kindest thing that can be said about the Administration's actions in the Tonkin Gulf affair is Goulden's statement: "The weight of the evidence . . . is that the Administration acted hastily, upon incomplete

and misleading information, and then refused to admit error."

Actually, the evidence points to a group of Navy officers and the White House searching for an "incident" which would justify attacking North Vietnam.

Administration claims that the *Maddox* was on routine patrol, its activity not related to South Vietnamese smallboat raids on North Vietnam, do not stand up.

The Administration deceived Congress and the people about the Tonkin Gulf affair, and the Administration may have been deceived by its own military officers. Congress and the people have reason to continue the review of this affair which began in early 1963 and then was dropped after President Johnson stopped the bombing of North Vietnam and decided not to run for re-election.

The admirals should be questioned about why they continued to push the *Maddox* and *Turner Joy* into provocative patrol routes when the commander on the spot advised against it—and why they could be so sure of the raids on U.S. ships that the commander of the task force could not confirm.

Former U.S. Senator Wayne Morse proposed a thorough study of the operations of the military establishment. The Tonkin Gulf business would be a good place to start such a study. Gen. David M. Shoup, retired commandant of the Marine Corps, has himself said that lack of credibility in reporting the Vietnam war by the Johnson Administration stemmed "from schemers in the military service."

[From the Fresno (Calif.) Bee, Sept. 21, 1969]

PRELUDE TO WAR: PANIC AND THE GULF OF TONKIN "ATTACKS"

(By Howard Miller)

("Truth Is the First Casualty," by Joseph C. Goulden; Rand McNally; \$6.95.)

It was an outrage! North Vietnamese torpedo boats wantonly attacked two U.S. destroyers not once but twice in the Gulf of Tonkin.

The President went on television. "My fellow Americans," he began, grim visaged, and then told the story of this unprovoked attack. Clearly the pipsqueak country of North Vietnam must be taught a lesson.

The President asked for and got the so-called "Gulf of Tonkin" resolution from the Senate with only two dissenting votes. The House passed it 416-0. Sen. William Fulbright, stagemanaging the resolution through the Senate, dissuaded Sen. Gaylord Nelson from putting in a clause that the resolution was not to be construed as permitting the administration to field a land army in Southeast Asia. "I have no feeling this would be considered," Fulbright said.

President Lyndon B. Johnson had his blank check and he lost little time drawing on it. However this was August. The presidential election was due in November and Johnson pledged, "American boys will not be sent to fight a war Asian boys should be fighting."

This book is the story of those two "attacks"—if such they were. The conclusions of the author, a veteran Washington newsman, are that the first certainly did happen although the North Vietnamese could be forgiven for believing the two destroyers were there as a screen for a South Vietnamese naval attack on the coast. In any case neither ship was touched.

But the second attack, the one which prompted the retaliatory raid by American warplanes on the North Viet patrol boat base, is a different story.

Was there really an attack? An examination of the records of the communications between the two destroyers and their higher headquarters, even back to Washington, would seem to make it doubtful. About the best they were able to come up with was that "a reliable officer reported seeing the wake of a torpedo" as it passed the destroyer.

Goulden opens his book with a dramatic account of that black, stormy night in the radar room of the Maddox and senior radarman Patrick Park watching his circular green screen. It was full of blips—but they were no more than breaking waves.

The sonarman, an inexperienced youth, kept picking up the beat of engines—but the experienced Park was sure he was picking up the beat of the Maddox's own engines. Trained sonarmen learn to distinguish. Park could find no targets until—

"There she was. A fat blip no more than 1,500 yards away," Park said later. The Maddox guns trained on the unseen target. Park asked for the "firing key," that is, the trigger; the guns would fire when he depressed the key showing they were lined up on the radar target.

"Fire" came the order from the bridge. Park's hand hesitated over the palm-sized button. A thought flashed through his mind. "Fire, dammit," the order was screamed at him. He still hesitated.

"Where is the Turner Joy?" he yelled back. After much confused shouting he screamed back he would not press the key until he knew where the Turner Joy was. "I could have been courtmartialed for refusing," he said later.

A measure of sanity returned to the bridge and the Maddox skipper radioed the Turner to turn on her lights.

There she was, smack in the sights of all the guns the Maddox could bring to bear and only 1,500 yards away. "We would have blown her out of the water," Park said, "if I had pressed that key."

The damage was done back in Washington and the orders were already going out for a retaliatory strike on the North Viet base. But there was no real confirmation of any North Viet attack. And even as the bombs fell on North Vietnam the Pentagon was still frantically seeking reassurance from the two destroyers that there had been an attack.

And that is how we got into the Vietnamese war, Goulden says, step by step, from escalation to escalation, from blunder to blunder. The "American boys" went to fight for "Asian boys" but not right away, not until LBJ had been elected by an overwhelming landslide over the "war candidate" Barry Goldwater.

Now, Goulden notes, the Kennedy and Johnson administration people are busily preparing their memoirs and glossing over and revising their participation in the Vietnamese war.

He prefers the record as it happened then rather than the "self-exculpatory memoirs written four years after the fact," he writes.

Goulden also notes that he had little or no cooperation from any Johnson officials and most of his sources have to remain anonymous.

This is probably as true and unvarnished account of the "Gulf of Tonkin Incident" as we are ever likely to have.

[From the Providence (R.I.) Sunday Journal, Oct. 8, 1969]

TONKIN: THE GULF AND THE GAP
(By Charles Spillman)

("Truth Is the First Casualty: The Gulf of Tonkin Affair—Illusion and Reality," by Joseph C. Goulden. 285 pages. Rand McNally. \$6.95.)

It has been quite evident for some time that there are some very big questions about what happened in the Gulf of Tonkin in 1964, about the incident that resulted in the Tonkin Gulf Resolution in Congress that has been the authority for everything else that the United States has done in Vietnam.

Joseph C. Goulden, a Washington reporter specializing in national security affairs, now brings a vast amount of information—much of it pried reluctantly out of the Navy—bearing on that time.

By putting two and two together—one two from the beginning of the book and another from the end—it is possible to arrive at an answer that Goulden himself never gives: the Navy, watching the other two services gain all the decorations and promotions while it stood on the sidelines, promoted the Gulf of Tonkin incident in such a way that it, too, could get into the action.

What Goulden does say is that the Navy at the top pushed ships into a situation that the senior officer present declared to be an unacceptable risk. Then the Navy withheld vital information from the Secretary of Defense and the President so that the President ordered the first bombing attack on North Vietnam at a time when the Navy still was unsure that an attack on U.S. ships had taken place, when the Navy, in fact, had a message from the Gulf that the entire operation should be reviewed.

The facts are these:

On Aug. 2, 1964, the destroyer Maddox was on a spy-ship mission in the Gulf of Tonkin with orders to go to within 8 miles of the North Vietnam mainland and 4 miles of North Vietnam islands although North Vietnam maintained its national waters extended out 12 miles. The destroyer was taken under attack by three torpedo boats. It evaded several torpedoes but took one hit from a gun that did little damage.

Two days later the Maddox was ordered back into the gulf, this time in company with the destroyer C. Turner Joy. Capt. John J. Herrick, commanding the force, received a message from Adm. R. B. Moore, the task force commander, saying: "It is apparent that DRV (Democratic Republic of Vietnam) . . . now considers itself at war with the United States." U.S. ships, he continued, will be treated as belligerents "and must consider themselves as such."

This time the ships were ordered to move in toward the North Vietnam shore by daylight and retire toward the sea during night hours.

On the night of Aug. 4, an extremely dark and rainy night, the two ships reported that they had come under attack. It was because of this second "attack" that the President asked for and got his Tonkin Resolution after he had ordered Navy planes to bomb North Vietnam installations in retaliation.

And it is this second "attack" that, from the evidence Goulden presents, almost certainly did not take place.

"The record of the Gulf of Tonkin affair," he writes, "emerges as a multi-level deception: a deception of the Congress and the American people by the Johnson Administration . . . a deception of the Johnson Administration by the military . . . and a deception of the Johnson Administration by itself, in its overeager acceptance of unconfirmed field reports as justification for a grave act of war."

When he began looking into the Tonkin Gulf affair, Sen. J. William Fulbright received several anonymous letters from knowledgeable persons within the Pentagon. One of them summed the affair up this way:

"It was clearly a case of making a definite decision when operational circumstances dictated haste but the facts suggested caution.

"The Tonkin Gulf incident . . . was not a put-on job. But it was not the inexcusable and flagrant attack upon U.S. ships that it seemed to be, and that would have justified the resolution and retaliation had there been so. It was a confused bungle which was used by the President to justify a general course of action and policy that he had been advised by the military to follow. He, like the Secretary of Defense, was a prisoner. He simply put his trust in the wrong people."

The "wrong people" began with Admiral Ulysses S. Grant Sharp Jr., commander in chief of United States Forces in the Pacific, and included Admiral Thomas H. Moorer, now chief of naval operations, and Vice Adm.

Roy L. Johnson, then commander of the Seventh Fleet.

One of the things that these people failed to inform the President of was that South Vietnamese Swift boats had made attacks on North Vietnamese islands in the Gulf of Tonkin at the time the U.S. ships were nearby. In fact, the order to the Maddox suggested that its near approach was to draw off North Vietnamese defense forces and thus assist the South Vietnamese in their operation—although the Navy later was to deny that the U.S. had any part in these 34-A operations.

Goulden located a Maddox sonarman who had an interesting tale to tell. Patrick N. Park had left his sonar apparatus to a less experienced man and had taken over the fire direction radar, where his experience would be more valuable. At one point on that confused night of Aug. 4 he got a solid blip in his director scope and was given the order to fire on it. At that moment he realized that he didn't know where the Turner Joy was and, despite repeated orders to him to fire, he demanded to know the location of the other ship. Finally the bridge asked the Turner Joy to turn on its lights. There it was in the Maddox's cross hairs. It makes one wonder what the Navy would have done about the Tonkin incident if the Turner Joy had been blown out of the water.

Park later reviewed the sonar tapes and reported that every sound of a "running torpedo" reported by the acting sonarman was in fact the sound of the ship's wake as it turned.

There is a footnote on Park. When the Navy investigators later began trying to reconstruct what had happened, they did not interview Park. When Goulden was given a list of the Maddox crew at the time of the Tonkin Gulf incident Park's name was not on it.

From all the evidence it seems apparent that somebody in the Pentagon or the Pacific wanted to bring the Navy into a more active role in the Vietnam war and used the confused and confusing Gulf of Tonkin incident to advance this purpose. By providing the Secretary of Defense and the President with selected information, this was done.

Goulden quotes a private conversation of the President's, given in 1965 "during a lengthy, critical monologue on military handling of the Vietnam war." The President brought up the Tonkin Gulf affair as an example "of what I have to put up with" from the military arms. Goulden says the President's comment was this:

"For all I know, our Navy was shooting at whales out there."

[From the Richmond (Va.) News Leader, Oct. 8, 1969]

SEMINAL INCIDENT: ATTACKS ON U.S. DESTROYERS IN GULF OF TONKIN STUDIED

("Truth Is the First Casualty," by Joseph C. Goulden; Rand McNally & Co., \$6.95. Reviewed by Robert P. Hildrup.)

In the seemingly endless agony of Vietnam, perhaps the only simple and eternal truth is death. All else, the words, phrases, high-flown objectives, are subject to editing, censorship and revision.

This book is exceptionally welcome, therefore, because it helps clear some of the fog which shrouds the facts of just how we came to be so bogged down in this bloody Asian mess.

It was the Gulf of Tonkin affair—the attack(s) (?) on two U.S. destroyers—which led to American air strikes against North Vietnam and the ultimate military escalation.

But did those attacks by North Vietnamese torpedo boats really take place? And, if so, were the North Vietnamese fully justified because the destroyers were serving as covert cover for South Vietnamese commando raids?

That one attack did take place is apparently proved, according to Goulden. But there is serious doubt that a larger subsequent attack, the one which actually provoked the retaliatory air strikes, ever occurred.

Thus, what might have been simply an incident less serious than countless others the U.S. has endured in border brushes with the Communists was allowed through precipitous action, faulty intelligence and communications, to explode into a national disaster.

Goulden offers strong reasons to suspect, in fact, that the major "battle" fought with North Vietnamese boats was in fact fought against an empty sea. Freak weather conditions and inexperienced crew accounted for the radar contacts and "torpedo" wakes.

All right then, Goulden's book is must reading for those who would understand how we ever got ourselves in this mess.

And yet. . . . Whenever possible, Goulden seems to go to tedious lengths to make the North Vietnamese' one abortive rush against the American destroyers a model of compliance with international and maritime law.

The destroyers were within North Vietnam's self proclaimed 12-mile limit, he says. They were equipped with electronic intelligence gathering equipment. Oh, woe.

Well, baloney. Perspective demands that, unless there is more to the sins of the U.S. than he divines, the conduct of the destroyers was no worse than that of the Russians' "fishing" fleets off Norfolk.

The American position may have been wrong, but if so it was wrong because of panicked reactions without the facts on the part of the Johnson administration.

There is a note of grim irony here, too. For years, American conservatives of the persuasion of the late Sen. Robert Taft of Ohio tried to warn against over extension of our commitments in other land. But the bleeding heart liberal prevailed. Now, in trying to defend those commitments, it is the bleeding heart liberal who castigates his nation. It is a point to ponder in puzzlement while reading this volume.

Mr. FULBRIGHT. Mr. President, as I have noted in my remarks above, the events in the Tonkin Gulf in August 1964 provided proof that serious consequences can follow from intelligence operations, consequences that sometimes go to the supremely important questions of war and peace. There have been many other instances in which intelligence gathering activities have affected our national interests out of all proportion to the value of the intelligence obtained, the U-2 incident being a case in point.

It has come to my attention that within the past few weeks the United States has resumed reconnaissance flights over mainland China after an 18-month interruption. The resumption of these flights comes soon after two steps the new administration has taken purportedly as a conciliatory gesture to the Chinese. I refer to the decision to validate the passports of certain categories of American citizens for travel to mainland China and the decision to permit Americans traveling abroad to bring with them on their return up to \$100 worth of goods originating in mainland China. These were steps in the right direction, but any effect they might have had is, it seems to me, undercut by the resumption of reconnaissance flights.

I would like to point out, in addition, that no sooner had these flights been resumed than reports appeared in the press here and abroad—reports which I

gather are accurate—that a pilotless reconnaissance aircraft had been shot down by the Chinese. The story was given very little attention in the American press and, therefore, may have escaped general notice. The last pilotless reconnaissance aircraft was shot down over mainland China in March 1968.

At a time when we are hoping to resume talks with the Chinese in Warsaw, it seems to me ill advised at best to begin again to send surveillance flights over China. I do not know whether this is a case of uncoordinated decision-making. If so, it surely deserves inquiry. If not, it defies logic.

AGREEMENT WITH CANADA ON ADJUSTMENTS IN FLOOD CONTROL PAYMENTS

Mr. FULBRIGHT. Mr. President, I call the attention of the Senate to the fact that the agreement we are about to vote on is, in fact, a slight amendment to the treaty which the Senate passed upon several years ago in order to provide assistance in the building of two dams, the Arrow and the Duncan Dams, in Canada.

The amount of \$248,000 for additional flood control benefits resulting from the early completion of the Duncan and Arrow Dams is what the agreement is about. Because the Canadians built the dams ahead of time the United States is now to pay this amount for benefits from flood control.

Personally, I believe that our Government representatives were mistaken in taking the claim seriously. However, our representatives have negotiated the agreement and it has been presented to us.

It is a small amount of money. I did not and do not feel justified at this late stage in rejecting it. However, I do strongly disapprove of the Executive branch's being so profligate with even this small amount of money.

The original deal with Canada was a very good one for them and for us. They made a great deal of money out of it, as we will, too. However, to come here because they finished the contract ahead of time and to expect the United States to pay an additional \$248,000, seems to me to be improvident.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate go into executive session.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

CONSULAR CONVENTION WITH BELGIUM

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to vote on Executive F, 91st Congress, first session, which the clerk will state.

The BILL CLERK. Executive F, 91st Congress, first session, the Consular Convention with Belgium.

The PRESIDING OFFICER. The ques-

tion is, Will the Senate advise and consent to the resolution of ratification? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Alabama (Mr. ALLEN), the Senator from North Dakota (Mr. BURDICK), the Senator from Tennessee (Mr. GORE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from North Carolina (Mr. JORDAN), the Senator from Louisiana (Mr. LONG), the Senator from Montana (Mr. METCALF), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Texas (Mr. YARBOROUGH) are absent on official business.

I also announce that the Senator from Nevada (Mr. CANNON), the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Alaska (Mr. GRAVEL), the Senator from Minnesota (Mr. MCCARTHY), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Minnesota (Mr. MONDALE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Utah (Mr. MOSS), and the Senator from West Virginia (Mr. RANDOLPH), are necessarily absent.

I further announce that, if present and voting, the Senator from Alabama (Mr. ALLEN), the Senator from North Dakota (Mr. BURDICK), the Senator from Tennessee (Mr. GORE), the Senator from West Virginia (Mr. RANDOLPH), and the Senator from Louisiana (Mr. LONG) would each vote "yea."

Mr. SCOTT. I announce that the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senator from New York (Mr. GOODELL), the Senator from Michigan (Mr. GRIFFIN), the Senator from Florida (Mr. GURNEY), the Senator from Wyoming (Mr. HANSEN), and the Senator from Vermont (Mr. PROUTY) are necessarily absent.

The Senator from Iowa (Mr. MILLER) and the Senator from Ohio (Mr. SAXBE) are absent on official business.

If present and voting, the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senator from New York (Mr. GOODELL), the Senator from Michigan (Mr. GRIFFIN), the Senator from Florida (Mr. GURNEY), the Senator from Wyoming (Mr. HANSEN), the Senator from Iowa (Mr. MILLER), the Senator from Ohio (Mr. SAXBE), and the Senator from Vermont (Mr. PROUTY) would each vote "yea."

The yeas and nays resulted—yeas 71, nays 0, as follows:

[No. 142 Ex.]

YEAS—71

Aiken	Dodd	Kennedy
Allott	Dole	Magnuson
Anderson	Dominick	Mansfield
Baker	Ellender	Mathias
Bayh	Ervin	McClellan
Bellmon	Fong	McGee
Bennett	Fulbright	McGovern
Bible	Harris	Mundt
Boggs	Hart	Murphy
Brooke	Hartke	Muskie
Byrd, Va.	Hatfield	Nelson
Byrd, W. Va.	Holland	Packwood
Case	Hruska	Pastore
Church	Hughes	Pearson
Cook	Inouye	Pell
Cooper	Jackson	Percy
Cotton	Javits	Proxmire
Curtis	Jordan, Idaho	Ribicoff

Russell	Stennis	Tydings
Schweiker	Stevens	Williams, N.J.
Scott	Symington	Williams, Del.
Smith, Maine	Talmadge	Young, N. Dak.
Smith, Ill.	Thurmond	Young, Ohio
Spong	Tower	

NAYS—0

NOT VOTING—29

Allen	Gravel	Miller
Burdick	Griffin	Mondale
Cannon	Gurney	Montoya
Cranston	Hansen	Moss
Eagleton	Hollings	Prouty
Eastland	Jordan, N.C.	Randolph
Fannin	Long	Saxbe
Goldwater	McCarthy	Sparkman
Goodell	McIntyre	Yarborough
Gore	Metcalf	

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

AGREEMENT WITH CANADA ON ADJUSTMENTS IN FLOOD CONTROL PAYMENTS

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to vote on Executive H, first session, 91st Congress, the agreement with Canada on adjustments in flood control payments.

The question is, Will the Senate advise and consent to the resolution of ratification? 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 Alabama (Mr. ALLEN), the Senator from North Dakota (Mr. BURDICK), the Senator from Tennessee (Mr. GORE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from North Carolina (Mr. JORDAN), the Senator from Louisiana (Mr. LONG), the Senator from Montana (Mr. METCALF), the Senator from Alabama (Mr. SPARKMAN), the Senator from Texas (Mr. YARBOROUGH), are absent on official business.

I also announce that the Senator from Nevada (Mr. CANNON), the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Alaska (Mr. GRAVEL), the Senator from Minnesota (Mr. MCCARTHY), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Minnesota (Mr. MONDALE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Utah (Mr. MOSS), and the Senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

I further announce that, if present and voting the Senator from Alabama (Mr. ALLEN), the Senator from North Dakota (Mr. BURDICK), the Senator from West Virginia (Mr. RANDOLPH), and the Senator from Louisiana (Mr. LONG) would each vote "yea."

I also announce that if present and voting, the Senator from Tennessee (Mr. GORE) would vote "nay."

Mr. SCOTT. I announce that the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senator from New York (Mr. GOODELL), the Senator from Michigan (Mr. GRIFFIN), the Senator from Florida (Mr. GURNEY), the Senator from Wyoming (Mr. HANSEN), and the Senator from Vermont (Mr. PROUTY) are necessarily absent.

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The Senator from Iowa (Mr. MILLER) and the Senator from Ohio (Mr. SAXBE) are absent on official business.

If present and voting, the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senator from New York (Mr. GOODELL), the Senator from Michigan (Mr. GRIFFIN), the Senator from Florida (Mr. GURNEY), the Senator from Wyoming (Mr. HANSEN), the Senator from Iowa (Mr. MILLER), the Senator from Vermont (Mr. PROUTY), and the Senator from Ohio (Mr. SAXBE) would each vote "yea."

The yeas and nays resulted—yeas 67, nays 3, as follows:

[No. 143 Ex.]

YEAS—67

Alken	Fong	Pearson
Allott	Harris	Pell
Anderson	Hart	Percy
Baker	Hartke	Proxmire
Bayh	Hatfield	Ribicoff
Bellmon	Holland	Schweiker
Bennett	Hruska	Scott
Bible	Hughes	Smith, Maine
Boggs	Inouye	Smith, Ill.
Brooke	Jackson	Spong
Byrd, Va.	Javits	Stennis
Byrd, W. Va.	Jordan, Idaho	Stevens
Case	Kennedy	Symington
Church	Magnuson	Talmadge
Cook	Mansfield	Thurmond
Cooper	Mathias	Tower
Cotton	McClellan	Tydings
Curtis	McGee	Williams, N.J.
Dodd	McGovern	Williams, Del.
Dole	Mundt	Young, N. Dak.
Dominick	Murphy	Young, Ohio
Ellender	Muskie	
Ervin	Packwood	

NAYS—3

Nelson	Pastore	Russell
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ANSWERED "PRESENT"—1

Fulbright

NOT VOTING—29

Allen	Gravel	Miller
Burdick	Griffin	Mondale
Cannon	Gurney	Montoya
Cranston	Hansen	Moss
Eagleton	Hollings	Prouty
Eastland	Jordan, N.C.	Randolph
Fannin	Long	Saxbe
Goldwater	McCarthy	Sparkman
Goodell	McIntyre	Yarborough
Gore	Metcalf	

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

LEGISLATIVE SESSION

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

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

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION BILL, 1970

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business which the clerk will state.

The BILL CLERK. H.R. 12307, making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1970, and for other purposes.

The Senate resumed the consideration of the bill.

Mr. PROXMIRE. Mr. President, today the Senate is being asked to appropriate \$3.715 billion for the National Aeronautics and Space Administration for the present fiscal year. Although not the largest sum ever requested by the space agency, this appropriations request embodies a clear commitment to a continuation of the manned lunar landing program, as well as the first steps toward interplanetary exploration.

We should not make such commitments without a wholesale reevaluation of our space program, and what we expect of it. We have achieved the goal set by President Kennedy in 1961 of landing an American on the moon in this decade. It was a marvelous achievement. Now, this is the time, before we commit this Nation to vast new programs, new huge expenditures, new journeys into the unknown, to ask ourselves a few questions. Where is the space program going? What do we hope to accomplish? Can we justify such gigantic expenditures in a time of spiraling inflation? Where does the space program belong in our list of national priorities? How soon should we—not, can we—achieve our objectives? And, what are the prospects for international cooperation in space exploration?

These questions should be aired thoroughly before Congress approves appropriations for NASA this year. Congress would be remiss in its duties if it failed to do so.

Mr. President, when the authorization bill for the space agency was before the Senate, I did discuss the bill in some detail. I wanted to bring up some questions on it. The timing of the bill was unfortunate for those of us interested in reducing the size of the bill, because it was immediately after we had had nearly a 3-month debate on the military procurement bill and the Senate was quite weary and obviously was not disposed to go into another detailed and long-drawn-out series of amendments and discussions on the bill.

Furthermore, our astronauts had just landed on the moon in the relatively short time before that, and they were being feted all over the country, so it was obviously not the best time in the world to provide for a critical, objective, and dispassionate reexamination of the program.

Mr. President, 4 months ago, this Nation achieved its long-sought-after goal of landing a man on the moon. This achievement earned for the United States the praise and admiration of peoples throughout the world—and deservedly so. The Apollo 11 flight, and the flights which preceded it, played to television audiences of millions and succeeded in whipping up tremendous enthusiasm and support for these space extravaganzas. And, of course, TV coverage of the Apollo 12 flight, coming up in just a few days—in fact, starting Friday—will provide the viewing public with another good show.

However, Mr. President, there is another side to this coin. When the smoke has cleared from all this pomp and circumstance, the harsh fact remains that the American taxpayer has been billed \$24 billion for the privilege of watching

two of his fellow countrymen walk on the moon. Even by Broadway standards, this is a pretty stiff price for front row seats.

While \$24 billion was being spent to put a man on the moon, our urban ghettos exploded, our poverty programs languished, our surface transportation system choked to a crawl, our housing shortage intensified, and our national crime statistics grew to alarming proportions. Far too little progress was recorded in the key areas of education, medical research, and environmental control. In short, while our attention was focused on the heavens, our social problems have festered to a critical level and we are suffering the worst inflation in many years—an inflation caused in large part by heavy military and space spending and we have an understandable tax revolt on our hands, too.

Mr. President, this country can ill afford to continue this folly. We cannot afford to continue to fund the space venture at the rate of three manned lunar landings a year while other demands on our resources are swept under the rug.

Now is the time to reassess our spending priorities in these areas.

INTERNATIONAL COOPERATION IN SPACE

Perhaps the most important question we should be asking ourselves is: Must we go it alone?

When the space age opened on October 4, 1957, with the dramatic flight of Sputnik 1, the United States, and the Soviet Union entered into a breakneck race to be first with a man on the moon. In recent years, though, there appears to have been a slackening in the Soviet effort, prompted perhaps by the Soviet realization that the space race was not worth the tremendous investment of limited Soviet resources. For the past few years, the United States has had the field largely to itself. This solitary position at the head of the space race has brought some intangible dividends—I think very important dividends—in terms of international prestige.

But having achieved this preeminent position, the United States can afford—in terms of prestige—to share the knowledge we have gained, and the opportunity to extend the reaches of that knowledge, with the international community.

Moreover, when one considers the dollars that could be saved, to the taxpayer relief, I say we cannot afford not to do everything in our power to encourage other nations to join with us in the space venture.

Accordingly, Mr. President, I plan to introduce a resolution later this week which will call upon the Senate Foreign Relations Committee to study and explore all possibilities for international cooperation in space.

In the past, every time the suggestion for internationalizing our space program has been made, we have been told by NASA: "We have tried over and over again to get the Russians to cooperate, to share mutual secrets, and they will not do it. Why should we keep on trying?"

And, because of this negative, defeatist attitude by the space agency, the Senate has gone right on giving NASA the money it has asked for, without giving

the prospects for internationalizing a second chance.

I say it is worth that second chance. I say it is worth every chance we can give it. For one thing, my proposal encompasses not only the Russians, but every nation on earth. Even though nations other than the U.S.S.R. may not have the technological knowhow, they can certainly contribute a great deal in terms of manpower—both skilled and unskilled—equipment, and of course money, to the common expansion of man's understanding of his universe. To my knowledge, no effort on a large scale has been made to invite other nations to participate with us in exploring space, and this possibility should certainly be considered.

Moreover, even as far as the Russians are concerned, I am not convinced that every avenue for cooperation has been explored. For example, have we invited a Russian cosmonaut to accompany our astronauts on a trip to the moon? Have we made a unilateral offer to share the knowledge we have gained in the space program, or has sharing been strictly conditioned on getting some of Russia's undisclosed space information in return? Have we made a concerted effort to have the Russians join us since the Apollo success in July, now that the race to the moon is clearly over? Possibly the distinguished chairman of the Independent Offices Appropriations Subcommittee can shed some light on these questions.

In any event, it is abundantly clear that not nearly enough has been done in exploring these possibilities. NASA is clearly committed to a goal of exploring space for national prestige; it is predictable, therefore, that NASA might not pursue international cooperation as vigorously as others might. This is why I intend to ask the Senate Foreign Relations Committee to make this study, so that fresh approaches can be tried, and new avenues explored.

Interestingly, Mr. President, Astronaut Frank Borman, who commanded the first spacecraft that orbited the moon, believes that a joint flight to the moon with the Soviet Union is worthwhile, and he has formally suggested this to agency officials. Borman has said:

I think it's a damn good idea. I emphasized participation with the Western bloc first, and increasing cooperation with the Soviet Union, leading eventually to an area where I hope space becomes an ocean devoid of space flights for military purposes.

Unfortunately, NASA officials in the past have taken a position that is diametrically opposed to that of Colonel Borman, in that they have stressed the importance of competition, and national prestige, as justifications for the U.S. space program.

Dr. Wernher von Braun, in appearing before the Manned Space Flight Subcommittee of the House Science and Astronautics Committee in March of this year, alluded to the policy of the United States on international cooperation, and then observed:

We cannot ignore that historically and still perhaps the most significant reason to progress in space both now and for the long range is competition with its many forms

of stimulating challenge, intrigue, and threat. (House hearings, Vol. 2, pg. 489).

Earlier in those same hearings last March a very similar statement was made by Dr. George E. Mueller, NASA's Associate Administrator for Manned Space Flight:

Historically, the first and still perhaps the most significant reason for this nation's need to progress in space is competition—competition on a worldwide basis and on several different fronts. . . . The visible results of the space program are taken by others as a basis for judgments of the technological and management strength of the nations engaging in the competition. Thus the competition contributes to shaping the world of the future and our country's role in that world. (House hearings, Vol. 2, pg. 14).

Mr. President, I could not disagree more with these statements. Aside from the arms race, I can think of nothing that is more wasteful, or more duplicative, than to have two countries—and possibly more—pursuing the same goal whose dividends will benefit all mankind.

These attitudes expressed by NASA make it clear why NASA is not the appropriate group to explore possibilities for international cooperation. Their minds are made up at the outset. They are undoubtedly perfectly happy to have the Russians turn us down.

That is why I intend to ask the Foreign Relations Committee to make this study. They can approach it from an unbiased viewpoint, and explore every possibility.

HOW TO COOPERATE IN SPACE EXPLORATION

What kinds of possibilities should be considered? I have no intention of limiting the committee's study, but I do have two suggestions that have not been considered in the past.

The first would involve the Intelsat consortium as a model.

The Communications Satellite Corporation—Comsat—was set up in 1962 pursuant to the Communications Satellite Act. Since 1962, Comsat has acted as manager for the Intelsat international consortium in arranging for satellites launches, and Comsat has also served as the American representative in the consortium. Member nations own and operate earth stations that are located in their country—stations are strategically situated around the globe for the purpose of tracking the satellites and communicating with them. Since all of the launch capability and most of the technological capability is presently concentrated in the United States, Comsat, the American representative, is charged with management responsibility for the entire system. Nevertheless, the goal of global communications is one in which all nations share a common interest. This has been borne out by the resounding success enjoyed by Intelsat in the 7 years of its existence. More than 60 nations now belong to the consortium and share its costs.

The possibility of establishing a similar international consortium for space missions is certainly worth exploring. Space exploration, like global communications, is a goal in which all nations

have a common interest. Success of the Comsat experiment suggests that it might be worth trying here. Of course, should the committee recommend the establishment of such an organization, an act of Congress would be required to set the necessary wheels in motion.

The other approach which could be explored is the possibility of bringing space exploration under the jurisdiction and control of the United Nations. Such a step, if recommended, would emphasize the peaceful nature of space exploration, and could even provide a mechanism for insuring against the use of space for military advantage.

Utilizing the United Nations would permit each of the 120-odd member nations to contribute whatever they could—in terms of manpower, money, equipment, technology—to the common pursuit of knowledge. The mechanism could be structured along the lines of the World Health Organization, a U.N. subsidiary whose aim of advancing the cause of science and medicine is not too far different from the U.N. Space Council which I am proposing. A corollary benefit of this approach could be to bolster and revitalize the parent United Nations, which today is little better than a world debating society.

Exactly how much could be saved? No one can predict this with certainty, but I think few would deny that the savings would run to the hundreds of millions of dollars. Admittedly, at the outset savings might be relatively modest, due to the fact that only one other nation now has a space capacity that even approaches ours, and other nations might approach the joint venture with some reluctance. But as more and more nations contribute, savings for the United States would increase at a geometric rate, and the U.S. contribution would decrease proportionally.

Finally, by inviting other nations to join with us in the joint venture into space, the United States would signal its intention that it explores space not just for national gain, and not for any militaristic advantage, but in order to add to the knowledge of all mankind, and, hopefully, for the betterment of human conditions around the globe.

Mr. President, U.S. News & World Report, in their current issue out today, is typical of the national publications, local newspapers, and radio and television broadcasts, which are telling the country—and anyone who read the newspapers yesterday got the same flavor—that the moon flight now will take on a very serious and important scientific purpose.

In its issue just out today, U.S. News says, for example:

Scientific research, not cliffhanging adventure, is to be emphasized this time and impressive results are expected.

U.S. News then goes on, as do articles in hundreds of papers across the country and statements by TV commentators and others, to indicate how serious the scientific purpose served by the manned landings on the moon will be.

Here are the questions that U.S. News said this fantastically expensive flight is going to answer. In other words, this is

the prime purpose of this flight and the flights which are to follow:

Is the moon as old as the earth, or older? Lunar surface rocks brought back last July from the Sea of Tranquility were found to be as ancient as the oldest rocks on earth, dating back 3.5 billion years. Geologists now are anxious to find out how old rocks from other areas of the moon are.

The second question is:

Is the moon hot inside like the earth, or a cold, dead mass? Latest evidence shows possible volcanic activity on the moon, but this could have been produced by small pockets of radioactive materials and does not necessarily indicate a molten interior.

That is the second big question for which we are going to get an answer, in exchange for our billions of dollars.

The third question:

Did the moon originate quite differently from the way the earth did? Some scientists believe it did, and cite new clues in the rocks brought back by Apollo 11 which show a concentration of materials found only rarely on the earth. Another view is that the moon was once part of the earth, and split off.

Mr. President, these are, of course, fascinating questions which would intrigue all of us.

But the important question for us, Mr. President, is of what real benefit to any human being here on earth is this enormously expensive program?

This knowledge will not help us build a house or save a child's life, or assist a family in poverty, or defend the security of this country.

Acquiring this knowledge now will drive up prices, and taxes, make no mistake about that. But it does not serve any genuine human purpose that is so urgent as to justify this immense expenditure—now. Is there any reason on the face of the earth why these questions have to be answered at once? This year, next year, or indeed in this decade?

In fairness to U.S. News and the writing in newspapers around the country, what they are saying is precisely what the National Academy of Sciences Space Science Board reported in September of this year when they emphasized a very similar purpose, although in more complex words, for the flight to the moon. They said, for example, in their report:

The state and chronology of the moon can be regarded as a framework into which observations can be fitted and through which relationships are most easily seen. Completion of the framework requires that we fill crucial gaps in our knowledge of the state and chronology of the moon, and these measurable quantities constitute the primary experimental objectives of the Apollo exploration program.

So it is clear, Mr. President that our prime scientific purpose in going to the moon is to get more knowledge on the formation of the moon, the earth, and the sun.

The only other purpose that NASA seems to be able to find for this moon flight is something that they have called, in a letter to me, human fulfillment.

I wrote NASA and asked them specifically to tell me what benefits, in terms of various benefits they say, space flights provide, the manned lunar landing, the Apollo program, is going to provide for us, and to be specific about it; and I

asked them with particular reference to the fields of communications, meteorology, earth resources, science and technology, education, and human fulfillment, because these were the areas they said the space program is designed to meet.

Here is what Dr. Paine said in reply to me about the manned lunar landings. This is what they are to do for the enormous amount we are spending—\$1.7 billion in the bill before us:

Manned lunar exploration in the near term will contribute primarily to the fulfillment of the human goal of exploration and to advancing our scientific knowledge and understanding of the moon and thereby of the earth and the other elements of the solar system.

In other words, all the moon flight is going to do is make us feel better. Human fulfillment. There is nothing about any advantage for meteorology, any serious or significant advantage in studying human physiology, or any of the other purposes for which the space program is said to have been designed. It is confined strictly to determining knowledge about the origin of the moon and to human fulfillment, which seems to me to mean that we will get spectacular satisfaction from watching this on television.

It is also, of course, going to give us a knowledge, which I do not mean to derogate at all. It is fine knowledge to have and it is good to be able to teach our children the truth about the formation of our solar system. The question, Do we have to spend all this money, and spend it now, at a time when we do have these very serious problems here on earth, when we suffer from serious inflation, and when this is a peculiarly inflationary program, because it does not satisfy an economic need?

These are dollars expended without any corresponding increase in the supply of economic goods, and that is exactly what heats up the economy most, whether it is military spending or space spending.

Mr. President, there are at least two conclusions I can draw:

First. It is simply not worth the enormous sums we will spend in the next 3 years on 10 more manned landings on the moon—sums which may be as much as \$5 billion—to secure this kind of information at this time and to give people throughout the world a series of spectacular television shows.

WHY SHOULD UNITED STATES ALONE PAY?

My second point, Mr. President, is that to the extent that this is justified, why in the world should the United States pay the whole tab?

After all, this knowledge is to be disclosed to all the peoples in the world at once without restriction, without concealment. It contains not a shred of military advantage for us. There is no other advantage, economic, social, or anything of the kind to hide or conceal this information.

It should be freely and fully disclosed and I am sure it will be. This means that Germans, Russians, Chinese, French, British—all peoples in the world—will have an equal opportunity to receive this information.

And how about the benefits of so-called human fulfillment?

Thanks to the communications satellite, all the peoples of the world will also be able to enjoy this space saga as fully and completely as will Americans.

The only exclusively American pleasure—and I certainly do not want to call it a pleasure—is paying for this—the entire tab, and it is an enormous tab—for this information and this show.

This is why, in my view, we should do everything we possibly can to internationalize the space flight. To do so could greatly reduce the cost of the flight and could be a significant step toward peaceful cooperation, not only at no cost to this country but at a big reduction in cost.

And secondly, this Senator would favor eliminating manned flights until we can secure substantial international cooperation in supporting their great cost.

I realize that this view may not be characteristic of this body and for this reason I will not offer an amendment to eliminate the full \$1.7 billion that is in this appropriation bill for the Apollo program; that is, for the landings on the moon.

I will, however, offer as a modest and I think much more realistic token of my concern with the waste and extravagance involved in this program, a \$100 million reduction which I think is both practical and moderate.

Frankly, this amendment, if passed, would not stop the lunar landings but it would serve notice to the space agency that the Congress of the United States is concerned about the immense cost of this program and that we want it conducted with stringent economy.

AMENDMENT TO CUT \$100 MILLION

So, Mr. President, I send my amendment to the desk and ask that it be printed.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. PROXMIRE. I ask unanimous consent that the amendment be printed in the RECORD at this point.

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

The amendment is as follows:

On page 22, between line 6 and 7, insert the following new sentence: "Notwithstanding any other provision of this Act, not more than \$3,615,527,000 shall be available under this Act for the National Aeronautics and Space Administration."

Mr. PROXMIRE. My amendment would cut \$100 million from NASA appropriations for fiscal 1970. I have decided not to earmark these funds in any way, but rather to simply cut the funds and permit the space agency to determine exactly where the money should come from. Moreover, cutting this money will put NASA on notice that the Senate does not intend to permit space spending to go unchecked, that it has serious reservations about continuing the Apollo program at the rate of three manned landings a year, that it wants to reconsider space spending in light of other demands on the Treasury's resources, and that it wants to explore avenues for international cooperation.

Mr. President, one example of the tremendously inflated costs this program entails should suffice. For the Apollo 12 flight, scheduled to take off later this week, the astronauts are to take along an Apollo lunar experiments package—ALSEP. The ALSEP package consists of a seismometer, a magnetometer, an atmosphere detector, a solar wind spectrometer, and a lunar ionosphere detector. The cost of this little package: \$25,000,000. Twenty-five million dollars to find out whether the moon has a San Andreas Fault, and to find out if the moon has a magnetic field or an atmosphere—both of which we already know to be practically nonexistent.

Another example: The lunar rover—the little jeep that would take astronauts on a ride around the moon on later Apollo missions—will cost almost \$5,000,000 apiece.

If we add the cost of these two "moon-doggles," and consider that NASA plans three flights a year, we have just about \$100,000,000 right there. This Senator, for one, would have no difficulty in cutting far, far more from the NASA budget, but I believe the two examples I have just cited demonstrate what a small drop in the bucket a cut of \$100,000,000 would be. It should be the minimum amount the Senate would be willing to cut.

Mr. President, the principal reason why I do not offer a much more substantial cut is that I have learned it would be of no value to reduce the number of lunar flights from three to two or from three to one. It would save very little money because we would have to have all of the equipment there and all of the people standing by. The cost of four lunar flights would not be much more than three. We would not save very much.

At the same time, because of the preoccupation of the Senate with the military debate and many other things, it was apparent to me that I could not make much progress in eliminating all the lunar landings.

I am consequently in a bind. I think the best I can do is to offer a modest amendment which would carry the clear message that the Senate is concerned with the program and intends to cut it back. And this is one way to enforce the strictest kind of discipline we can.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 22, between line 6 and 7, insert the following new sentence: "Notwithstanding any other provision of this Act, not more than \$3,615,527,000 shall be available under this Act for the National Aeronautics and Space Administration."

Mr. PASTORE. Mr. President, in his concluding statement the Senator from Wisconsin put his finger on my objection to his amendment. It is not the principle or the amount of money that is involved. It is the spirit of the amendment. That disturbs me considerably.

Insofar as the resolution that is to go to the Foreign Relations Committee to explore the possibility of international participation with reference to exploration in space is concerned, I point out to my good friend, the Senator from Wisconsin, that I would like to have him see

me when he prepares the resolution. I would like to sponsor it.

I think we should explore as far as possible international cooperation with reference to space. However, let not the record go unnoticed that we have already tried 20 different times to engage the Russians in a cooperative effort with relation to the exploration of space.

After all, as the Senator from Nevada said not too long ago, "It takes two to tango." And we cannot have this cooperation until Russia agrees to it. That has been our problem right along.

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

Mr. PASTORE. I yield.

Mr. PROXMIRE. Mr. President, when I brought the matter up during the consideration of the authorization bill, the same objection was made. I would like to see the matter documented. They have never documented what they mean by saying they have refused to cooperate. Have they ever invited a cosmonaut to go along? I asked that question of a top space official and I was told, "No. They don't speak English."

Mr. PASTORE. And they do not carry any money with them. And that is the objection. We do not only want their company; we want their money also.

Mr. PROXMIRE. We have to have a serious effort to involve the Soviet Union.

Mr. PASTORE. There is no need to have a visitor from a rich country like Russia unless they will pay the tab.

Mr. PROXMIRE. I agree. But have we asked them to do that?

Mr. PASTORE. Of course we have.

Mr. PROXMIRE. When?

Mr. PASTORE. Here is the record. I read from the hearings:

Mr. PROXMIRE. Will the Senator answer my question?

Mr. PASTORE. I have answered the question. The Senator asked me for the proof. Here it is:

December 7, 1959.—NASA Administrator Glennan offered U.S. assistance in tracking Soviet manned flights. The Soviet replied that they would be in touch if the need arose.

March 7, 1962.—President Kennedy proposed an exchange of tracking and data acquisition stations. The Soviet did not accept.

September 20, 1963.—President Kennedy suggested in a speech to the U.N. General Assembly that the United States and the U.S.S.R. explore the possibility of joint exploration of the moon. President Johnson later reaffirmed this offer. There has been no official Soviet response.

December 8, 1964.—NASA proposed an exchange of visits by NASA and Soviet teams to deep space tracking and data acquisition facilities. The Soviets replied on August 13, 1965, that such visits were not then possible.

May 3, 1965.—NASA suggested United States/U.S.S.R. communications tests via the Soviet Molniya I. There was no Soviet response.

August 25, 1965.—At the request of President Johnson, Administrator Webb invited the Soviet Academy of Sciences to send a high-level representative to the launching of Gemini VI. At the same time, the President said that "we will continue to hold out to all nations, including the Soviet Union, the hand of cooperation in the exciting years of space exploration which lie ahead for all of us." The Soviets did not accept this invitation.

November 16, 1965.—NASA inquired about the possibility of United States/U.S.S.R. com-

munications tests via Molniya I. On January 23, 1966, the Soviets replied that it was not possible to consider joint experiments "in the present conditions."

January 6, 1966.—Administrator Webb asked Academician Blagonravov, Chairman of the Soviet Academy's Commission on the Exploration and Use of Outer Space, for a description of experiments on Soviet Venus probes then in flight in order that NASA plans for Venus probes might emphasize experiments which could complement rather than duplicate Soviet work. Blagonravov replied informally that he did not have authority to describe the experiments.

March 24 and May 23, 1966.—Administrator Webb suggested to Academician Blagonravov that the Soviets propose subjects for discussion with a view to extending cooperation between NASA and the Soviet Academy. Blagonravov replied informally that the Soviets were not ready for further cooperation.

September 22, 1966.—Ambassador Goldberg, speaking in the U.N. General Assembly, said that if the U.S.S.R. desired tracking coverage from U.S. territory, we were prepared to discuss with the Soviets the technical and other requirements involved "with a view to reaching some mutually beneficial agreement."

March 27, 1967.—President Seitz, of the National Academy of Sciences, proposed to President Keldysh, of the Academy of Sciences of the U.S.S.R. that the U.S.S.R. provide the United States with some results of the Luna 13 soil meter experiment in advance of Soviet normal reporting to the world scientific community in return for comparable data from future flights in the Surveyor series. President Keldysh replied 4 months later on July 28, forwarding data which had already been reported at the International Committee on Space Research (COSPAR) meeting in London.

March 27-31, 1967.—Dr. Kistiakowsky, during the visit of a National Academy of Sciences delegation to Moscow, suggested small United States/U.S.S.R. meetings to consider such topics as cooperation in weather prediction, lunar and planetary research, and orbiting telescopes. At the same time, Dr. Brown proposed that representatives of the two academies consider joint space efforts in basic science, excluding rocketry. The Soviets have not replied to these proposals.

April 4, 1967.—Administrator Webb said in his statement on the death of Cosmonaut Komarov that NASA wished to make every realistic effort to cooperate with the Soviet Union. The Soviets have not responded.

June 2, 1967.—Administrator Webb proposed to Academician Blagonravov that they meet in July at the time of the COSPAR meeting in London to review progress in the exchange of weather data as required every 6 months under bilateral agreements. Blagonravov replied on July 3 that he had been unable to arrange for the presence of the necessary Soviet experts. The required semi-annual meetings have not been held since October 1965.

October 10, 1967.—President Johnson, speaking on the occasion of the entry into force of the U.N. Outer Space Treaty, listed previous U.S. offers of cooperation and said "We again renew these offers today. They are only the beginnings of what should be a long, cooperative endeavor in exploring the heavens together."

October 18, 1967.—President Seitz of the National Academy of Sciences, in a telegram congratulating Academician Keldysh on the success of Venus 4, spoke of the need to further full and prompt exchange of data on planetary exploration. Keldysh's telegram of acknowledgment made no reference to data exchange.

December 15, 1967.—President Seitz of the National Academy wrote to Academician Keldysh proposing a small working meeting between the Soviet Venera IV experimenters

and the American Mariner V experimenters to compare results of the two Venus probes and to assist each other in understanding the significance of the measurements. Keldysh replied in a letter of January 24, 1968, that he would be sending proposals on this matter shortly. The proposals never came, and there has been no further Soviet response.

Mr. PROXMIRE. Mr. President, that was not my question. My question was whether we have unilaterally asked the Soviet cosmonauts to accompany our astronauts on a flight in outer space or to the moon. Have we invited them to go along and pay part of the costs?

Mr. PASTORE. Certainly we have. That is what President Kennedy asked them to do.

Mr. PROXMIRE. The Senator has not answered my specific question. Only the very generalized Kennedy invitation constituted an approach—a genuine approach—and then there was no follow-up.

Mr. PASTORE. The trouble is that the Senator from Wisconsin is not satisfied with the complete and detailed answer. That is the trouble. It might be a nice gesture and a gimmick to invite someone to go aboard so that we could prove that we had offered to cooperate. However, I did not understand that this gimmick was what the Senator was driving at.

The Senator said we were spending too much money and that we ought to have cooperation between the two countries and do it together. We have been looking for cooperation. I am for that. However, the fact is that we keep inviting them to do it and they never come around to it.

Mr. PROXMIRE. What effort have we made to invite other nations?

Mr. PASTORE. We did it in the United Nations. We invited all of those nations who were members of the United Nations to come in on the cooperative effort.

The trouble is that they are not yet ready to shoot Santa Claus.

Mr. PROXMIRE. But a speech to the United Nations is not the same as a formal offer in which we address ourselves to ways in which to involve them so that they can participate.

Mr. PASTORE. How did we establish the World Health Organization? Was it not under the aegis of the United Nations?

That is what we have always done. Just because it does not work out is no reason to blame us. We should not always try to make the United States of America the "bad guy." For once in our lives, let us put on a white hat.

Mr. PROXMIRE. Mr. President, may I say to the distinguished Senator from Rhode Island—

Mr. PASTORE. Mr. President, I have the floor. I did not interrupt the Senator from Wisconsin.

Mr. President, I agree that the space program should be slowed down. I said that to Dr. Paine. I do not like to spend money any more than any other Senator does. I voted today against the treaty that was a giveaway of \$278,000 to Canada. We had no business giving them that money. We modified the treaty in order to legalize the payment. How foolish can we get?

I say frankly that there is no member of the Appropriations Committee that listens with more attention to presentations and tries harder to make cuts where they can be made than I do.

This is not a judicious way to slow down the NASA program. Read the report where I said that this is a poor way for us to act—to wait until November 4 at a conference on the authorization bill, when we have extended the payment by resolution since July 1, 1969, and in all probability NASA has already spent half of its money.

If a big chunk is chopped from here now, it will crucify the program. As a matter of fact, there might not be a net for the brave fellows on Apollo 12 to come down on if we keep this up. This is not good procedure, and that is my argument. If the program is to be slowed down, it should be slowed down in a systematic way. Let us have some policy. I am for the Senator's policy. But, after all, the Space Committee, together with the House Space Committee, the House Appropriations Committee, and the Senate Appropriations Committee—four agencies of this Government—scrutinized this program.

Now the Senator says we should not have so many landings on the moon. Perhaps he is right. I do not question that. But why this talk of a cut of \$100 million in a \$3.7 billion program just to prove to NASA that we do not like them? What a nice bon voyage that is for Apollo 12. What a beautiful bon voyage that is for them.

I repeat, it is the spirit and principle. One hundred million dollars will not make or break this program. As the Senator from Wisconsin said, let us prove to them that they have been wasting the money and that we have been wasting this money. There are a lot of things wrong in this world today, and many of them are wrong with this country; but thank God more things are right than wrong. Nothing served to lift the spirit of America more than when we all sat by our television sets and breathlessly waited for the astronauts to step on the moon. We spent \$200 billion to lift our friends and our foes from despair and defeat. We spent over \$3 billion in foreign aid. I think we can afford this \$100 million for the glory that is America. When we looked at our television sets, it was not two Russians we saw land on the moon. Thank God they were Americans. That is worth not \$100 million to me. That is worth \$100 billion, and I oppose this amendment.

Mr. PROXMIRE. Mr. President, will the Senator yield for a question?

Mr. PASTORE. Yes, I will yield for all questions.

Mr. PROXMIRE. Is the Senator saying that because of the great accomplishment, which all of us acknowledge, in the landing on the moon, probably the greatest technological accomplishment this Nation has ever had—

Mr. PASTORE. That is right.

Mr. PROXMIRE. I agree with that.

Does the Senator say that because of that we should go on and have nine more manned landings on the moon? Is that a reason for doing it again and again

and again nine times. How often does this same achievement have to be repeated?

Mr. PASTORE. I did not say that. I am saying to the Senator that this is not the way to cut down the program or to slow it down. I think that what the Senator has said makes a great deal of sense, but you do not do it this way. You go into this detail by detail. You formulate a policy and live up to that policy.

The Senator has said that we should not have any more manned landings until we get international cooperation. Does the Senator realize what the repercussions of that statement are? It means that we disband a valuable scientific team. How can a team like that be put together again after it has been disbanded?

This has to be a gradual process. We should get out of it rationally and orderly, the way we got into it.

Mr. PROXMIRE. May I say to my good friend the Senator from Rhode Island that I do not say there should be no more manned landings. That will not result from the adoption of this amendment. I say that if I had my "druthers"—and I do not have my "druthers," and do not expect to have them in the Senate on this or many other things—we would have international cooperation in this program.

I am offering an amendment to cut \$100 million from the program, not because I do not like the astronauts or the program. I think they are marvelous men. They have achieved a great deal. But I am offering this amendment partly because I think this is a good way to get efficiency from the program, and I think it is the responsible way.

I have asked people at the Defense Department and NASA whether they would rather have us single out programs and make cuts or have an overall reduction. They consistently say they greatly prefer overall cuts. After all, this is a program in which many men have spent many years. They are experts and are in a much better position to evaluate whether they can make a cut in some research program or make a reduction in the Apollo program or somewhere else. These are the men who ought to make those judgments on saving \$100 million, not just offhand, off-the-cuff, on the basis of a little study of the hearing and a short debate on the floor of the Senate. A \$100 million cut will not stop the program. It seems to me it is a responsible way to go about getting efficiency from the program.

Mr. PASTORE. That is not what the Senator said. The Senator said, "Let's take this \$100 million to put them on notice."

Mr. PROXMIRE. To put them on notice that we want the greatest efficiency.

Mr. PASTORE. I say this is not the way to do it, and this is not the time to do it.

I will admit that the chances are that this program could be eased off or slowed down, and we should take many other priorities into account, and I will be the first to stand up for these priorities. But the idea that we are starving our people because we have a couple of astronauts

landing on the moon is something I cannot buy too easily. That argument is being made time and time again just to arouse the emotions of the people, as though if we call off the flight that is to take place on Friday we are going to feed all the hungry babies and we are not going to have any more malnutrition or poverty. That is ridiculous. We should do all we possibly can in that respect.

After all, there is such a thing as spirit. The Senator is familiar with the old adage: "Man does not live by bread alone." A great nation must remain great. And how does it remain great? Is it by saying, "We're second, but we'll try harder next time"? No. Let us be on top. What is wrong with being on top? Must we always be trying to rise from second to first? Let us be first. That is what John F. Kennedy meant when he said at a joint session that we will land a man on the moon in the sixties. And thank God, we did it, with thanks too to American ingenuity.

Mr. PROXMIRE. Mr. President, may I say to my good friend the Senator from Rhode Island that this has nothing to do with being first or second. We are first. We were first on the moon. The Russians could go there 50 times. We would still be first, No. 1. There is no question that we were there first. The Russians have no apparent program to have a manned landing on the moon. The issue as to whether we will be first is not relevant to this debate. The adoption of the amendment will not make us second.

I say that this is an enormously expensive program and it can be reduced. We all know that President Nixon and Members of Congress have properly recommended economies. We all know that some of those economies go right to the heart of the programs that the Senator from Rhode Island supports and I support and many other Senators support.

For example, the Public Health Service plans to phase out five chronic disease health services programs—cancer, heart and stroke, respiratory, diabetes and arthritis, and neurological and sensory disease. This is in response to a Presidential decision to cut Federal spending in the current year by \$3.5 billion as well as a House decision to cut funding for regional medical programs from \$100 million to \$76 million.

The Senator from Washington (Mr. MAGNUSON) is working hard, as I understand it, to put that money back in, and I will support it in the Appropriations Committee and on the floor.

But this is an example of the very painful choices we have to make. For us to say that spending this enormous amount on space has nothing to do with health, education, and other programs is not true.

Mr. PASTORE. I did not say that.

Mr. PROXMIRE. We are spending these enormous amounts militarily and in space, and we simply cannot spend the money we would like to spend on health programs and poverty programs and other programs many of us support.

Mr. ALLOTT. Can the Senator tell me how much the increase or the decrease in all of the NIH and allied organizations research was for this year compared with last year?

Mr. PROXMIRE. I do not have that information available.

Mr. ALLOTT. I will tell the Senator. It is 3 percent more than last year. Does the Senator know that?

Mr. PROXMIRE. Well, these always go up, and 3 percent impresses me.

Mr. ALLOTT. The Senator just said that all of these have been cut. They have not been cut.

Mr. PROXMIRE. The Senator from Colorado knows that we have had a 6-percent increase in inflation in the last year. In the health area it has been 15 percent. A 3-percent increase in appropriations represents a real cut in Government health services of probably more than 10 percent.

Mr. ALLOTT. The Senator from Colorado and many others voted for the limitation in the second supplemental, which we passed late in the spring or in the summer. Maybe the Senator did not vote for that limitation.

Mr. PROXMIRE. I certainly did. As the Senator knows, I favor sharply reducing the military programs and many other programs which would reduce the aggregate budget well below \$192 billion.

I think the principal point that I would like to reiterate is that the space agency has done a marvelous job. I do not intend, by my amendment, to insult them or to say we are opposing them. I do intend to point out that they have engaged in some programs that are wasteful and they have not engaged in any benefit-cost system as other agencies have, or at least any that we have discovered. There are programs that can be cut back. This amendment would put them on notice that we want them to operate with the strictest efficiency. This does not mean I do not love my country as much as does the Senator from Rhode Island.

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

Mr. PROXMIRE. I shall yield in a moment.

I think it indicates it is perfectly consistent with patriotism and devotion to our country to feel this program should be conducted with as much economy and efficiency as possible; and we can reduce this enormous sum to \$3.6 billion.

Mr. PASTORE. Does the Senator realize this is the smallest amount we have ever appropriated?

Mr. PROXMIRE. That is my understanding. I said that to begin with.

Mr. PASTORE. We have done what the Senator is talking about, but he is not satisfied and he wants to go a step further to give them notice. We gave them notice in the hearings. I suggest the Senator read the hearings. I gave them notice. The Senator should read what I said about landing a man on Mars.

Mr. PROXMIRE. We all know the reason the amount appropriated for space now is less than in the past. We had to spend enormous sums on hardware for the complex at Cape Kennedy and elsewhere. We have them all constructed now and we have achieved our goal—the goal set by President Kennedy. We have achieved our objective so it is perfectly proper for us to consider reducing the program further. But we are

giving NASA \$3.7 billion and the go ahead for nine more landings on the moon, three this year. We are developing momentum that will make it difficult to cut back in the future.

I think this is a limited amendment that would not prevent the three manned landings, to which I object, but it offers some degree of moderation in this expensive program.

Several Senators addressed the Chair.

Mrs. SMITH of Maine was recognized.

Mrs. SMITH of Maine. Mr. President, the distinguished chairman of the committee, the Senator from Rhode Island, has so ably stated why the amendment proposed by the distinguished senior Senator from Wisconsin would have a very critical effect on our national space program. I believe an amendment of this type ignores certain significant facts and therefore it is unwarranted.

The appropriation amount recommended by your committee is already at a minimum level necessary to maintain a viable space effort. I would remind my colleagues that President Johnson's budget request for NASA was referred to as an "austere" or "holding" budget. It was left to the new administration to provide the decisions and funding for future space programs.

Although President Nixon did provide authority for future programing by adjusting individual line items, the new administration actually reduced the budget an additional \$45 million—and, Mr. President, the resulting total, \$3.715 billion, is the identical amount recommended both by your Appropriations Committee and by your Space Committee.

Mr. President, criticism again has been leveled at NASA and the State Department for not obtaining increased cooperation in space with the Soviet Union. To those who know the facts this is certainly undue criticism.

I refer my colleagues to pages 636 through 638 of the hearings on NASA's authorization bill for a listing and discussion of the many, many occasions over the past 10 years when the President of the United States or NASA officials tried, unsuccessfully, to obtain some degree of cooperation from the Soviets.

There have been at least 20 specific instances where we have made an effort to obtain Soviet cooperation. The Senator from Rhode Island (Mr. PASTORE) has referred to several of these instances. More currently, it is reported that the Soviets have even forbidden their cosmonauts to accept our invitation to visit Cape Kennedy because of the fear that the U.S.S.R. may have to reciprocate.

Mr. President, I yield to no one when it comes to concern with our current budgetary situation and inflationary pressures. I fully subscribe to paring agency funding to minimum levels, but why unduly penalize our space efforts whose programs have been so successful?

The appropriation recommended for NASA by your committee is the lowest total in 8 years. For how many other agencies can the same statement be made? Very few, if any.

Mr. President, I, therefore, urge that the amendment not be adopted.

Mr. MAGNUSON. Mr. President, I was not in the Chamber when the Proxmire proposal was being debated. However, I have had considerable experience with this bill as has the Senator from Colorado (Mr. ALLOTT). We have sat for many hours on this bill in the past. This year I was not privileged to sit with the committee, as much as I would like to because I have been handling the appropriation for HEW.

I heard a statement made by the Senator from Rhode Island in which apparently there was some discussion about international cooperation. The Senator from Colorado and I have suggested many times that we were hopeful that when the so-called Apollo program was completed, that we would then reappraise this entire matter and see if it were possible to get together all the nations in the world which would benefit by the scientific knowledge if we go beyond Apollo.

I am hopeful, despite the fact we are now escalating trips to the moon under the Apollo program, we will not lose sight of this goal because once we get beyond Apollo there would be no military spinoff or anything of that nature involved. It would be purely scientific and it would be for the benefit of all the people in the world. It should be a program such as the International Geophysical Year or the Oceanographic Year, where everybody gets together and know-how is exchanged.

I wish to compliment the Senator from Rhode Island and the Senator from Wisconsin for again calling attention to something that the Senator from Colorado and I have proposed in the past; that when we get beyond Apollo there might be, and we hope there will be, a possibility for these nations to get together and explore the universe and planets in a joint way. There are many nations involved. Not only Russia is involved. England has great expertise in this matter, the French have expertise, as well as Australia and New Zealand. It would not only save money but we would learn more because all of these people would be together.

I know the subcommittee that worked on this bill has not forgotten that suggestion. So there is no disagreement between the Senator from Rhode Island and the Senator from Wisconsin in hoping that some day we can have this joint effort like we had in connection with the International Geophysical Year and in oceanography.

Mr. PROXMIRE. Mr. President, will the Senator yield? First I wish to ask for the yeas and nays on the amendment and then I shall reply.

Mr. MAGNUSON. I yield.

The PRESIDING OFFICER (Mr. MATHIAS in the chair). The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on the amendment. The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, may I say to my good friend from Washington that I very, very much appreciate his statement.

Let me suggest that the Senator from Rhode Island (Mr. PASTORE), as always,

also made a powerful response, as did the distinguished Senator from Maine (Mrs. SMITH) in her first statement.

We have to use some initiative and take some risk. We should consider the possibility of inviting other nations to come along, even though at first they do not pay much more than a token part of the bill, just to get them involved and interested in it. We must use our own initiative to get them involved in it. Maybe they will or maybe they will not pay part of the cost.

Mr. MAGNUSON. Where the project is purely scientific is what I am talking about. What we are doing now, if it has some military value or spinoff, such as regarding platforms in space, we do not know what that will lead to, but when we get beyond, I am sure that there can be some area of agreement. I would think it would do as much to unite the people of the world as our original plan in what we are doing with the moon walk. It would be a great step forward. We will do it at some point. We have done it. I think, in the case of the International Geophysical Year, that was a great success.

When that was first proposed, I know that the Senator from Colorado and I were kind of wondering how it would turn out. It turned out to be a great success, especially in cooperation. This could be a long step toward the peoples of the world understanding one another better. We are a generous nation. We are going to give them the benefit of all the scientific findings we have if they do not have any military value, anyway. That is what we should do. I am sure that the subcommittee always keeps that in mind when it thinks about reviewing and reexamining the program, after Apollo.

Mr. PROXMIRE. Let me say to the distinguished Senator from Washington that I think few of us really appreciate fully the fantastic international response that came to us as a result of the moon landing. I have talked with people in Italy, in England, and Asia; and all over the world the people were just astounded and entranced by it.

I do not believe that we stood very well in the world's esteem during those days of 1959, through 1964. Most of the countries seemed to reject or were unwilling to take part in a meaningful way by paying part of the costs. We should, once again, try to interest them and invite them to go on it, even if we have to pay most of the costs or practically all of the costs at first. It would be worth it.

The Senator from Washington has made a very strong case in that direction.

Mr. ALLOTT. Mr. President, I want to say a few words in opposition to the amendment, although I think that everything has been said so adequately and so ably already that perhaps there is not much more to contribute with the exception of one or two points.

First of all, I congratulate the distinguished chairman and the former chairman for the way they have presented this matter. I was particularly happy that the distinguished Senator from Maine (Mrs. SMITH) was able, this afternoon, in her few, short, incisive remarks

to show just exactly how important this is.

The Senator from Washington, the former chairman of the subcommittee, has been on the committee almost since the space program began. He and I were on it together almost from its inception.

Regardless of the space program, the problem and the challenge to me are: Why make a meaningless, little cut to show people that we can cut them, take a swipe at their program, just because there might be a chance of doing it?

If we really feel that the moon shots do not mean anything, aside from the first glory of placing a man on the moon, why do we not have an amendment, then, to strike out everything in space exploration from here on out? If this is all it means to anyone, then we might as well do away with it entirely.

I do not know how much my friend reads the scientific magazines, but I try to read a few, insofar as I can understand them; and I have already read, in the past few weeks, literally dozens of items speculating upon what the scientific information and fallout on this one moon shot will be.

Now, admittedly, it was basically a problem of putting a man on the moon. President Kennedy said, remember, "a man on the moon in this decade."

The Senator from Washington, the former chairman of the committee, will recall at the time President Kennedy made that statement, that we held extensive hearings to decide whether it was actually a worthwhile goal. No one official talked about that at that time. The President wanted it. We therefore moved ahead. We have done it. But, in the course of the past 7 years, many things have happened. We have come far from the place where we were so inferior to the Russians in our ability to put a vehicle into space that we were not even in the same ballpark with them.

Many times we sat in the hearings and received assurances from Mr. Webb that we were coming along on the Saturn system and that when we did we would have the most powerful booster in the world. I must say that it looked like a long and weary road ahead of us and I am sure that the Senator from Washington (Mr. MAGNUSON) felt the same way. But we did it.

Now we have 10 Saturn systems. We have the ability to put 10 Apollos on the moon. They are all on the production line today. I repeat, today.

What shall we do?

Shall we go down there and put a bomb under all of them and blow them up, or take a torch and cut them up and destroy billions of dollars worth of work?

I think not. I do not believe that would be a sensible thing to do. We have them in existence. We should therefore utilize them. The great expense is there. The research and development, the construction and fabrication of these vehicles is there.

Do we throw them away?

I think not. Only a foolish man would throw away such a great and wonderful investment.

Let me say one further thing. As the distinguished chairman of the subcommittee has already pointed out as to the

efforts which have been made to cooperate with the Russians, I do not think there was a hearing conducted in the past 10 years—yes, I will say in the past 11 years—where this question was not asked; namely, what are we doing to try to cooperate with the Russians?

Mr. Webb was not of my party and he was not the appointee of my President, but I regard him as one of the greatest administrators we have ever had in this country and the man who developed the concept of systems management which alone, if nothing else, is worth its weight in gold to this country.

And time and time and time again he said to us that he was making every effort he could to find cooperation with the Russians in interlunar explorations.

One other point: It was my understanding that a little over a year ago—and the distinguished chairman of the Committee on Aeronautical and Space Sciences and the ranking minority member are present on the floor—when we were able to set down in a general way a first flight Apollo for a landing on the moon and could set down a space flight around the moon, Apollo 10, and could see pretty definitely Apollo 11 coming up, the Space Committee, headed by the distinguished Senator from New Mexico (Mr. ANDERSON) and the ranking minority member the Senator from Maine (Mrs. SMITH) decided it was going to set its sights and have hearings on what the post-Apollo program would be. The committee has done this.

As a consequence, there has been a great modification. The thinking now is far more, not about sending men to Mars, but thinking about what we can do in unmanned space explorations to find out what is in the universe around us.

So what the Senator complains should be done has been done. The chairman of the committee and the ranking minority member of the committee are present. The Senator can ask them. They have explored the question of future exploration of space to a very great extent this year, in hearings. If the Senator has any ideas about what the future of the space program should be, I am sure the members of that committee will be happy to have them.

I do not pretend to know the extent of the knowledge they received relating to the future, long-term ranges of the space program, but I know they have gone into it and have explored it for a long time. Knowing them, I know it was explored thoroughly.

So I conclude, Mr. President. We are about to set forth on another voyage into space. Of all the dangers in the world, probably nothing can approach the dangers of such a flight, because there are literally millions of things that can go wrong. We trust in the men who designed it. We trust in the people, including the people in this Congress, who helped plan it. We trust in the people who make the vehicle. We pray to God it will be safe.

If it is safe, rather than just the achievement of being on the moon—which was perhaps our first goal, even with the scientific fallout that has come out of it—I am sure we will receive far more than we know now in scientific

knowledge of the universe. Solar winds may not mean much to some people, but people in the field of meteorology and other such areas think there are great possibilities for knowledge coming out of the information on the nature of solar winds. Eventually, even from this one matter, may come something which may enable man to control our weather or forecast or foresee it, which will be of endless use to mankind in his struggle to advance.

This is just one end of a struggle to advance. Why should we, by voting for a motion or amendment like this, say to all those who have risked their lives and given their lives, "We are going to clip you back now, just to show you we can do it"?

Mr. President, I ask unanimous consent that an excerpt from the hearings, beginning on page 661, "Benefits From Space," be printed in the RECORD.

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

BENEFITS FROM SPACE

We have reached a time when we must make a momentous national decision regarding this nation's space programs. Our posterity will judge our times by the decision we make now. We have thrown open the doors that will allow us to explore our universe. We have called the environment of the universe "space" and we have boldly hurled ourselves into it. Man has proven that he can go into space and he can do good works there. Our space explorers have developed tools that they have passed over to other men. They have developed materials to be used by other builders. They have evolved techniques to challenge creative minds. Through space exploration man has learned to exercise and organize his technical creativity in such a fashion that reaching space-oriented goals is in itself not the only measure of his accomplishments. The true measure of his space accomplishments is better understood by recognizing the earthbound applications of the milestones he has passed. This booklet describes some of those milestones, and it shows part of the road he has travelled. When he reaches other planets, he can look back across this path and say, "On my way here I made my earth a better place—for all men." And this he truly did. Our posterity will read of our soul-searching, and our fears, and our doubts, and know that we were, after all, mortal men. But they will also know we accepted a role brought about by a time requiring greatness. . .

SCIENTIFIC BENEFITS FROM SPACE

Astronomy

It can be said that the advent of space research has reopened the largely dormant field of solar system astronomy, "closed" for decades because of limitations imposed by the earth's atmosphere on earthbound equipment. The Mariner IV observations of Mars are only one case in point.

Unobstructed and uncontaminated views of the radio frequency and infrared spectra can be had in no other way [observation beyond the earth's atmosphere], and we are opening up for the first time the ultraviolet, X-ray, and gamma ray regions of the spectrum. Secondly, in going beyond the earth's atmosphere, it is possible to see objects as much as 10 million times fainter than the sun, permitting the direct observation of the "vastly fainter celestial objects." By placing larger telescopes above the earth's atmosphere, it is possible to examine smaller structures by achieving higher angular resolution.

The Orbiting Solar Observatory (OSO) has been a major part of solar astronomy flight programs since 1962 (OSO I—March 1962,

OSO II—November 1965, OSO III—March 1967, OSO IV—October 1967, and three more planned for 1968 and 1969). This observatory has provided "high resolution spectra of solar X-rays, and has enabled us to measure the low rate of X-ray emission during quiet solar conditions as well as during the occurrence of events like flares, when the sun's X-ray brightness rose by orders of magnitude."

Space radiation

The extension of current scientific knowledge concerning interplanetary space is necessary to help prepare for the eventual landing of instruments, and then men, on Mars and Venus. The Explorer satellites, the Pioneers—especially Pioneer V—and Mariners II and IV already have eliminated some of the mysteries of the interplanetary medium.

1966 data from the Pioneers brought further enlightenment on the nature of the solar atmosphere, including:

Findings indicate that solar winds with velocities in the range of millions of miles per hour blow outward from the sun and extend beyond Mars.

Magnetometer readings show that the sun's magnetic field consists of a "snarl" of intertwined lines of force drawn out from the solar surface by the solar wind.

Explosions on the solar surface produce cosmic rays that travel in spirals as influenced by the earth's magnetic field. (There is a need for a clear idea of the pattern of the cosmic rays in order to design manned space missions that are safe for the astronauts, in addition to the purely scientific need to know more about the origin and structure, of the universe.)

"A study of the solar wind and the interplanetary magnetic field represents essentially a study of solar weather and its changes. The environment of the earth is very responsive to solar storms and changes in solar atmosphere. Thus, we may anticipate in the future that synoptic studies of solar weather by both NASA and the newly formed agency, ESSA, will contribute further to our ability to anticipate and predict future deep-space (as well as near-earth) conditions."

Geophysics

Influences of Space Environment on Earth and Its Atmosphere

The study of the lower atmosphere, or the environment we are most familiar with because of its closeness to earth, is of both scientific and practical significance. When such fields as air pollution and weather are involved, the practical applications to be derived from knowledge of our environment are many. In addition, for future purposes, survival may well depend on more substantial knowledge of how to control and maintain our environment.

Two examples of dangerous current trends affecting our environment are worthy of considerable thought. The amount of carbon dioxide has increased 8 percent in the last 60 to 70 years. A continuation of this trend will bring about a gradual rise in temperatures on the earth's surface, which could have serious implications regarding the weather, land movement, etc. The amount of oxygen in the air also will change; it could decrease as the natural balances become more disturbed. We must be able to anticipate these changes before they become too serious to remedy.

Achievements in Space Geophysics

Progress during the past decade has revolutionized the field of geophysics through a series of brilliant discoveries on the nature and behavior of the ionosphere, the aurora, the geomagnetic field, and the upper atmosphere. Explorer I, successfully orbited in January 31, 1958, made the first major scientific discovery of the space age, the detection of "trapped particle belts" high above the earth's atmosphere. The actual discovery of the belts was made by Professor James Van Allen, who successfully interpreted the pat-

tern of particle-counts being telemetered from the satellite, and they are called the Van Allen belts. The discovery and investigation of the magnetosphere in which they exist marked an entirely new aspect of geophysics and geoscience.

The space age has contributed new tools to geophysics (also referred to sometimes as geoscience), and sounding rockets and the artificial satellite have been able to increase the pace of definitive observation and measurement greatly. Significant findings include:

Pressure and density of the atmosphere were determined to heights over 1500 km.

Molecules and ions in the upper atmosphere were identified.

Ionized oxygen atoms were found in the middle atmosphere instead of the neutral oxygen molecules found at sea level.

A region dominated by helium was discovered higher in the atmosphere, followed by a region farther out that is mostly hydrogen.

It is possible to observe the solar spectrum at various altitudes to determine where different solar wavelengths are absorbed in the atmosphere (which is important for understanding the influence of the sun on our atmospheric environment).

The amount of oxygen in the air also will change; it could decrease as the natural balances become more disturbed. We must be able to anticipate these changes before they become too serious to remedy.

Therefore, the space approach has strengthened and extended the field of geophysics in several significant ways. It has provided powerful new tools, opened up new areas of study, extended geoscience to other planets, and has also drawn geoscience, astronomy, and physics closer together.

Space biosciences

Exobiology

Exobiology is foremost among the areas of study in the space biosciences and concerns itself with the search for extraterrestrial life and evidences of its previous existence. "Closely allied to the search for extraterrestrial life is research which seeks to identify the materials and the conditions which are the prerequisites of life." Therefore, exobiology is in a position of prime importance and "is so closely related to the central scientific questions in biological science that it is considered by some to be the most significant pursuit in all of science." The question of extraterrestrial life and the origin of life are interrelated, and it is expected that the discovery of extraterrestrial life of one sort or another will help us solve questions about the origin of life on earth.

Environmental Biology

The main objective of this division of the biosciences is to study the effects of weightlessness, radiation, removal of effects of the earth's rotation, magnetic fields, and various other stresses of space travel and environment on different forms of life. With respect to studies made on astronauts' reactions to the effects of their environment, reactions to weightlessness observed on early space flights showed:

An increase in white blood cells.

A decrease in red blood cells.

A reduction in bone calcium.

Circulatory difficulties upon return to earth.

Doctors also found that the reactions of astronauts on the 14-day Gemini flight (December 4 to 18, 1965) were less intense than those in shorter flights. This suggests that man's body may be able to adapt to longer flights in space.

DIRECT APPLICATION BENEFITS FROM SPACE

The programs of Space Applications in Communications, Meteorology, Oceanography, Navigation, Earth Resources, and Geodesy have achieved a greater degree of visible success and immediate payoff in practical

benefits than any other area of the space program. These programs, along with their R&D, make up approximately one-third of the total space effort at present. Future applications are even more promising.

Communications

Communication satellites offer tremendous advantages because of the versatility and flexibility of the services they can provide. "It is evident that telecommunications is the key to all activities in outer space, not only for communication through the mass media, but also for space research, space travel, meteorology, navigation and other purposes—it has multiple aspects as far as uses are concerned."

Satellite communications are as little as \$4,200 per channel each year contrasted with \$25,000 per year for one circuit on new submarine cables.

"The capability for providing high quality communications links for transmitting voice, television, and data traffic between a few large, sophisticated, and expensive earth terminals by satellites has been developed, demonstrated, and reduced to commercial operational practice. Refinement and utilization of that capability are being carried out by the Communications Satellite Corporation and its foreign counterparts in Intelsat." The work of Comsat has helped the United States to achieve worldwide leadership in the communications field.

Medical training, diagnosis and consultation on a real-time basis are now possible internationally and were demonstrated in the following transmissions:

The Relay I satellite transmitted an electroencephalogram from the Burden Neurological Institute in Bristol, England, to the Mayo Clinic where it was processed by a computer. After diagnosis was made, the analysis was sent via satellite immediately to the doctors in England.

May 28, 1963, a fetal electrocardiogram was transmitted from Mt. Sinai Hospital, in Milwaukee, to obstetricians in Paris; and a two-way consultation took place.

November 6, 1963, a new medical procedure, hyperbaric pressurization, was demonstrated at the Royal College of Surgeons in England and televised via satellite to the American Society of Anesthesiologists in convention at the Mayo Clinic in Rochester, Minnesota. Such a capability may allow large conferences to be held without the necessity for moving people.

International Broadcasting has been a most widely publicized accomplishment:

One of the most widely known communication satellite demonstrations was the international TV coverage of the Olympics from Japan in October 1964. TV programs were transmitted to the United States and Europe, marking the first time that two satellites had been employed in tandem for TV broadcasting purposes.

The broadcast of the Town Meeting of the World TV program via Early Bird I brought an international discussion program to many people.

Relay I used all the capabilities that had been developed by November 1963 at the time of the assassination of President Kennedy. It handled 11 TV spot newscasts—8 between the United States and Europe and 3 to Japan—in 8 days.

In 1963, 500 overseas telephone circuits were available and, with the expected increase in volume, it was estimated that 12,000 additional circuits should be planned for the following two decades. In providing these circuits, the economic benefits are certainly in favor of the satellite. One satellite can handle up to 1000 voice channels or one TV circuit across the ocean. One cost estimate for satellite communications was as little as \$4200 per channel each year contrasted with \$25,000 per year for one circuit on new submarine cables and \$250,000 on old ones.

Some benefits that should be highlighted

include improved crops and food production, savings of life and property damage resulting from severe weather, increased safety and efficiency of air and sea transport worldwide.

"The use of a satellite for the transmission of telephone calls and telegrams between North America and Europe has been extremely successful. As of September 30, 1966, total revenue from Early Bird was \$5,238,000." Its performance at that date was 99 percent reliable, and the satellite increased the potential telephone capacity across the Atlantic by over 50 percent.

Meteorology

The science of satellite meteorology applies primarily to four basic areas:

Weather observation and prediction.

Weather control and modification.

Air pollution.

Determination of atmospheric structure.

Benefits from these applications relate to all areas affected by the weather and atmosphere, including tangible benefits in agriculture, transportation, water resources, industry and commerce, and urban pollution problems, as well as less tangible economic and social benefits, both national and international, resulting from meteorological advance. Some benefits that should be highlighted include improved crops and food production, savings of life and property damages resulting from severe weather, increased safety and efficiency of air and sea transport worldwide, benefits to indoor and outdoor industry and commerce; better planning for water resources, better use of natural resources such as wind and solar energy as power sources, and health benefits that would result from air pollution control and/or elimination.

The economic motivation for developing the required satellite sensing capability is therefore significant. Dr. Lowell Krasitz, of RCA, says it has been estimated that a global satellite weather system could save at least \$150,000,000 annually in operating costs, as compared with a conventional global observation system. The National Academy of Sciences National Research Council in a 1965 report estimated that the potential savings of long-range weather forecasting (two weeks or so) "could approach \$2½ billion annually for the United States alone."

... Potential savings of long-range weather forecasting could approach \$2½ billion annually.

Since the launching of the TIROS program in 1960, ten TIROS satellites have contributed approximately one-half million usable pictures that have helped to identify, observe, and track 93 typhoons and 30 hurricanes. Cloud analyses were drawn (approximately 20,000), 2500 important storm warnings were broadcast worldwide, and 750 improvements attributable to TIROS satellite observations were shown.

Safety and efficiency of transport on air, sea, and land will be improved by more accurate weather forecasting. Individual traveler convenience, perishable cargoes, and aviation operations in general will benefit by better information on storms, fogs, winds, and air temperature. For sea cargoes, also, reduction in fuel and manpower costs of one percent could bring a yearly savings of \$150 million by 1975.

Meteorology applied to food production has obvious social significance, particularly in underdeveloped countries. By the year 2000, it is predicted there will be two mouths to feed for every one today. New sources of food must be discovered, and agricultural production must increase drastically to prevent large-scale starvation. Losses of food from ravages of climate and weather must be controlled, and new land for crops must be opened up. Meteorology will have a large role to play in handling all of these problems.

Former President Johnson has been quoted as stating that the ability of the United

States to predict weather five days in advance will result in an annual savings of \$2.5 billion for agriculture, \$45 million to the lumber industry, \$100 million to the transportation industry, \$75 million in retail marketing, and millions in recreation activities.

Oceanography

To date, the space program has made major contributions to ocean technology, including:

Orbiting spacecraft have been used to observe marine phenomena, to aid precise navigation and location, and to interrogate surface sensors for telemetry data. Satellites, such as Nimbus, have demonstrated their ability to monitor thermal characteristics of the oceans and have discovered a close correlation between the location of fish and temperatures of the ocean. (This is significant to the United States—one-half of our fish products are still bought abroad.) The discovery of fish locations will increase the supply of fish that then can be transformed into a high protein general-purpose food useful for easing the world food shortage problem.

Transfer of space technology to ocean applications, including sensors and compact power sources; advances in metallurgy, materials, and structures, microminiaturization; computers; and data-handling systems. For example, light-weight, high-strength materials as well as many advanced materials will find applications in both space and sea. Also, improvements in fuel cell and nuclear-power systems will be equally important for both space and ocean systems.

Remote sensors in orbital operations have many possible applications to the ocean. Radar and passive microwave radiometry are particularly attractive as they promise unrestricted day-night, all-weather capability, which is of special value in the Arctic and Antarctic regions.

Who will be the most likely to benefit from space-acquired oceanographic data once it begins to be accumulated?

Fisheries—Frequent synoptic coverage on a global scale of the ocean areas can lead to identification and location of new fishing areas.

Shipping—Spacecraft techniques can enhance determination of location of and increase understanding of currents, waves, sea ice, icebergs, and shoals, thus making it possible to minimize hazards of navigation and improve ship routing.

A Gemini crew photographed 80 percent of Peru in three minutes. The resulting photographic mosaic is better than any available map of the region.

Marine Meteorology—Ocean-wide perspective and polar coverage from spacecraft may lead to better understanding of sea-air interchange and permit improved analysis and forecasting.

Coastal Mapping—The cost would be less, therefore acquisition of data would be accelerated for improving and updating charts and maps for such groups as the fishing, shipping, and petroleum industries, as well as the military.

Forecasting—Any improvement in the understanding of ocean phenomena and behavior, gained through frequent synoptic global coverage offered by spacecraft, will enhance the development of forecasting techniques and accuracy. This will benefit all who operate in the marine environment by improving planning, utilization of equipment, and greater safety.

Military—The civilian space program could contribute to national defense by assisting in antisubmarine operations.

Economic Benefits—The annual direct benefits to the United States from MORL (Manned Orbital Research Lab) applications to ocean resources are estimated at over \$60 million. Five million dollars would be saved due to MORL R&D, \$8 million would be saved in aid to shipping, and \$50 million could be gained by increased fish production.

Navigation and transportation

The next few years will see development of improved air traffic and navigation and control devices, which will be based largely on navigation satellites and radio and inertial guidance systems originally built for missiles or spacecraft.

Navigation satellites of the future will provide a number of services for ships, aircraft and other advanced types of intercontinental transport:

High position accuracy to permit reductions in the aircraft separation standards and reduce midair and ocean collisions.

Up-to-date weather and sea state reports to ships and aircraft for improved comfort of travel.

En route monitoring of specific aircraft subsystems (engine performance, wing stress, etc.) for relay to a ground station to detect malfunctions.

Reliable solar radiation warning for SST aircraft.

Voice and data transmissions between ship and aircraft company business offices and their craft anywhere in the world.

Passenger telephone service to shore from commercial ships and aircraft.

Craft-to-craft communications.

Highly accurate locations of ships in distress, ditched aircraft, lifeboats, and exploration parties who may need assistance will be provided to search and rescue agencies.

Earth resources

The purpose of the NASA "Natural Resources Program" is to utilize remote sensors in space for the discovery, inventory, evaluation, development, and conservation of natural and cultural resources. This includes mineral districts, soils, crops, timber, water, housing, and transportation networks.

Some of the general advantages of spacecraft compared with groundbase or aerial observation cited are:

Synoptic views for regional syntheses.

Reduced costs.

Reduced data acquisition times.

Rapidity and continuing of observations.

Greater freedom from weather disturbances.

Better quality of data.

"Remote sensing from space has unique capabilities especially in the opportunity for repetitive synoptic coverage of the earth's surface. Spaceborne sensors will add to the knowledge of the figure of the earth, its mass distribution, and its magnetic and gravity fields. Movement of glaciers, growth of deltas and crops, and even population growth can be followed.

Imaging sensors in the past few years have given the first true synoptic coverage of the lithosphere, hydrosphere, and the atmosphere.

TIROS, Nimbus, and the Gemini flights have demonstrated that certain earth-related phenomena can be understood only when viewed at a great distance.

These programs have also shown for the first time that man can now survey large portions of the earth and its environment within a very limited time frame. A Gemini crew photographed 80 percent of Peru in three minutes. "The resulting photographic mosaic is better than any available map of the region."

High-speed ground and ocean transportation is benefiting from the use of materials and construction methods that stem from aerospace advances.

"One of the most promising applications of orbiting spacecraft to forest inventory lies in determining forest location and distribution." To date, the U.S. has no reliable distribution map of forest resources.

"An exact determination of cost savings resulting from a reliable map of vegetational resources is not possible, but 20 percent seems reasonable for the United States. Based on a total data-collection cost of \$15 mil-

lion, the savings would amount to \$3 million per inventory.

"Finally, in terms of the direct interests of the United States, a gross benefit of \$15 million per year would not be out of proportion to the \$1 or \$2 billion of U.S. funds devoted to foreign aid . . . in terms of the extremely critical food situation faced by the world's population and the potential social and political consequences, the advantages of rapid and comprehensive data collection by observation spacecraft could outweigh any cost considerations."

Along these lines, a recently developed single-channel thermal mapping and infrared imagery system has several applications. In agricultural and forestry, it will provide:

- Early detection of crop and forest disease.
- Fire detection and mapping.
- Classification of vegetation.
- Water transpiration measurement.
- Insect detection and migration.

In the field of geology, satellite surveys will be used to develop a global framework of geological and geophysical knowledge to be used in studying the world's mineral resources. Infrared color photography in conjunction with multispectral remote sensors is a "powerful tool for prospecting for minerals and oil." Applications could include earth temperatures and ice temperature measurements, permafrost detection, oil and gas exploration, mineral detection and mapping, and rock classification.

The collection of hydrologic data is of particular importance to worldwide water resources management. "The principal tasks of worldwide water-resources management are to find adequate amounts of water of high quality at low cost, to forecast future supply, and to control the location, quantity, quality, and timing of that supply." The gathering of hydrologic data for large areas of the earth's surface is necessary to fulfill these tasks.

Examples of the benefits to be gained in surveying fresh water from space have been demonstrated:

Lake colors can be correlated with their biology, chemistry, sediment, and pollutant content.

Infrared imagery can be utilized to locate fresh water escaping along our coastlines.

It has also been possible to locate areas of water trapped by faults in the earth's crust.

Growth and decline of glaciers can be detected.

Satellites have demonstrated ability to monitor thermal characteristics of the oceans.

Geodesy

Science will benefit from better mapping in the future as we learn more about the shape of the earth. The "continental drift" could be more carefully calculated with an accurate global map system.

In addition to land mapping, a system for precise mapping of the ocean floor is now possible because of advances in electronic surveying; the use of the geodetic system would be available for navigation purposes, but its greatest usefulness would be the mapping of the ocean floor.

Other benefits from geodetic satellites, in addition to land and ocean mapping, will include the worldwide monitoring of land motions along fault zones for better understanding of the relation of faulting and stress release, lending to better prediction of earthquakes. Tsunami warnings may be improved by accurate satellite radar/laser altimeter monitoring of the geometry of the ocean's surface, which may make it possible to detect tsunami waves rapidly.

DERIVED TECHNOLOGICAL BENEFITS FROM SPACE

Industrial applications of space technology are currently having direct and indirect impact upon business. Predictions for the future are optimistic, as we anticipate "the har-

vest from today's investment in basic research" and technological advances.

The program has had encouraging results and has made it possible for more than 1000 separate technological innovations to be transferred to industry.

General types of technological transfer

Nine broad areas of technological innovation are predicted to have the greatest impact upon our world of tomorrow in a recent report of the U.S. Department of Labor on "Technological Trends in Major American Industries."

Computerization of data processing.
Greater instrumentation and process control.

Trend toward increased mechanization.
Progress in communication.
Advances in metalworking operations.
Developments in energy and power.
New materials, products, and processes.
Managerial and related techniques.

The Denver Research Institute (DRI) survey did identify other fields of technology that have been strongly affected by intangible spinoff—including: Instrumentation, microelectronics, electronic digital computer technology, high temperature materials technology, medical technology, and communications. Unfortunately, this type of transfer often receives little recognition because it seems undramatic and obscure.

Product development

" . . . there have already been numerous instances where space technology has contributed to the private sector of the economy. These have included a broad spectrum of products, such as highly sensitive instrumentation and biomedical measurement devices; power sources, of which the fuel cell is perhaps the most prominently publicized; inertial guidance control systems; magnetic tape recorders; adhesives; and microminiaturized electronic components."

Some of the product development might include:

NASA research has developed synthetic foods and food preserving techniques.

Liquid nitrogen has become available as a relatively cheap byproduct of the manufacture of liquid oxygen and is routinely used in many advanced industrial processes requiring an inert environment.

It has found practical space and nonspace applications in such areas as range finding, mending torn retinas in eye surgery, welding in manufacturing, and drilling precision in dentistry.

Actual uses for liquid hydrogen include:

Replacement of merchant gas (gaseous hydrogen distributed to customers by truck) by liquid hydrogen because of greater economy in shipping valued at several hundred thousand dollars per year now—expected to reach a value of \$3 million by the end of the decade.

Use in bubble chambers and other nuclear devices—the advent of cheaper liquid hydrogen has made possible the development of "bigger and better" bubble chambers, which allows particle physicists and cosmic ray astronomers to perform research on their own campuses. The aggregate expenditure of \$1 million therefore buys much more energetic particle research than \$1 million would have bought before liquid hydrogen production became so cheap.

There have already been numerous instances where space technology has contributed to the private sector of the economy.

Potential uses for liquid hydrogen include:

Use as fuel for future aircraft engines.
Use in fuel cells, which may emerge as a major source of electric energy within the next 10 years.

New and improved processes and innovations

Explosion-forming, a system of forming metals by blasting them into the required shape, is one of the important new processes

to come from the space age. The area of metalworking has had a large impact in technological fallout. The space age production has changed the whole appearance of the metalworking shops . . . yet explosive-forming is only one of the dozens of new processes coming from the space-age production shops.

Areas of technological transfer

Many of the new metals, alloys, fabrics, and compounds created or developed by space research are being produced commercially. Some particular examples are:

Packard Bell Electronics developed a ceramic insulation material, PSC Durock, to withstand the extreme heat of combustion of exotic fuels. It is now being used in high-temperature applications in the civilian atomic energy program.

Space-proof materials are being used to make nearly indestructible refrigerators and other appliances. New materials developed in space research will become more and more important in the air-conditioning, heating, and refrigeration industry.

Fluxless aluminum soldering, an outgrowth of space research, is being marketed and used in preparation of sandwich core of structural panels and mass production of automobile radiators.

Time-saving pots and pans are now coated with a plastics material developed to protect spacecraft from the extreme heat of launch and re-entry.

Sealants developed for the seams of spacecraft are being used in caulking tiles. Car windshields and rear windows are being sealed with a product made from solid rocket fuel.

New metals developed by space researchers, especially the titanium alloys, are coming into use in oil refineries, where corrosive chemicals destroy ordinary steel valves. Improved bearing metals and alloys are more resistant, also.

Some 10 percent of the space discoveries have been applicable to materials development and chemicals. Materials useful under high temperature conditions are needed in space, and these technologies are being translated into uses for both supersonic and subsonic transport. As for turbojet engines, "better materials hold the key to increased engine performance and decreased structural weight of supersonic transports."

High-speed ground and ocean transportation is benefiting from the use of materials and construction methods that stem from aerospace advances.

Railroad tankcars weighing one-half as much as steel cars are being produced from the lightweight plastics developed for NASA for use in its rockets.

Ocean vessels are able to increase cargo tonnages by using "higher strength structural steels and packaging employing lightweight reinforced plastic (PR) containers."

Hydrofoils, submarines, and deep submergence vessels for oceanographic research have borrowed heavily from aerospace technology and are stressing materials research to find what fits their needs.

Electrical and electronic systems

"The influence of missile and space research on advanced computer technology has been very significant, although diffuse and difficult to pinpoint." Contributions traceable to space to date have been mostly in miniaturization, increased reliability, input/output techniques, and increased computational speed.

Among the many computer systems first designed for space vehicles is Honeywell's self-adaptive autopilot, a computer that adapts automatically to compensate for varying flight conditions such as altitude, speed, and weight. This spacecraft technology, directly transferred to a light twin-engine aircraft, helps reduce the possibility of pilot error and makes small craft flying "signifi-

cantly safer by adapting to unforeseen flight conditions."

Space-age production techniques have helped make electronics one of the fastest growing industries in the United States. Some 40 percent of the civilian spinoff from space has been in the electrical and electronic fields. The principal benefits have come from miniaturization and improved reliability.

Examples of progress include:

- Advance in solid-state physics.
- Accelerated development of printed circuits.
- Development of molecular blocks in electronic components that do the work of many components, all in one.
- Development of microsystems electronics, the chief commercial use of which at this time is in computers.
- Improvements in connectors, cables, and printed circuits, used extensively throughout electronics.

Energy and power sources

Coal and oil may not always be in abundant supply and other sources of producing power and energy will have to be found. In addition to atomic energy, byproducts from space-related technology might be among these. The automobile industry is already looking to the possibility of using fuel cells instead of gasoline engines, and energy from the sun will provide homes and buildings with built-in heating, cooling, and lighting systems. Besides fulfilling our basic needs, unique applications also will be derived. For example, batteries that were developed for satellites are already sewn into a heart patient's body to overcome cardiac defects; Hoffman Electronics Corp. manufacturers a solar-powered radio that stems from Vanguard satellite solar cells, and a commercial wrist watch is powered by a mercury battery that was developed to operate a timing mechanism for an Explorer satellite.

The fuel cell is a relatively inexpensive device that can provide a more convenient source of power than atomic energy could to support spare vehicles. Commercial uses of the fuel cell are almost without limit. It is now being used to produce electricity aboard a one-man submarine, and to power experimental spot welders, golf carts, tractors, and fork-lift trucks.

Measuring the space environment in all of its many aspects has resulted in a wealth of new instruments, most of which have direct applications to non-space scientific problems.

The photoelectric (solar) cell is another significant source of energy. Since Vanguard I's photoelectric cells produced the power needed to send its signals back to earth, solar cells have continued to supply electrical power in many satellites. Commercially, solar cells have been used for radios, in an emergency call system on Los Angeles freeway, and for a telephone system in South Africa.

The increasing amount of work being done on plasma engines for deep space application appears to be leading to a technical revolution in the field of plasma technology. "It is expected that in the foreseeable future, electricity will be generated directly from plasma without using turbogenerators."

Medical technology

"Some of the most significant benefits to come out of the space program will be in the field of medicine. . . . The space program marks the beginning of intensive and genuine cooperation between engineering and medicine." In fact, advanced NASA research and development has already demonstrated its contribution to modern day medical practice.

"The recent developments in cardiovascular monitoring devices emphasize the application of aerospace achievements to civilian medicine."

Sensors originally developed to measure the heartbeat, blood pressure, and other con-

ditions of space-borne astronauts are being installed in hospitals to monitor patients' conditions continuously.

Some of the most significant benefits to come out of the space program will be in the field of medicine.

Along the same lines, a new electrostatic camera, developed for space vehicles produces moving to still "instant pictures" without any processing. This camera can focus on a patient in critical condition and can keep vital photographic records instantly available for physicians. Transducers-transmitters that relay intestinal data are currently in use, and doctors now anticipate a battery-powered television system small enough to be swallowed, which would transmit pictures from a patient's stomach.

"In the field of medicine there has been many dramatic advances. It has been reported that some small precision valves, developed for use in booster rockets, have been adapted by medical scientists specializing in heart research."

General Electric's Space Science Laboratories drew electric power from the body of a living rat to operate a radio transmitter. This ability to use the bioelectric potential of the body, along with the advances being made in microelectronic circuitry, will have important application for medicine.

The recent developments in cardiovascular monitoring devices emphasize the applications of aerospace achievements to civilian medicine.

Aids to the blind and deaf are also coming from space research. The principle of alternating panoramic fixation, used in satellite camera and lens systems, was applied to the development of new glasses with multidirectional lenses. General Data Corp., which develops instruments for spacecraft, is doing research on an electronic sight aid for the blind. They have also developed the small electronic sensing devices used in spacecraft for another use for restoration of hearing to the deaf by surgical implantation. Eye surgery with a pinpoint of intense light from a laser has been accomplished successfully and Kollman Instrument Corp. indicated that the laser can be used in eye tumor removal, retinal welding, and brain surgery.

Some 40 percent of the civilian spinoff from space has been in the electrical and electronic fields.

A number of the examples previously listed in this section, as well as many more, could be said to belong to a new category labeled "bionics." Bionics is one of the most remarkable sciences of the space age: "Bionics is a technology which, through a study of living systems, seeks to create electronic circuits that perform in the same manner as living systems."

For example, an electronic radar system is being developed and perfected by an aerospace firm as a "bionics equivalent for the blind." Many other firms are doing similar research and development. General Electric's program to utilize electricity directly from the cells of the body, in addition to research being done by other groups, is expected eventually to combine in a "final human-radar mechanism for the blind, powered by the wearer's own body!"

Additional applications include:

Pressurized space suits developed by General Electric Company are helping bedridden stroke victims and invalids to be ambulatory.

Ultra-fast drills, with minute ball bearings developed through space research for satellite equipment, are available to dentists for almost painless dental work.

Use of supersensitive infrared detectors is proving useful in the early detections of cancer.

An infrared sight switch allowing an astronaut to manipulate dials and switches by moving his eyes now controls wheel chairs and hospital beds for immobilized patients.

this method may eventually be used to operate stenographic machines.

A micrometeorite sensor is being studied as a possible detection system for Parkinson's disease; this may uncover muscle tremors associated with the disease.

Computer techniques developed at the Jet Propulsion Laboratory are being applied to the reading of X-ray pictures.

The lunar walker, a remotely operated instrument carrier, is being considered as a possible ambulatory device for crippled people.

In the application of aerospace technology to artificial heart research, development of "the associated pneumatic control system has drawn heavily on aerospace technology and the consulting advice of several people on the Lewis Research Center staff."

Application of new improved electrodes could be useful in EKG and respiration monitors where long term use of electrode is important.

Ultra-small cryogenic thermocouples are now used in brain and eye cryosurgery.

Instrumentation

"Measuring the space environment in all of its many aspects has resulted in a wealth of new instruments, most of which have direct applications to non-space scientific problems."

One of the best and classical examples of "tangible product transfer" in this field is the displacement of a transducer from spaceship to bird embryo. Because of the extreme sensitivity of this transducer, it can detect life in an egg as early as four days after it is laid. "Changes in heart-beat rate and intensity resulting from temperature changes or other external stimuli also can be picked up by the instrument."

DERIVED NONTECHNOLOGICAL BENEFITS FROM SPACE

Education and research

"It is the extraordinary breadth and, in an important way, the non-programmatic aspects of our great national Endeavor in Space that holds the promise of creative and lasting effects on our Society."

"The most important enduring contribution of the Space Endeavor to our future as a nation will be found in the field of education."

It is thought that NASA has played an especially effective role in improving the quality of education and increasing the number of trained young people in those disciplines relevant to NASA. In FY 1959, NASA budgeted \$3 million for grants to higher education; this had grown to \$128 million in FY 1966.

NASA, in moving ahead, is trying to increase the number of students obtaining doctor's degrees in space-related fields of science and engineering. The goal stated in 1963 was to expand the program of training grants to cover a total of 4000 students over the next few years and to graduate 1000 new PhD's per year. A goal of 7500 PhD's per year by 1970 was suggested by the President's Advisory Committee.

The most important enduring contribution of the space endeavor to our future as a nation will be found in the field of education.

The aerospace industry itself has already contributed to and is involved in a number of difficult aspects of education. These include:

The joint development of industry-university science and technological urban complexes.

The development of new techniques and methods for teaching at all levels, including the application of system analyses, computers, and assorted hardware to the learning process. Several large companies have developed suitable programmed machines that could drill students in spelling, syntax, arithmetic tables, etc., leaving teachers free for the more creative aspects of education.

Exploration into the use of satellites for classroom education.

The management, staffing, and operation of Job Corps Training Centers.

Sponsorship and support of community programs for motivating and developing the youth of the nation who will be the future scientists and managers of industry and Government.

Urban and environmental applications

The aerospace techniques, described by many as the systems engineering approach, contain the seeds of success when applied to other areas of major public need. This approach—looking at the problem as a whole—has been used successfully within and without the Federal Government.

One of the most extensive experiments of this type took place in California, where several aerospace companies bid competitively to propose systems studies of four pressing problem areas—crime, information, transportation, and waste management.

In its study of a statewide Governmental information system, the Lockheed Corporation stated that, if implementation were to begin immediately, savings (primarily reductions in personnel) would total \$415 million annually for state and local governments, as compared with costs projected for the present information handling methods.

North American Aviation, Inc., proposed a 52-month systems analysis of the state's transportation needs over the next 50 years. Space General Corp., after studying the crime and delinquency problem, proposed a five-year program at a cost averaging over \$24 million annually. Aerojet General's waste management study analyzed the problems Californians will be facing with all types of waste disposal over the next 25 years.

NASA, in conjunction with General Electric, conducted a study in 1965 that attempted to uncover the means by which aerospace technology could be applied toward the solution of critical urban problems. The purpose of this study was, first, to identify and isolate specific critical city problems amenable to technological solutions and, second, to determine and suggest technologies resulting from past and current NASA programs which can be applied to the solution of the identified problems.

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

Mr. ALLOTT. I yield.

Mr. PROXMIRE. Can the Senator name any real, specific benefits that we will get out of nine space flights, other than human fulfillment and a greater knowledge of how the moon developed? I asked the space people specifically whether we got any benefit with regard to communications or meteorology, including weather, or space or earth technology. They could not find any. Dr. Payne said there were only two: human fulfillment, vague and indefinite and general as that is—it seems to me that is not very much, unless it is the satisfaction people get from watching space flights—and the other is knowledge of the origin of the moon.

It seems to me we are caught in a momentum here. This is an exciting exploration. Yesterday the newspapers were full of the forthcoming flight. We are going to have much more of it in coming days. We are getting brainwashed by the mass media of communications. What is the purpose?

Mr. ALLOTT. I am not caught up in any glamorous momentum.

Mr. PROXMIRE. The Senator is alone if he is not.

Mr. ALLOTT. Can the Senator show me any place where they have said they are going to send nine more vehicles to the moon? It is true—and this is a difference he has failed to make clear—that we now have nine vehicles capable of traveling to the moon. But, according to the information I have, it is not contemplated that they will all be used for that purpose, but some of them, rather, will be used for unmanned flights farther into space.

Mr. PROXMIRE. The answer is that they plan three in the coming year, which are authorized and appropriated for.

Mr. ALLOTT. The Senator said nine.

Mr. PROXMIRE. They have said there will be 10 or 15 Apollo flights ahead. It may be that they will not go ahead with all of them. I hope not. But the assertion has been made that there are going to be three landings on the Moon each year in the next 3 years. I hope that is not so. If the Senator will disabuse me of that and say there will be only those three and none others, I shall be delighted.

Mr. ALLOTT. I would be perfectly willing to defer to the chairman of the Committee on Aeronautical and Space Sciences as to whether there are any plans to send nine more shots to the moon. I have never so understood it.

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

Mr. ALLOTT. I yield.

Mr. PASTORE. Mr. President, I think we must realize that what we are in is more or less a research program. I have asked the same question of the distinguished scientists who have come before our committee. I think sometimes it is rather presumptuous of us to ask the question. I do not think there is a man living, and I do not care how scientifically learned he may be, who can give us a categorical answer. I do not think we will find out in my generation or your generation just what benefits will come to the people on this earth from such knowledge. All we know is that this is a tremendous scientific achievement; that man in his scientific advance cannot stand still. That is progress. We cannot stand still. There may be great discoveries up there that nobody now can surmise. We are faced with the challenge of whether we want to be the first one to find out. That is the hallmark of greatness. It has always been the hallmark of greatness.

I could not give an answer to what the scientific benefits are. I do not think there is a man living who can do it. It is the same with those who do research. The researcher works and tests and tries. Unless he keeps trying, he will not have the answer to polio or knowledge of the atom. The word "atom" comes from the Greek. It means indivisible. Yet we split the atom. We contradicted the ancient Greek.

We do not know for sure, but the overwhelming probability is that there are sensations and solutions up there. Some people suggest, "Well, man will better understand the universe." That is a platitude, but it could be true. I could

not answer that question. I think it would be foolish for us to try to measure the benefits of knowing all this against the cost. That is what the argument is all about. We spent \$24 billion. Some ask, What did we get out of it except a special show? I think we got much more out of it. We proved to the world that we had superlative scientific development here in this country. We know that when we put our minds to it, we can do almost anything. That is important to us.

As I said before, spirit is absolutely necessary. A nation without spirit falls into decay. And as long as we keep up our spirit; we keep up our enthusiasm; we keep up our research. We prove to the rest of the world that here in America we have a little bit more than just demonstrations; we have a little bit more than just moratoriums; we have a little bit more than just debate—we prove we have achievement. We can make the world stand still and look up to us breathlessly to the heavens and say, "America, you did it. You did it."

The Senator from Wisconsin said he talked with someone from Italy, and they were amazed by this accomplishment. Does the Senator not think that is worth something?

Mr. PROXMIRE. Of course; it is worth a great deal, and I voted for the space program.

Mr. PASTORE. How can we tell what it is worth? Is it worth a half a dollar? Is it worth \$1 billion? I cannot answer that, nor would I attempt to try.

Mr. PROXMIRE. We have accomplished our objective. We knew we wanted to put a man on the moon in this decade, and we did it.

Mr. PASTORE. That we did.

Mr. PROXMIRE. Just as we did in developing a polio vaccine, and all of those things. We had a purpose in mind, to save the lives of children, and we accomplished our purpose. Now, what is the purpose here?

Mr. PASTORE. All right, let me try to answer that question, because I asked that question of Dr. Payne. I asked him the exact question. If Senators will read the hearings, they will find it.

I asked him:

Why do we have to go up there 10 times? We have been there; we did it.

He said:

It is like everything else; if a man lands on Cape Code, he knows about the Atlantic Ocean, but does he know about the wheat fields in Kansas? Does he know the topography of Kansas because he landed on Cape Cod?

What we are trying to do is continue our research. Maybe we will find nothing, but who knows? Maybe the next set of rocks will be diamonds, who knows? Would that not be wonderful?

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

Mr. PROXMIRE. I shall be happy to yield to the Senator from Illinois in a moment, but may I say to the Senator from Rhode Island, Dr. Payne indicated, and the hearings record shows in great detail, that we are going to get more rocks from more areas, to indicate whether the moon is a frozen mass, or

whether it is hot on the inside, the way the earth is. It is spelled out in the record what we expect to find out.

Mr. PASTORE. But will not the Senator admit that if he went down to the Smithsonian Institution and looked at that rock and asked, "Is this worth \$24 billion?" the answer is obviously that it is not. But, of course, that is not the purpose.

Mr. PROXMIRE. I agree with the Senator on that.

Mr. PASTORE. That is not the purpose. That was brought back for the purpose of documenting the landing on the moon. They brought a rock back; maybe it is no different than any rock you could pick up in my backyard. Maybe it does not make any difference. What do I care whether the moon got there before the earth, or the earth got there before the moon? Who cares about that? I do not, in my particular sphere.

But, after all, in the scientific world, it may mean a great deal. Man is reaching out; he is extending himself. If he does not do that, he dies. I say let us live.

Mr. PROXMIRE. We have a responsibility for the taxpayers' money. When we are spending \$100 for every single American family, in effect—that is what it amounts to—for these 10 lunar landings, it seems to me we are assuming a real responsibility, and we ought to have more than just a feeling that there is something out there we are looking for, and maybe we will find something, and maybe it will turn out to be diamonds.

I yield now to the Senator from Illinois.

Mr. PERCY. Mr. President, I should like to put into proper perspective the very good debate I think we have had on this subject today.

The question really is, how much should we spend on space? No one is suggesting we should not have a space program. Certainly the Senator from Wisconsin is not. The question is, what is the right amount to spend on space?

I came to the Senate, I hope, with objectivity and a little knowledge, having been a trustee of the University of Chicago and of Cal Tech, both of which were deeply involved in the space program. I did come somewhat prejudiced, I must admit, against the amount of money we were spending for the man on the moon in contrast to instrumented space shots, for I felt JPL had an opportunity to gain a great deal of knowledge at substantially less expense than in putting a man on the moon.

The day I arrived in the Senate, we started, in the Space Committee, on the investigation of the Apollo tragedy, which had taken three wonderful lives.

I became absolutely convinced we should not only conduct these programs in a safer manner, and spend more money for safety, but we should also look very objectively at how much we were spending. We were then spending at the rate of \$6 billion a year.

After a good deal of thought and study, I became convinced that too much money was being spent on the space program in the light of all our national priorities; and the majority of our committee, including the chairman of the

committee and our ranking minority member, the Senator from Maine (Mrs. SMITH), became convinced we were spending too much money.

We spent 1 solid year in committee that year, not in order to justify more money, but to find where we could take money out of the program. At the end of that year, we had taken more than a half billion dollars out of the bill when we reported it to the Senate. It is rather a shock for a committee not to come in and ask for more money than it had before, for a program as popular as the space program. The next year we did not go back to find ways to justify adding it back. We went right back to work to achieve our objective of taking more than a billion dollars out. We in fact took another \$400 million out, and, expenditure-wise, this budget is now \$2.2 billion less than the highest level of expenditure we had achieved before. But that took months of work. It took detailed analyses of programs. It took hearings. It took setting priorities within the programs, to see what should be pruned and what should not be pruned out.

I have no doubt you can take any Federal budget and cut out another \$100 million. But when you keep doing that, eventually you are going to start to cut out the heart of a program. We are going to start to cut out, then, all of the intelligent work that has been put in over a period of several years and a tremendous amount of detailed work by the agency as well as the committees, both in the House of Representatives and in the Senate.

I am all for cooperative effort. In fact, I felt so strongly about it that I presented to the Economic Committee of NATO last month a resolution, unanimously adopted, that we should cooperate with other countries of both the East and West that have space programs, to cooperatively see if we cannot work together to achieve some objectives. The North Atlantic Assembly of NATO unanimously adopted that resolution. Col. Frank Borman has told me that he talked with the President of the Academy of Sciences in the Soviet Union, and he indicated a desire to do that. We have heard every head of NASA testify before our committee, when I served on that committee, that this was our objective, and that we would like to do it.

Perhaps we can achieve some of the things the Senator from Rhode Island has demonstrated and told us we have been the results of this program. We have proved we can work together—the universities, the Government, the scientists, the academicians—to achieve a program together, with the military taking by-products from the program. It has been a magnificent achievement, which the Senator from Wisconsin would, I am sure, be the first to characterize as such.

I simply maintain that you do reach a point where, after careful analysis, you are going to really start to cut into morale as well as the heart of the program. NASA will never know where the bottom is, if we, on the floor of the Senate, without giving detailed consideration to where we are going to go simply carve another \$100 million out of the program.

They are never finished with the program, and I hate to say how many hours they have to put in and take away from administering their program, to justify what we are doing. I think we are now down at the point of rock bottom. Inflation is going to eat into these dollars even this year. I say we ought to level off, and instead of gyrating up and down, let them plan ahead for a few years, and go on at this level of \$3.7 billion, which I think is prudent and which I think is sound. I am first to fight for money for the cities, and for every other human need on earth, but I know from years of experience we cannot afford not to give adequate attention to this great area. We do not know how many problems on earth will be solved with the technology we have developed and the knowledge we have gained from these programs. I fully support the committee in this regard. I think they have done a wonderful job. For that reason, I shall vote against the amendment of my distinguished colleague from Wisconsin.

Mr. HOLLAND. Mr. President, I have the privilege and responsibility of being a member of both the legislative space committee, the Committee on Aeronautical and Space Sciences, headed by my distinguished friend from New Mexico (Mr. ANDERSON) and of which the distinguished Senator from Maine (Mrs. SMITH) is the ranking minority member; and also of the subcommittee of the Appropriations Committee so ably headed now by the Senator from Rhode Island and, up until this year, for a good length of time by the distinguished Senator from Washington, and of which the ranking minority member has been the Senator from Colorado.

I just wish to say that in both of those committees, I have seen the realization of the urgent need for economy shown with reference to this particular appropriation.

I call attention to the fact that here an appropriation is suggested to the Senate which is \$279,746,000 or practically \$280 million, less than the appropriation for last year. I have not figured it out exactly, but it must be a reduction of between 7 percent and 8 percent from the amount appropriated last year.

I also call the attention of my distinguished friend, the Senator from Wisconsin, to the fact that here is an appropriation which happens to be exactly the same in amount as the budget amount—which was worked on, as I recall, for some 6 weeks or 2 months by the new administration after they came into office before they sent it to us—indicating a very material reduction from the spending of last year. It recommends the same reduction, practically \$280 million.

I also call attention to the fact that from the first moment of hearings before the legislative committee—and this was true not only this year but also in recent former years—there has been insistence that we not be committed ahead of time to expensive and extensive programs.

Our legislative committee has insisted, in spite of the fact that there have been eloquent suggestions from other sources, including our distinguished Presiding Officer, the Vice President, that we com-

mit ourselves to explorations in space out to other planets. We have determined against it. We have held to the objectives in which we were engaged, and we have held to them in an economical way. We have not been without the loss of objectives which were most dear to some of us.

I think the members of the legislative committee could tell us that there was one objective in particular in which I was, and still am, greatly interested and which did not appear in the appropriations bill or in the legislative act, the authorization act, for this year. I am not happy that it did not appear. However, I was not heard in conference—and I was a member of the conference—to insist upon it or to try to put pressure on for the inclusion of an item in which I was materially interested, because I realized that both the authorization and the appropriation committees have been trying to cut the cloth here to fill the pattern that we had to fulfill.

I do not know what is going to be discovered in these additional flights to the moon. I do not suppose when Columbus came back and told the Spanish that he had found a new hemisphere and had discovered that the earth was not flat, but was round, and proved it, that the Spanish knew his next voyage was going to take him to the mainland or that subsequent voyages were going to make available the gold and silver of Mexico and Peru.

I am glad that they did not stop then because they would not have discovered Florida, and the world would have been very much the loser because of that fact.

The French had two explorations and landings on this continent which were both tragedies. However, they did not despair. They went ahead with other landings at other places. The French part of Canada is a result of their efforts.

As I remember it, one of the great heroes, from Wisconsin, the State so ably represented by the distinguished Senator from Wisconsin, Pere Marquette, was a member of that exploration by the French during those years.

The British were not satisfied when the Virginia Dare Expedition was lost or when the Jamestown Expedition was successful. They went ahead and discovered New England and other places.

And I rejoice in the fact that the later discovery gave us the great area known as New England which has made great contributions to our country throughout all the years.

I point out to my friend, the Senator from Wisconsin, with respect to his argument that one landing on the moon should suffice because we know we can do it and should not go for other landings, that I do not know what they will discover or even whether they will be successful.

I do know that we have had one pinpoint landing on an orb 240,000 miles away with a diameter of some 4,000 miles and that even the entire number of explorations which the Senator has mentioned—and which may or may not take place—would not begin to sample all areas of the moon.

I think it is quite understandable that we would want to have more information than we have.

One reason is the fact that the rocks brought back, while apparently answering some scientific questions, did not have any material value. I think we are a rather materialistic people, as well as idealistic. And I hope that we will bring back the diamonds mentioned by my friend, the Senator from Rhode Island, or the gold which the Spaniards brought back from Mexico and Peru, or the diamonds brought back from other explorations.

I call attention to the fact that we have cut this item heavily. We have worked cordially with the Bureau of the Budget. They have cut the item heavily. We have worked cordially with the House committee. That committee has cut the item heavily. And we have come out now with a united front between the legislative and the Appropriations Committee on an amount which we think is the amount which should be supplied.

I have great respect for the knowledge and the acquisitive character of my friend, the Senator from Wisconsin, because he is always probing after more facts. However, I doubt very seriously if he has had the opportunity—because he is not a member of those two committees—to go into the matter as deeply as have some of the rest of us, having been either members of the authorizing committee or the Subcommittee on Appropriations which have both gone into the particular matter.

I just point out that I think for us to make this cut at this time when the three boys who are laying their lives on the line are about to take off on a second exploration of the moon, every moment of which will be gravely dangerous, indicates that we do not have a large amount of confidence in the great adventure of which they are only a part and would be a mistake. I think it would be a very grave mistake. And I think it would be a blow to the morale of those three young men, whom I do not happen to know, but I do know that they are laying their lives on the line.

I hope that the Senate will not subscribe to that approach. I have frequently supported the Senator from Wisconsin in his attempts at economy. I intend to support him in two other attempts that I know about that will come up during the remainder of this session. However, I believe this is one time when he has gone off on a false trail. I do not think the effort he is making will be productive of good. I think it would be productive of bad results. For that reason, I will oppose, and I hope the Senate will reject, the amendment.

Mr. ANDERSON. Mr. President, the Senator from Wisconsin (Mr. PROXMIER) is recommending that the NASA request for fiscal year 1970 be reduced by \$100 million because he is worried about the Federal budget.

Mr. President, the Senator from Wisconsin is not the only Senator worried about Federal expenditures but I would call to his attention that the budget for NASA recommended by the committee is \$655 million less than the agency requested last year. Moreover, it has been reduced every year for the last 5 years and that expenditures under the fiscal year 1970 space budget will be down 33 percent from what they were a few

years ago. Employment on NASA programs is down over 50 percent.

Mr. President, the NASA program cannot be cut back further without impairing the leadership that we have built during the last 9 years.

Prior to the hearings and the subsequent evaluations made by the Appropriations Committee, the Senate Committee on Aeronautical and Space Sciences inquired extensively into the NASA programs and it has published 905 pages of hearings. Both committees agreed in recommending \$3,715,527,000 for NASA for fiscal year 1970. These reviews reflect an in-depth examination which underlie each committee's recommendation to the Senate. Also, I would like to call to the attention of the Senator from Wisconsin that this budget has been thoroughly reviewed by two administrations. President Nixon's revised budget request is \$45 million below the original budget request.

In most respects, the revised budget request differs from the original because later and better information was available. For example, at the time of the revised budget request, NASA had the successful flights of Apollo 7, 8 and 9 behind it. NASA was a great deal more confident that the first successful manned lunar landing would be accomplished this summer; consequently, President Nixon's budget provides for further lunar exploration but at a reduced launch rate which permitted a \$20 million cut in the tracking and data acquisition program. The revised budget request also reduced other programs; for example, most advanced research and technology programs were reduced by amounts ranging from \$1½ to about \$3 million. Likewise, the programs of the Office of Space Science and Applications were reduced, the principal reduction here being in the bioscience program because the second 30-day mission of the biosatellite project was eliminated. Mr. President, it is not clear to me on what basis the Senator from Wisconsin recommends that \$100 million can be cut from the NASA program.

As a matter of information, I would like to call to the attention of the Senator from Wisconsin that the committee's recommendation of \$3.715 billion represents a \$280 million reduction from the amount appropriated last year.

Mr. President, I believe that the foregoing facts speak for themselves. They fully emphasize the extent to which the national space program has been reduced in recent years. Mr. President, I urge that this amendment be defeated.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. YOUNG of Ohio (after having voted in the affirmative). On this vote I have a live pair with the distinguished Senator from Nevada (Mr. CANNON). If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. KENNEDY. I announce that the Senator from Alabama (Mr. ALLEN), the

Senator from North Dakota (Mr. BURDICK), the Senator from South Carolina (Mr. HOLLINGS), the Senator from North Carolina (Mr. JORDAN), the Senator from Louisiana (Mr. LONG), the Senator from Montana (Mr. METCALF), the Senator from Alabama (Mr. SPARKMAN), the Senator from Texas (Mr. YARBOROUGH), and the Senator from New Jersey (Mr. WILLIAMS) are absent on official business.

I also announce that the Senator from Nevada (Mr. CANNON), the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Alaska (Mr. GRAVEL), the Senator from Iowa (Mr. HUGHES), the Senator from Minnesota (Mr. McCARTHY), the Senator from Arkansas (Mr. McCLELLAN), the Senator from New Hampshire (Mr. McINTYRE), the Senator from Minnesota (Mr. MONDALE), the Senator from New Mexico (Mr. MONTOYA), and the Senator from Utah (Mr. MOSS) are necessarily absent.

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

I also announce that if present and voting, the Senator from Alabama (Mr. ALLEN), would vote "nay."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. BAKER), the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senator from New York (Mr. GOODELL), the Senator from Michigan (Mr. GRIFFIN), the Senator from Florida (Mr. GURNEY), the Senator from Wyoming (Mr. HANSEN), and the Senator from Vermont (Mr. PROUTY) are necessarily absent.

The Senator from Iowa (Mr. MILLER) and the Senator from Ohio (Mr. SAXBE) are absent on official business.

If present and voting the Senator from Iowa (Mr. MILLER), and the Senator from Arizona (Mr. FANNIN) would vote "nay."

On this vote, the Senator from New York (Mr. GOODELL) is paired with the Senator from Wyoming (Mr. HANSEN). If present and voting, the Senator from New York would vote "yea," and the Senator from Wyoming would vote "nay."

The result was announced—yeas 22, nays 46, as follows:

[No. 144 Leg.]

YEAS—22

Byrd, W. Va.	Hart	Proxmire
Case	Javits	Randolph
Church	Kennedy	Ribicoff
Cook	Mansfield	Talmadge
Cooper	McGovern	Tydings
Fulbright	Muskie	Williams, Del.
Gore	Nelson	
Harris	Pell	

NAYS—46

Alken	Ervin	Pearson
Allott	Fong	Percy
Anderson	Hartke	Russell
Bayh	Hatfield	Schweiker
Bellmon	Holland	Scott
Bennett	Hruska	Smith, Maine
Bible	Inouye	Smith, Ill.
Boggs	Jackson	Spong
Brooke	Jordan, Idaho	Stennis
Byrd, Va.	Magnuson	Stevens
Cotton	Mathias	Symington
Curtis	McGee	Thurmond
Dodd	Mundt	Tower
Dole	Murphy	Young, N. Dak.
Dominick	Packwood	
Ellender	Pastore	

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

Mr. Young of Ohio, for.

NOT VOTING—31

Allen	Griffin	Miller
Baker	Gurney	Mondale
Burdick	Hansen	Montoya
Cannon	Hollings	Moss
Cranston	Hughes	Prouty
Eagleton	Jordan, N.C.	Saxbe
Eastland	Long	Sparkman
Fannin	McCarthy	Williams, N.J.
Goldwater	McClellan	Yarborough
Goodell	McIntyre	
Gravel	Metcalf	

So Mr. PROXMIRE's amendment was rejected.

Mr. PASTORE. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. ALLOTT and Mr. HOLLAND moved to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. MUNDT. Mr. President, the bill, S. 12307, includes funds for fiscal 1970 for the General Services Administration.

In that connection, I am happy to note that neither the General Services Administration nor any other Federal department or agency will procure supplies for State or local government units. This matter is not expressly referred to in this appropriation bill. However, I comment on it at this time because several months ago a proposal was advanced inside the executive branch that would have authorized GSA to procure supplies and equipment for State and local governments. Proponents of that proposal sought to justify it under the terms of the Intergovernmental Cooperation Act of 1968. Neither that act nor its legislative history convey any such authority, a fact well known in Congress and well known in particular to Senators who serve on the Committee on Government Operations, which reported the bill to the Senate in the 90th Congress.

It has been my privilege for a number of years to serve as the ranking minority member of that committee. At no time during our deliberations on the Intergovernmental Cooperation Act did anyone suggest or contemplate that any Federal agency would go into the purchasing business or into the supply business for State or local governmental bodies.

And I am pleased to say that the White House moved promptly and decisively when it was alerted to the content and significance of the proposal being advanced within the executive branch. Clearly, neither the Intergovernmental Cooperation Act nor good public policy would countenance such an attempt to put the massive purchasing capacity of the Federal Government into competition with the many thousands of separate business enterprises now serving the myriad State and local government supply requirements all across the Nation.

Nothing could have been further from the intent of Congress in the Intergovernmental Cooperation Act of 1968. As I have indicated the White House, when it examined the problem, shared that view. After the matter had been disposed of, a letter from the Executive Office of the

President to the Committee on Government Operations stated in part:

Review of the matter, with the Government Operations Committee and others, has led us to conclude that the legislative history . . . does not permit an interpretation that procurement services may be authorized. Therefore . . . regulations . . . will not authorize GSA or any other agency to procure supplies for State and local governments . . .

Of course, we all know how important are the vigilance and ingenuity of those who would be injured by a mistaken government undertaking like the proposal I refer to. On that, I want to commend the efforts of many people, in and out of government, who objected to the impropriety of the proposed purchasing and supply program.

I especially want to commend the efforts of the National School Supply and Equipment Association. This national organization, headquartered in Chicago, has among its membership a number of highly respected South Dakota firms specializing in service to our schools. We in South Dakota are proud of them and proud of their contributions to the cause of education through the years. When it became apparent last summer that a proposal to put GSA into this kind of purchasing and supply activity was being considered seriously, the Association moved quickly to alert responsible Government officials to the dangers inherent to the proposal and to suggest specific means by which the Intergovernmental Cooperation Act should be put into operation without the unauthorized purchasing and supply programs that were then being considered.

These efforts prevailed, and on August 7 the association was able to notify its members that the matter was resolved—that the administration had decided that neither the law involved nor the policies of the administration could permit the kind of purchasing activity that had been proposed. So on August 7 the subject was effectively disposed of on policy grounds as well as on legal grounds. And the cause of better Government was enhanced in the process.

While commenting on the National School Supply and Equipment Association, and saluting its valued members in South Dakota, I am not unmindful of the support given this effort by many other business groups who saw the dangers inherent in Federal purchasing for State and local government units.

I point out, too, that my own view of the intent of the law and my concern about the undesirable impact of such Federal competition with private business were shared by many other Members of the Senate, and in the other body as well. The distinguished chairman of the Committee on Government Operations (Mr. McCLELLAN) registered the same objections I did.

I am sure they and many other Members of both Houses breathed the same sigh of relief I did August 7 when we learned that the intent of Congress was being adhered to and that the GSA purchasing proposal had been stopped.

Mr. President, in order to help avert the possibility of this proposal popping

up again, I feel it important that my report on this matter should be made a part of this debate and of the permanent RECORD of the Senate.

AMENDMENT NO. 270

Mr. HART. Mr. President, I send my amendment to the desk and ask that it be stated.

The bill clerk read as follows:

On page 34 strike out line 1 and insert in lieu thereof the following: \$837,500,000 to remain available until expended: *Provided*, That not more than \$187,500,000 shall be available for grants with respect to urban renewal projects which are identified and scheduled to be carried out as projects or activities included within approved city demonstration programs in accordance with and subject to the provisions of section 113 of the Demonstration Cities and Metropolitan Development Act of 1966, as amended: *Provided further*,

Mr. HART. Mr. President, I would not anticipate a lengthy discussion insofar as I am concerned.

At this point, Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. PASTORE. Mr. President, would the Senator from Michigan agree to a limitation of debate on his amendment?

Mr. HART. I feel certain that I could, Yes, Mr. Chairman.

Mr. PASTORE. Would the Senator indicate what time he would like? One-half hour to each side?

Mr. HART. May I inquire of several cosponsors of the amendment now in the Chamber if, within that period of 30 minutes, they would be accommodated.

Yes, Mr. President, I would suggest, then, a limitation of 1 hour, with 30 minutes to a side.

UNANIMOUS-CONSENT AGREEMENT

Mr. PASTORE. Mr. President, I ask unanimous consent that debate on the pending amendment be limited to 1 hour, with 30 minutes on each side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island? The Chair hears none, and it is so ordered.

Mr. HART. Mr. President, Senators BROOKE, CASE, GOODELL, JAVITS, MONDALE, MUSKIE, RIBICOFF, WILLIAMS of New Jersey, and I joined in introducing the amendment. I ask unanimous consent that Senator MONTOYA from New Mexico, Senator TYDINGS from Maryland, and Senator SCHWEIKER from Pennsylvania, be added as original cosponsors.

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

Mr. HART. Mr. President, the amendment which has been printed, strikes out line 1 on page 34 of the bill and inserts the following language:

"\$837,500,000 to remain available until expended: *Provided*, That not more than \$187,500,000 shall be available for grants with respect to urban renewal projects which are identified and scheduled to be carried out as projects or activities included within approved city demonstration programs in accordance with and subject to the provision of Section 113 of the Demonstration Cities and Metropolitan Development Act of 1966, as amended. *Provided further*,

Let me explain the appropriations situation as it pertains to urban renewal.

In the Housing and Urban Development Act of 1968, Congress increased, as of July 1, 1969, the authorization for urban renewal by \$1.4 billion and increased the authorization for urban renewal funds to be used in connection with model cities projects from \$250 million to \$600 million.

Congress last year then went on to appropriate part of the new model cities funds, leaving \$187.5 million unappropriated.

That meant Congress could make available for this fiscal year urban renewal funds totaling \$1,587,500,000.

However, Congress last year also appropriated \$750 million in advance funding for urban renewal, reducing the unappropriated authorization for this fiscal year to \$837,500,000.

Our amendment would appropriate that figure, made up of \$650 million in regular urban renewal funds and \$187.5 million of model cities urban renewal funds.

The House approved only \$100 million in new urban renewal funds.

The Senate Appropriations Committee recommended the budget request of \$250 million in new urban renewal funds.

Our amendment would increase the House figure by \$737,500,000; the budget request by \$587,500,000.

Mr. President, I would be remiss if I did not point out the Senate Appropriations Committee did vote to restore many cuts the House made in budget requests for housing programs.

However, even recognizing and complimenting Senator PASTORE, chairman of the Independent Offices Subcommittee, and committee members for their efforts, the great demand for urban renewal funds compels me to seek the full authorization for these programs.

In discussing that demand, we can better understand the need for full findings if we talk about the amount of urban renewal money which would be available under the various appropriation recommendations rather than just the amount of new money to be contained in this bill.

Under the House bill, HUD would have a total of \$850 million—\$750 million in advance funds and \$100 million in new money—under the budget request and Senate Appropriations Committee recommendation, \$1 billion, and under our amendment, \$1,587,500,000.

Perhaps the best way to document the demand is to quote from testimony of George Romney, Secretary of Housing and Urban Development, and from information he presented to the Senate Independent Offices Appropriations Subcommittee this summer.

Secretary Romney was pressing to restore the \$150 million by which the House cut the administration's request, but his presentation makes a forceful case for the full authorization.

The Department's justification for restoring the cut says:

This cutback would occur at a time when our communities are desperately dependent upon the assistance available under the Urban Renewal Programs, and when the demand has reached the highest level in this history of the program. The pipeline of

applications on hand is approximately 2 billion dollars. This demand comes from new communities that are seeking to enter the program for the first time and from communities that are seeking new projects needed to supplement and expand their existing programs. The Department expects to receive applications in 1970 that will add approximately \$2 billion. The \$1 billion appropriation would be applied against a demand of approximately \$4 billion.

HOUSING GOALS

To meet the 10-year housing goals, urban renewal must provide sites for a substantial portion of the new dwelling units required for low and moderate income persons in locations where they are most needed.

The HUD Act of 1968 provides that a majority of the housing units provided in each community's total of such approved urban renewal projects as will be redeveloped for predominantly residential uses and which receive Federal recognition after the date of its enactment shall be standard housing units for low and moderate income families or individuals. Also the urban renewal program is a critical component in restoring dwelling units to standard physical condition and assuring desirable land usage with appropriate public improvements and community facilities. The level of funding for new areas must be maintained so that sites for housing in the inner cities will be available in future years.

MODEL CITIES

Extensive urban renewal assistance is a prime component in the designated neighborhoods of the 150 model cities. These neighborhoods represent large blighted areas where public facilities and improvements have been inadequate and where a high proportion of the dilapidated and substandard structures are inhabited by low income people. The model city activities cannot succeed without timely assistance from the Urban Renewal Program.

Mr. President, let me single out one portion of that statement for emphasis. The demand by the end of this year will be \$4 billion. An appropriation of \$1 billion will hardly suffice.

Secretary Romney made that quite clear in his prepared statement to the subcommittee when he said:

The aggregate Urban Renewal backlog, including the revisions to existing programs, Code Enforcement, Interim Assistance, Demolition Grants, CRPs, and new conventional and NDP projects, is nearly \$2.1 billion. And, of course, there will be additional applications for assistance during the year. These have been running at the level of \$200 million per month.

It is evident that even at the \$1 billion dollar level requested in the Budget, we will not be able to meet the demand.

Mr. President, in a memo to Congressmen, the Secretary upped the backlog from \$2.1 billion to \$2.6 billion.

Mr. President, let me quote from another portion of Secretary Romney's testimony to underscore what the budget request means in terms of funding new projects, including the popular neighborhood development program:

Before the Department can allocate any portion of this \$850 million to the new Urban Renewal projects (whether "conventional" or "Neighborhood Development Programs") we must make provision for items required by statute or growing out of earlier commitments. Examples are the following:

Increased cost of existing programs imposed by provisions of the 1968 Act, for relo-

cation benefits, rehabilitation grants and the like, \$150 million.

Increases in existing conventional programs resulting from rising or underestimated costs, more fully developed plans, etc., \$150 million.

Second year funding of NDPs started in FY 1969. While there is no fixed commitment here, it would be uneconomic not to continue projects which are under way and have achieved momentum. These costs would be \$300 million.

Now in addition to these items, the Department must also fund out of this basic Title I appropriation such things as Code Enforcement Grants, Interim Assistance Grants, Demolition Grants, and other programs on which our cities rely for reconstruction and upgrading. At 1969 levels, these programs will require \$125 million.

Adding up these several items, we reach a total of \$725 million. On this basis, the House figure of \$850 million would leave only \$125 million available for new projects, including new conventional projects and new NDPs. This is particularly restrictive when we consider that the Model Cities Program depends heavily on Urban Renewal funds for the physical revitalization of the model neighborhoods, and that over 100 model cities should be starting first year action programs in fiscal 1970.

With existing commitments eating up the first \$725 million of urban renewal appropriations, HUD, under the budget request of \$1 billion, will have only \$275 million for new urban renewal programs. That's not even enough to fund all the 287 NDP applications already on hand, let alone the backlog of applications for regular and model cities urban renewal funds.

Let me quote the Secretary just once more to reemphasize the importance of urban renewal in our effort to provide sound housing for all our citizens.

Last year, Congress set a national goal of 26 million new housing units in the next decade. Secretary Romney says he is determined to meet that goal, and is doing all that he can to do just that. I certainly support him in that endeavor.

One of his innovations is Project Breakthrough, in which HUD seeks designs to increase productivity of new housing.

In discussing the effect of the House cut, Mr. Romney said:

I would like to go back to my comments on Breakthrough and just make one additional point. Breakthrough is only going to succeed if we have adequate funding of the housing programs that are contained in the various housing statutes. This includes 235, home ownership, 236, the rent subsidy, and the rent supplement program, as well as urban renewal. One of the toughest parts in this Breakthrough is going to be to secure the land for the housing, and urban renewal is one means of securing suitable land for such volume housing production.

Mr. President, I think that the Secretary has made the case for full funding.

To sum up that case, HUD will have a total demand for urban renewal funds of \$4 billion by the end of this year.

Against that, the most Congress can appropriate is about \$1.6 billion. That is hardly enough, but in the face of the demand, the least Congress should do is appropriate the full amount.

However, I would like to differ with one point the Secretary made in his appearance before the Senate subcommittee.

The Secretary noted that the administration recommended that urban renewal funds for model cities not be handled as an add-on. He explained that "we combined the two because of the ease of administration, and accounting, and so on. We are simplifying it, simplifying our own procedure by not setting that up."

That might simplify bookkeeping, but it will not simplify the task for those cities who will get no funds because that authorization remains unused.

Rather I find myself in agreement with the Senate Committee on Banking and Currency which said in its report on the Housing and Urban Development Act of 1969:

In addition, there is \$187.5 million of authority earmarked for model cities grant assistance. The committee sees no reason why this should not also be used to help fund the tremendous backlog of applications for urban renewal work in connection with the model cities program.

Mr. President, a question might be raised if the full authorization could be spent this fiscal year considering the date at which it will become available.

Frankly, I do not know, but I would guess that much of it could be, particularly those funds which would go to existing commitments.

However, we must also remember that HUD cannot approve new applications whose total cost exceeds the amount of funds available in this fiscal year. In other words, the limit on new starts does not depend on how much money will be spent this year, but on the overall cost of the projects which may take several years to complete.

Put another way, since \$725 million is already committed or earmarked for existing programs, HUD would be able to approve this year only that number of projects whose total costs did not exceed \$275 million.

That is why it is so important to appropriate as much as we can.

In my view, there are four strong reasons for appropriating the full authorization for urban renewal.

First, the demand for even more than the full authorization is clear.

Second, in establishing urban renewal programs the Congress made a commitment to help rebuild cities. City residents have better reason than most to question the value of such commitments. We should not go back on that commitment now. If we do, we can add urban renewal to the long list of promises that the Federal Government makes but never fulfills.

Third, the level of appropriations controls the number of new starts, whether or not the money is spent the same year.

And, fourth, by appropriating the full authorization the Senate can greatly strengthen the hand of its conferees when they meet to settle differences between the House and Senate versions of the bills.

Mr. President, in order to better understand the effect of any slowdown in urban renewal activities, I wrote the mayors or county officials of each political subdivision in Michigan which had or was seeking urban renewal funds.

On October 30, I put the responses I

had received as of that date in the CONGRESSIONAL RECORD. I ask unanimous consent that the responses that I have received since that date be placed in the RECORD.

I also ask unanimous consent that the memo from Secretary Romney to Congressmen concerning NDP programs and the press release from a bipartisan group of 82 Congressmen to Secretary Romney about NDP guidelines be placed in the RECORD.

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

THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT,

Washington, D.C., October 2, 1969.

DEAR CONGRESSMAN: Because of the wide misunderstanding surrounding the Neighborhood Development Programs and its applications we are enclosing a departmental position paper on this subject. We feel that this information will afford you the latest, most accurate data enabling you to communicate with your interested constituents.

This program is under continuing study and modification, and it is expected that in the near future we will have additional information forthcoming. Knowing of your great interest in this subject, however, it was decided to send this to you immediately rather than to wait for additional information.

If there are any further inquiries you wish to make, do not hesitate to call the Office of Congressional Relations here at HUD.

Sincerely,

GEORGE ROMNEY.

A BACKGROUND PAPER ON THE NEIGHBORHOOD DEVELOPMENT PROGRAM (NDP)

THE PROBLEM

The Neighborhood Development Program (NDP), which was launched under the last Administration upon passage of the 1968 Housing Act, has generated a demand for funds which far exceeds the money that can be made available for the program.

Approximately 1,200 communities are presently participating or have applications pending in the urban renewal program, of which NDP is a part. About 300 cities have submitted, or are on the verge of submitting, NDP applications. The estimated requests for funds from these 300 cities for this year threaten, and by 1971 would clearly exceed the total amount of money available for the entire program, even if no renewal activities are funded in any of the other 900 non-NDP communities.

In part, the large demand for NDP stems from the fact that when the program was launched and the cities were encouraged to file applications, they were given no limitations, nor were they given reason to think their full funding expectations would not be approved.

This Administration has thus been confronted with a present and potential demand for NDP which has made it essential to impose management controls on NDP funding.

THE ADMINISTRATION'S POSITION

The Administration firmly supports the NDP concept. The program is a valuable and flexible tool to aid cities in achieving their renewal objectives. The NDP is designed to make it possible to take rapid action on urgent needs and to take immediate advantage of available development opportunities within the boundaries of one or more renewal project areas in a given community.

The Department firmly believes that the management controls imposed on NDP funding will preserve the NDP concept, fund as many city programs as possible, and deal in

a responsible manner with the funding crisis facing the program.

The imposition of controls at this time are necessary because the Department has no right and no intention of starting—as some have advocated—a larger program that can be funded, with a hope or wish that Congress will make the kind of rapid and major change in renewal funding levels that would be required.

Moreover, the Administration has a deep sense of responsibility to the residents of program areas to avoid any further perpetuation of false expectations and promises which, based on the facts known today, have little or no hope of fulfillment. This is a practice which has understandably embittered many neighborhood residents in the past.

AVAILABILITY OF FUNDS

The program begins with the basic fact that the total amount of money that will be available for all renewal, including NDP activities, is likely to range between \$850 million and \$1 billion for FY 1970.

The last Administration requested \$1 billion in the budget it submitted in January 1969 for Title I urban renewal funding in FY 1970. Shortly after coming into office, this Administration submitted a request to Congress for the exact same amount. The House-passed appropriations bill cut that figure to \$850 million, and Secretary Romney has strongly appealed to the Senate for a restoration of the full amount. Even if the Senate approves a higher figure, it will be subject to adjustment in conference with the House, which will meet to resolve differences between the Senate and House passed bills.

Out of whatever sum Congress appropriates, the Department must give consideration to a wide range of needs in addition to NDP applications. The Department is faced with: regular urban renewal project applications from both DNP and non-NDP communities; requested increases for on-going renewal projects; and applications for such related programs as code enforcement, demolition, interim assistance in blighted areas, assistance to certified areas, and community renewal programs.

It should be noted that shortly after the NDP legislation was enacted, the impending financial squeeze became apparent to the Bureau of the Budget under the last Administration. As a consequence it placed hard and fast limitations on the program in December 1968, in order to avoid an escalation of hopes and expectations that likely could not be funded. This resulted in the funding of only 35 cities in FY 69.

NATURE OF THE COMPETING DEMAND

To help understand the problem facing the Department at the present time, it is necessary to look at how the funds available in 1969 were actually spent:

	Million
Needed increases for on-going renewal projects that were started in prior years, and have incurred increases in land and development costs above the original estimates.....	\$409
Approval of new projects in cities which have previously participated in the program as well as in communities seeking assistance for the first time.....	465
Approval of such related programs as code enforcement, demolition, interim assistance in blighted areas, certified areas, and the Community Renewal program.....	105
Approval of 1st year NDP action program in 35 cities (Represents the net amount of funds from the FY 1969 appropriations. In addition, the 1st year NDP action programs for these cities utilized \$210 million, which the cities elected to transfer for that purpose from funds already under contract or reservation) (net).....	100

The above breakdown indicates the nature and dimension of the competing demand for the renewal dollar. While the Department plans to introduce policies and practices that will reduce the amount required for increases for on-going projects this will necessarily be a gradual process that will not release significant sums of money for other purposes in the immediate future. With respect to the other components in the overall breakdown, the rates indicated above are likely to remain approximately the same, so long as NDP remains an optional rather than a mandatory approach for the cities.

Congress established NDP as an optional program, and this Administration intends to preserve that free choice, without pressuring or coercing any community into adopting one approach over another.

THE DEMAND FOR NDP FUNDS

In addition to the problem caused by all the competing demands for renewal funds, the NDP itself has unleashed a rapidly escalating demand for funds, which this year threatens, and by 1971 would clearly consume all available funds, leaving nothing for the 900 non-NDP communities.

The following table shows the projected demand for NDP funds. It does not include any estimate of demand for any communities beyond the 322 which have already submitted, or on the verge of submitting, NDP applications:

[Figures in millions of dollars]

Category	1970	1971
35 cities already approved.....	375	1 375
287 applications pending or under active preparation.....	*858	892
Total.....	1,233	1,267

¹ Assumes no rate of increase over 1970 level of requests, even though the 1970 request represents a 22 percent increase over the \$310,000,000 gross level undertaken in 1969.

² Includes \$317,000,000 of net new funds from fiscal year 1970 appropriations, and \$541,000,000 which the cities propose to transfer to NDP use from funds already under contract or reservation.

PROSPECTS FOR RECAPTURE OF FUNDS

At the outset of NDP, it was hoped that significant sums of money would be returned to the Department to permit funding of other NDP applications, through the relinquishment by the cities of funds already under contract or reservation which were in excess of the amount needed to fund the community's 1st year NDP action program. This expectation proved illusory.

Of the first 35 cities approved for NDP, only 11 released more than they required just for their 1st year NDP action program. In fact, on balance, the 35 cities required \$100 million from FY 1969 appropriations, in addition to the \$210 million they elected to transfer for NDP purposes from funds already under contract or reservation.

Thus there is little reason to expect that the NDP's will be a source for the recapture of funds in the future.

BASIS FOR NEW NDP CONTROLS

In an effort to preserve the NDP concept and its value as a flexible tool, the Administration has rejected arbitrary controls over the program, such as a \$10 million ceiling or a 20-acre limitation on the size of any program. Guidelines covering the management of NDP applications will be forthcoming.

In addition, it has become clear that certain controls are necessary in order to comply with the intent of Congress as expressed in the statute that: "The approval by the Secretary of financial assistance for one or more annual increments of a neighborhood development program shall not be considered as obligating him to provide financial assistance for any subsequent annual increments."

In order to prevent waste of funds on ac-

tivities which it may not be possible to complete for lack of funds in future years, it means that no NDP activities should be started which cannot provide reasonable assurance that at least 80 percent of all federal grant funds to be requested will be used in the first action year, and that all federal renewal assistance, except for temporary loans, will be terminated by the end of the second year. It also means that the activities undertaken should constitute a significant achievement in and of themselves if no renewal activity occurs outside the area.

WASHINGTON.—A bi-partisan group of 82 Congressmen today sent a letter to Secretary George W. Romney protesting the manner in which the Department of Housing and Urban Development is administering pending Neighborhood Development Program (NDP) applications submitted by communities in their congressional districts.

The Congressmen are opposed to certain guideline changes proposed by HUD which they say would "destroy the long-term effectiveness of NDP as a tool to aid the redevelopment of communities in our districts."

More than 280 communities have NDP applications pending or about to be submitted to HUD.

Rep. Daniel E. Button (R-N.Y.), one of the leaders of the group, said, "HUD's present attitude toward NDP since January has been, to say the least, extremely confusing. HUD has failed miserably to administer the NDP as Congress intended. Applications for NDP were filed, after HUD's encouragement, with the recognition that NDP offered a coordinated means by which to accelerate the reconstruction of our urban centers."

Rep. Button said, "the proposed changes announced by HUD, in defiance of congressional intent, will only lead to delay, confusion and expense for cities throughout the nation."

The text of the letter to Secretary Romney follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 21, 1969.
GEORGE W. ROMNEY,
Secretary, Department of Housing and Urban Development, Washington, D.C.

DEAR MR. SECRETARY: We want to indicate our deep concern about certain proposals under consideration by your Department to restrict the operation of the Neighborhood Development Program. The restrictions discussed in your October 3 press release would, in our opinion, destroy the long-term effectiveness of NDP as a tool to aid the redevelopment of communities in our districts.

We can appreciate the current financial restraints under which your Department must operate but we do not believe that this situation justifies restrictions which would alter the nature of the program. According to your October 3 release, communities will only be able to use NDP to fund those limited kinds of renewal activities which can be completed in two years. This condition automatically eliminates all projects involving acquisition or relocation activities which involve even modest complications. Such a restriction is certainly not consistent with the HUD description of the program which prompted our cities to submit applications. Many of our communities had hoped to use NDP to fund major city-wide renewal efforts but this option will effectively be foreclosed by your proposed restrictions.

We are also concerned about restrictions being placed on the conversion to NDP of projects currently approved under the conventional system. Conversion would permit the allocation during the current fiscal year of funds already appropriated by Congress and already reserved for renewal activities in many communities with pending NDP applications. Since the need for immediate redevelopment action is so great in so many of our communities, we can see no value in

large amounts of renewal funds lying idle merely because administrative restrictions do not permit their transfer.

As you know, the 1969 housing bill reported by the House Banking and Currency Committee, H.R. 13827, stipulates that \$400 million in FY 1970 urban renewal funds be earmarked for NDP and that 35% of all urban renewal appropriations in succeeding years be earmarked for NDP. In addition, the report on H.R. 13827 stipulates that administrative regulations for NDP should be no more restrictive than regulations for conventional renewal. Although this bill has not yet been adopted by Congress, it would seem inappropriate for the Department to issue guidelines that would violate the intent of pending legislation which has been favorably reported and scheduled for action on the House floor.

We are convinced that the Neighborhood Development Program holds the key to a new and more effective system of urban renewal, and we want to conclude by urging you to reject any proposals which will weaken this important new tool.

Sincerely,

SIGNERS OF ROMNEY LETTER

1. Patsy T. Mink (D-Hawaii).
2. James M. Hanley (D-N.Y.).
3. Don H. Clausen (R-Calif.).
4. Daniel J. Flood (D-Pa.).
5. Frank Horton (R-N.Y.).
6. Peter N. Kyros (D-Maine).
7. Ray Blanton (D-Tenn.).
8. Spark M. Matsunaga (D-Hawaii).
9. Robert L. Leggett (D-Calif.).
10. Joseph M. Gaydos (D-Pa.).
11. William Hathaway (D-Maine).
12. Don Edwards (D-Calif.).
13. Lee H. Hamilton (D-Ind.).
14. Robert J. Corbett (R-Pa.).
15. Sam Gibbons (D-Fla.).
16. Edwin D. Eshleman (R-Pa.).
17. David Pryor (D-Ark.).
18. William Anderson (D-Tenn.).
19. William L. St. Onge (D-Conn.).
20. Henry B. Gonzalez (D-Tex.).
21. Joseph M. McDade (R-Pa.).
22. John E. Moss (D-Calif.).
23. Chet Holifield (D-Calif.).
24. Ray J. Madden (D-Ind.).
25. Andrew Jacobs, Jr. (D-Ind.).
26. Jeffery Cohelan (D-Calif.).
27. Lucien N. Nedzi (D-Mich.).
28. Samuel N. Friedel (D-Md.).
29. William D. Ford (D-Mich.).
30. William "Bill" Clay (D-Mo.).
31. Joseph G. Minish (D-N.J.).
32. Carl Albert (D-Okla.).
33. Frank Thompson (D-N.J.).
34. John V. Tunney (D-Calif.).
35. Frank E. Evans (D-Colo.).
36. Jerry L. Pettis (R-Calif.).
37. Herman T. Schneebeli (R-Pa.).
38. Richard L. Ottinger (D-N.Y.).
39. Brock Adams (D-Wash.).
40. Charles C. Diggs, Jr. (D-Mich.).
41. William L. Hungate (D-Mo.).
42. Gus Yatron (D-Pa.).
43. William S. Broomfield (R-Mich.).
44. Louis Stokes (D-Ohio).
45. Arnold Olsen (D-Mont.).
46. Al Ullman (D-Oreg.).
47. John C. Culver (D-Iowa).
48. Michael A. Feighan (D-Ohio).
49. Peter W. Rodino (D-N.J.).
50. James J. Howard (D-N.J.).
51. Henry Helstoski (D-N.J.).
52. Cornelius Gallagher (D-N.J.).
53. Frank M. Clark (D-Pa.).
54. Fred B. Rooney (D-Pa.).
55. Joseph P. Vigorito (D-Pa.).
56. John H. Dent (D-Pa.).
57. Thomas E. Morgan (D-Pa.).
58. James G. Fulton (R-Pa.).
59. Howard W. Robison (R-N.Y.).
60. Gilbert Gude (R-Md.).
61. James H. Quillen (R-Tenn.).
62. Thomas L. Ashley (D-Ohio).
63. Byron G. Rogers (D-Colo.).
64. John Conyers, Jr. (D-Mich.).
65. Fernand J. St Germain (D-R.I.).
66. Ken Hechler (D-W. Va.).
67. Robert "Bob" L. Sikes (D-Fla.).
68. Florence P. Dwyer (R-N.J.).
69. Bill Alexander (D-Ark.).
70. W. S. "Bill" Stuckey, Jr. (D-Ga.).
71. J. J. Pickle (D-Tex.).
72. Edward Boland (D-Mass.).
73. Charles A. Vanik (D-Ohio).
74. Kenneth J. Gray (D-Ill.).
75. Paul N. McCloskey (R-Calif.).
76. Henry S. Reuss (D-Wis.).
77. John A. Blatnik (D-Minn.).
78. John Brademas (D-Ind.).
79. Donald M. Fraser (D-Minn.).
80. Charles W. Whalen, Jr. (R-Ohio).
81. Daniel E. Button (R-N.Y.).
82. Robert H. Mollohan (D-W. Va.).

CITY OF ANN ARBOR, MICH.,
October 30, 1969.

Hon. PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: I join with Mayor Harris and many others in our community in expressing to your our gratitude for your expressed concern for the federal support of vital urban programs at a level which will make significant impact. We commit whatever specific support you may suggest to further your efforts in this direction.

Model Cities support for Ann Arbor, as with other cities, can indeed assure innovative approaches to solving the long-term needs of the lower income and socially deficient areas of our city. We have locally, as you know, the myriad educational and technical resources to put to creative and fruitful use both planning and implementation funds. Such federal assistance which we can receive will stimulate an inestimable amount of local initiative and resources.

Enclosed is a copy of a succinct description of our goals and strategy.

Thank you again.

Very truly yours,

ROBERT L. POTTS,
Director.

CITY OF ANN ARBOR MODEL CITIES PROGRAM

By community decision, city ordinance, and federal approval, the City of Ann Arbor is now engaged in planning for the improvement of the quality of life of families, youth, and other citizens who reside in what is known as the Model Cities area.

The boundaries are approximately these:

On the south: Ann Street; Division to First, Huron Street to First.

On the north: Elmcrest; Seventh to Miner, Summit Street; Miner to Daniel, Brookside; Daniel to Main.

On the east: Division; Huron to Broadway, Broadway to the river.

On the west: Seventh Street; Huron to Elmcrest.

First of all, it is important to understand: 1. This is a "citizens" program in consultation and co-operation with public and private agencies. This means that the residents of the area and their Citizens' Policy Board are chiefly responsible for deciding the plans for the Model Cities area. This will not take place, of course, without a continuous effort to involve citizens in the process.

2. This is not an Urban Renewal nor primarily a housing concern. We are now planning, under a planning grant, for services and on-going programs which will increase citizen benefit and involvement in the education, health, recreation, economic, social, and cultural opportunities of this community. While planning is going on, however, we will as a community engage in efforts to increase and improve services which are or can be provided by local government and public and private agencies and institutions.

All of our citizens are encouraged to participate in planning for the Model Cities area.

GOALS OR OBJECTIVES

1. To achieve higher levels of education, income, and participation, which assure increased individual and community self-sufficiency. There must not continue a pattern of any marked segment of our cities alienated from these opportunities.

2. To develop more effective procedures and systems to assure a better quality and quantity in the delivery of services by both public and private agencies and institutions for the meeting of the needs of residents.

3. To substantially improve and enable residents to improve the physical environment so that the residents of the area may increasingly enjoy the quality of life which befits the affluent city.

STRATEGY TO ACHIEVE OBJECTIVES

Our strategy is to initiate, structure, and develop a viable process which will enhance the capacity of the community, residents, business, and public and private agencies and institutions to deal constructively with its long-standing problems and generate more and better co-ordinated services for people, particularly in the Model Cities area.

Relationships must be established with all components involved in the delivery of services. Maximum, creative involvement and organization of citizens must transpire. A functional information system must be established. New resources must be tapped. These are the ingredients of a strategy aimed at innovative programs and change, which are the means and ends of our efforts in the Model Cities Program.

THE PLANNING PROCESS

To accomplish the planning task, the Citizens' Policy Board has set in motion four task forces: Legal, social, economic, and environmental. These four groups, with citizen representation and leadership, are beginning to identify the problems and needs of our Model Cities area. They will support these with facts. Then, they will, with our Planning Committee, bring to the citizens and thence the City Council concrete programs for immediate and long-term improvement of life and opportunities in this area of the city.

INVOLVEMENT AND CHALLENGE TO COMMUNITY RESOURCES

Floyd H. Hyde, Assistant Secretary for Model Cities and Governmental Relations, in a recent address expresses a prime objective of the Model Cities Program:

"In developing a plan of action to combat the ills of our cities, we have declared that there must be a new role for local institutions, a building of the resources and responsibilities and capacity of cities. We are pledged to marshal the full potential of local government, the private sector and the voluntary sector into a meaningful local commitment."

Now, how can the local agencies and institutions relate to the objectives of Model Cities?

1. Be a *participant* in this citizen effort to identify and document the needs of the people of this area as related to the overall deficiencies and offerings of this total community. This may be accomplished by designating a liaison person to share the process by providing pertinent data and assisting in appropriate ways.

2. Use this Citizens' Model Cities mechanism as a vehicle for scrutinizing the effectiveness and relevance of our agency programs and resources.

3. Utilize the occasion of the planning under Model Cities to consider innovative approaches and programs to meet problems which are of priority concern to this particular part of the community.

CITY OF PONTIAC, MICH.,
October 20, 1969.

HON. PHILIP A. HART,
U.S. Congress,
Washington, D.C.

DEAR SENATOR HART: We wish to take this opportunity to express our deepest interest and concern over the appropriations bill, now before the Senate, which contains funds for urban renewal, including the vital Neighborhood Development Program now before the Senate Appropriations Committee.

We are extremely concerned over the financial status of the Neighborhood Development Program since the City of Pontiac has submitted an NDP Application to the Department of Housing and Urban Development.

The NDP, we find, offers our City the most feasible instrument, both in concept and practice, for meeting our pressing urban problems—physical and social. Unequivocally, the NDP offers our City the soundest urban renewal approach which would provide all communities the opportunity to develop programs which match promise with performance.

Through the proposed NDP Program we have been allowed to plan and initiate developmental projections, affecting not only existing urban renewal projects but far reaching developmental programs with other private and public organizations. These include the Pontiac School District and the development of the Human Resource Center; Harambee, Incorporated, a new housing organization operated by black business acumen, supported by a one million dollar interest free loan through the General Motors Corporation for the purchase of land to be used for new housing construction within proposed NDP areas in Pontiac's Inner City. Through NDP, improvements will be made in our recreational and park facilities as well as improvements in our lake frontage and storm sewer projects in the City's NDP areas.

A most salient feature of the Neighborhood Development Program is the requirement that we, as city government, enlist the interest, involvement and participation of our citizens, as concerned partners, in carrying out the objectives of the NDP and in further building Pontiac's sense of community.

We urge your active support in backing the full funding of the \$1.4 billion for urban renewal which is so desperately needed by the Nation's cities. Anything less, we believe, would result in a drastic reversal of meaningful existing renewal efforts in our City, and would compound the difficult urban problem we in Pontiac City now face.

Respectfully,

WILLIAM H. TAYLOR, Jr.,
Mayor.

VILCAN, LEMAN & ASSOCIATES, INC.,
October 23, 1969.

Hon. Senator PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: We have been asked by the City of Hazel Park to respond to your question regarding the effect that a two year limitation would have on the City's Neighborhood Development Program. As you know, the City submitted in June an NDP Application for a large area of the City containing 1,400 structures, about 80 percent of which need rehabilitation and about 200 of which are substandard requiring clearance. Included in the area is a 1½ acre site to be cleared for a senior citizens public housing development. Because of the size of the task, the City envisioned a program lasting 8 to 10 years. In accordance with HUD guidelines, they, therefore, only requested funds necessary to acquire the public housing site and about 10 other substandard buildings in the first year. It was proposed that each succeeding year as citizen support is won and

as administrative capabilities are improved, an increase in activity would be requested.

If a two year limitation is imposed, the City would have no difficulty in carrying out the activities which were budgeted for in the first year. However, if they are restricted to the funds requested for the first action year and are estimated to be necessary in the reservation year, only a small portion of the total long-range program can be carried out. A two year limitation would then destroy one of the principal advantages of the NDP—the accomplishment of a large scale program but at a pace a community can adequately handle.

It is possible that the City could undertake more in the first two years than is included in the present program but this would require resubmitting the application and requesting a larger amount of funds.

We hope this information will be helpful to you in your attempt to prevent a two year limitation being placed on a Neighborhood Development Program. If we can be of further assistance, please feel free to contact us.

Sincerely,

PATRICK BENNETT.

CITY OF RIVERVIEW,

Riverview, Mich., October 30, 1969.

HON. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: We are writing in regards to your letter dated October 9, 1969 pertaining to the appropriation bill which contains funds for Urban Renewal, including the Neighborhood Development Program and Model Cities which is presently before the Senate Appropriations Committee.

We have completed our Penn Villas Urban Renewal Project No. Mich. R-73 and are completing the final audit.

We forwarded a Survey and Planning Application in November, 1966 to Region IV, Chicago, Illinois for our second project and it was assigned Project No. Mich. R-169.

On July 3, 1967 we received a letter from the Region IV Office dated June 29, 1967 which stated that under the priorities established in LPA letter No. 418, our application did not qualify for priority consideration and they had discontinued processing our application at this time. The letter further stated that when they were in a position to reactivate our application we would be notified accordingly.

This second project consists of approximately twenty-five (25) acres which has been zoned industrial about fifteen years ago.

The proposed project area is predominantly residential and approximately three-fourths of the houses have deteriorated beyond repair due to their age and lack of repair by some absentee landlords. The proposed project is in our heavy industrial section which was the reason for it being zoned industrial. Because of the condition of the houses and the area being zoned industrial we made our application for total clearance and disposition of the land as an industrial park.

Any help that you might be able to give would be greatly appreciated.

Sincerely yours,

GEORGE T. TEAR,
City Manager.

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

Mr. HART. I yield.

Mr. MUSKIE. I would like to nail down what I think is a very important point. As I understand the amendment, its effect is to add something like \$587 million in additional authorization; is that correct?

Mr. PASTORE. That is right.

Mr. HART. It would add an appropriation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HART. Mr. President, I yield myself 2 additional minutes, or such time as I may need.

Mr. MUSKIE. The point the Senator has just made in his prepared remarks is that this amount would not be spent in the fiscal year that is involved.

Mr. HART. Indeed, it could not.

Mr. MUSKIE. Because it will be absorbed by the total cost of additional projects which are authorized under that figure, and those projects will presumably, if the past is any pattern, be stretched out over a period of years?

Mr. PASTORE. That is not right.

Mr. HART. That is not quite right. What it would do is increase the appropriation by the figure suggested, enabling the commitment for new projects, the total end cost of which must not exceed the amount of whatever appropriation we settle upon now.

Mr. PASTORE. To put it more simply, it would fund it up to the amount of the authorization.

Mr. HART. It would fund it up to the amount of the authorization, but the point the Senator is making is that, particularly with new starts in the first year, the actual expenditure would not be at the figure we were authorizing, and could not be, because the initial startups are relatively slow; but the inhibition is that we cannot even make the initial startup if it contemplates an end cost in excess of the figure we would now appropriate.

Mr. MUSKIE. I think the Senator from Michigan, the Senator from Rhode Island, and I are saying the same thing, but it is a little difficult to express. Let me quote into the RECORD from the progress report on Federal housing which has been printed by the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency. For example, last year, fiscal 1968, the total contract authorizations were \$1.256 billion, but the actual spending, that is the budgetary impact, was \$522 million.

That is an illustration of the point we are making. In other words, by adding the \$587 million, we are not increasing the budgetary impact by that amount, but, rather, increasing by that amount the total cost of additional projects which can be authorized in this fiscal year.

Mr. HART. The completion of which may extend many years down the road, and the expenditure of which may not occur until then.

Mr. MUSKIE. I suppose there is no way of guessing, unless the Senator from Rhode Island (Mr. PASTORE), who is experienced in this field, can give us some guess, the amount of additional spending which might take place this fiscal year if the pending amendment is approved. How much additional spending would there be?

Mr. PASTORE. That would depend on the number of programs that came to fruition. We have already enacted the contractual authority up to the point of the budget estimate, plus what the Senator is asking for now. This just puts it in the pipeline. That is about the size of it.

Mr. MUSKIE. May I for the record in-

dicate the increments by which the spending is increased?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HART. I yield myself 2 additional minutes.

Mr. MUSKIE. If I may give some figures from this progress report to show the increments by which the annual spending has increased, in fiscal 1965, the annual spending was \$285 million, next year \$337 million, in fiscal 1967 \$431 million, and in fiscal 1968 \$522 million. I note that the last increment was something like \$89 million, notwithstanding the fact that the contract authorizations in 1968 were almost \$700 million more than the previous year. So the spending that will result in this fiscal year as a result of this amendment will be substantially less than the \$587 million in additional funds which are represented by the amendment.

Mr. HART. Mr. President, this, I think, we would all agree on: The question really is, to what extent do we want to make possible new undertakings, remembering that only about \$250 million of the figure proposed will be available for that purpose? The \$250 million is the outside ceiling of the end cost of all and any of the new programs. Given the backlog, I would hope very much that we would be able to increase to the full figure that we are permitted to, under the authorization, the appropriation in this bill.

I yield 5 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, I shall not endeavor to duplicate the fine analysis of the figures made by the Senator from Michigan and the Senator from Maine. But, Mr. President, because I have had direct experience with efforts concerning housing in urban areas, especially with every major city in New York, I realize what this amendment means. The very base upon which the whole housing effort rests is the availability of urban renewal money, because, literally, before anything can be built there must be land to put it on. This appropriation covers both the urban renewal program and the neighborhood development program, with the funds subject to allocation by the Secretary of Housing and Urban Development; but unless you have the basis, unless you have the platform upon which to put housing, neither of these programs will have a chance to operate.

I am the first to hail the tremendous contribution which is being made to the development of the cities by the Independent Offices Subcommittee with the approval of the Appropriations Committee, dealing with the model cities programs, with the provisions of sections 235 and 236, with the very imaginative home ownership programs and low rent programs, with the rent supplement program and so forth. All of this is splendid, but I should like to point out that you still have to have a platform upon which to put these programs, and it is these urban renewal funds which give you the platform.

I think we have in my State as imaginative a unit for the purpose of trying to develop the housing picture and deal with the housing problem in the cities as

there is in the United States. It is the Urban Development Corp. This corporation, organized by the State, has the power to condemn property, and to cut across county lines and zoning regulations—really to level every barrier which stands in the way of trying to develop a solution to the problem which is raised by the slums and ghettos of our big cities.

But even the corporation cannot operate, and we have representation to that effect, unless there is land available within economic reach; and it is this Federal program, which even takes up some of the essential write-down costs of condemnation, that will enable local governments to put up limited-income housing. Upon that financing structure, tax abatement and other provisions can be affixed; but that fundamental platform must be available, or everything else does not really help. So the very basis of everything we wish to do depends on adequate urban renewal funds.

In the committee—and I have served on the Appropriations Committee—there was always a very sympathetic understanding of that proposition, and I found, time and again, that the committee went farther with urban renewal funds than with other matters. But I think this time, in all fairness, they really have not gone far enough; I think the crunch is on now because we are fighting time deadlines and tremendously increased costs. I hope my colleagues will realize that if you slow up these housing programs, they cost 7½ percent more every year in escalated construction costs to ultimately build.

Every time we have tried to get a higher costs limitation, we have been successful. But we do not like it. We would rather have the construction done promptly, and not have to seek higher cost limits.

For all those reasons, Mr. President, because we are really dealing with the bedrock platform upon which all housing stands, I hope the Senate will agree to this amendment. Mr. President, I am not saying a word in criticism of the Senator from Rhode Island (Mr. PASTORE) who chairs the Independent Offices Subcommittee; he has in this respect his own problems, and will speak for himself. But I should like to testify right now to the fact, and let no one assume anything otherwise, that he is one of the greatest friends the cities have ever had in the U.S. Senate, whatever his position on this matter.

Mr. President, on the inflationary question, it seems to me that when you add to the stock of housing in the country, especially when there is an availability of materials and labor, and you create a tax-producing entity for the local government, you are not contributing to inflation. If there is any expenditure, it is a productive expenditure, and it adds to our assets and resources. It seems to me that if there is any expenditure we can justify, notwithstanding an inflationary budgetary situation, it is an expenditure which builds our assets and produces income, which is definitely what this program is designed to do. This is Federal facilitation of that purpose. Every municipality is much better

off from where it presently stands when it gets an urban renewal project, in which it writes up the value of its land and puts something on it which will be tax-paying in the future.

For all those reasons, I hope very much that the amendment will be agreed to.

On behalf of my able colleague, the junior Senator from New York (Mr. GOODELL), I ask that the remarks which he has prepared, in support of the Hart amendment, be included in the RECORD:

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

Mr. GOODELL. Mr. President, I rise to commend the members of the Appropriations Committee for the work they have done on the HUD Appropriations Bill. They have demonstrated a sensitive approach and a serious commitment to the housing crisis which plagues our nation today.

The Committee has requested the full funding requested by HUD of three vitally important housing programs which will help ease the housing shortage faced by low income families: Section 235, Homeownership, Section 236, Rental Housing, and Rent Supplements. In a letter to the distinguished Chairman of the Independent Offices Subcommittee (Mr. Pastore) I strongly urged for such full funding and I am delighted that the Committee has made these recommendations.

The Committee has restored the cuts made by the House and has recommended the Administration's request of a \$100 million contract authority for each program.

Full funding of these three programs will provide 125,700 homeownership units, 118,100 rental housing units, and 84,600 rent supplement units of housing by the end of 1970. Mr. President, at this time in our history over 20 million Americans are forced to live in substandard homes. Last year, only 100,000 units of housing were built for low income families. The appropriations bill, H.R. 12307, as reported by the Senate Appropriations Committee, will provide funds for over 328,000 homes to house more than 1.2 million Americans.

Obviously, these units will not be sufficient to meet our housing needs. The recommendations do, however, indicate that the Congress is willing to begin a serious commitment of resources to ease the housing crisis.

The Committee has also recommended that the urban renewal program be funded at the Administration's request of \$1 billion which was cut by the House to \$850 million. While this is an improvement over the House-passed provision, it was my hope—expressed in a letter to the Committee—that urban renewal be funded at its authorization level of almost \$1.6 billion.

I rise, therefore, to lend my support as a co-sponsor of the amendment introduced by my colleague from Michigan (Mr. HART) which would increase funding of urban renewal from the Committee recommendation of \$1 billion to the full authorization of \$1.587 billion.

The urban renewal program has been hit particularly hard by inflation and soaring construction costs. In order to offset these inflationary pressures, I believe this amendment must be passed today.

The Construction Cost Index (CCI) compiled by the Department of Commerce indicates that construction costs will rise 7.2% this year, based on national estimates. If the CCI is applied to the HUD \$1 billion budget request for urban renewal, the funds in terms of actual purchasing power will be worth only \$933 million. Therefore, the effects of inflation cut into the appropriation before the funds are even available.

Conventional urban renewal programs, because of their scope and complexity, often

take 10 years and in some cases longer to complete. Due to the annual increase in construction costs, cost over-runs and other results of inflation, the sums originally reserved for a project normally will not be sufficient for completion. As a result, amendatory grants must be allocated by HUD to city officials to meet the higher costs. The Department estimates that of the \$1 billion requested, about \$400 million will be for amendatory grants attributable to past cost increases.

Inflation, therefore, consumes over 40% of the Department's \$1 billion budget request. This would leave only about \$500 million for new urban renewal programs.

The increased demands for urban renewal funds far exceed the available supply. The Committee Report to accompany the appropriations bill states, on page 14, that:

"... the demand for urban renewal programs has reached the highest level in its history, with applications on hand of \$2 billion in new and expanding programs, and \$2 billion in additional applications expected during 1970."

An appropriation of \$1.587 billion would yield almost \$1 billion for existing and new applications. Needless to say, this amount falls far short of the total funds needed to meet actual needs. However, it will provide twice as much money for new urban renewal program as the HUD request, after the effects of inflation are taken into account.

While I am fully aware of the need for budgetary restraints to overcome inflation, I believe that urban renewal is of such high priority that the additional expenditures are fully warranted.

It is false economy not to provide the adequate funding for urban renewal. The funds spent for the program bring economic returns by creating jobs and a stronger tax base in blighted areas.

More importantly, if we fail to act now, decay will continue to spread, and the cost of correcting it will continue to rise with soaring construction costs. Ultimately, we will be faced with a far greater—and much more costly—task of renewal than if we take action now.

In the meantime, millions of Americans will be forced to live in substandard and deteriorating areas.

I urge my colleagues to support this amendment which will allow the urban renewal program to more adequately fill the needs of our cities.

The PRESIDING OFFICER. Who yields time?

Mr. PASTORE. Mr. President, today, speaking against this amendment is like speaking against motherhood. Already the Senator from New York has apologized for me. I am the manager of the bill, and I dare say to the Members of the Senate that the House of Representatives really used an ax on these programs under the Department of Housing and Urban Development.

I want my fellow Senators to understand that it was principally through my insistence that the money was restored to the budget estimate. I have had mayors of cities in my own State call me, and I have had visiting mayors come in. Naturally, they would like to see it go up to the contractual authority, and we would like to see the advance funding. But the Secretary of the Department came before our committee, and I must say in fairness to him he scrutinized these programs very carefully, and I want my colleagues to understand further, in fairness to George Romney, that he has insisted continuously with me that we restore the money up to the budget estimate.

If Senators will look over the charts in the back of the report of the committee, they will find that the largest amount restored in this bill was under the Department of Housing and Urban Development. That is where practically all the restorations were made. I repeat, through my insistence the members of the committee, and I was very grateful for it, finally saw it my way.

Senators will notice that on model cities, the House of Representatives cut out \$175 million. We did not restore the full amount there. But that is the only place we did not restore the full amount; we did it under section 235, we did it under section 236, and we did it under rent supplements; but when it came to model cities, instead of restoring the \$175 million the House of Representatives had cut out, we put back \$100 million, because we were told this was phase 2, and the chances were the cities would not be prepared to come up with their share, and for that reason, we did not have to put the full amount back. I had two conferences on that subject before we reached that conclusion.

I point out to the Senate that the President of the United States has already said:

You have limited me to spending in this fiscal year to \$191.9 billion. I have pledged to the American people that I will not spend more than that.

And he made a speech on the radio not too long ago in which he talked about stopping inflation and the other things he is trying to accomplish in order to simmer down these inflationary tendencies.

I am going to have a tough enough job defending the budget estimate in conference. Does the Senate want to add another \$587.5 million? It will make Senators feel good on the floor of the Senate. However, I do not know how far we will get with it.

I repeat that I am the manager of the bill. The Senators who have just talked have been managers of other bills themselves. They know that one has a mandate from the committee.

I had hoped that the amendment would not come up. I was approached by the mayors. I told them that I am for the top dollar, meaning of the budget estimate. I will hear about it later. However, that is still my position. I will vote against the amendment.

I do it with tongue in cheek. I do it regretfully. However, I have no other alternative. I think that if the Senators win, they will not get very far with the amendment. I will be mighty lucky if I can restore the amount of money the committee included.

ORDER TO RECOGNIZE SENATOR HATFIELD VACATED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order previously entered to recognize the distinguished Senator from Oregon (Mr. HATFIELD) at the conclusion of morning business tomorrow be vacated.

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

Mr. MANSFIELD. It is hoped that some time around the hour of 2 or 3 o'clock tomorrow, that order can again be put into effect.

I make that request at this time, provided nothing extraneous develops in the meantime to require another order of vacation.

We will try to do the best we can to comply with the request of the Senator from Oregon who, because of circumstances over which he has no control, cannot be available at the conclusion of the morning business on tomorrow.

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1970

The Senate resumed the consideration of the bill (H.R. 12307) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1970, and for other purposes.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the morning business on tomorrow, there be a time limitation of 1 hour on the amendment offered by the distinguished Senator from Ohio (Mr. YOUNG), the time to be equally divided between the sponsor of the amendment and the manager of the bill; that there be a 10-minute limitation on an amendment or measure to be offered by the distinguished Senator from West Virginia (Mr. BYRD), the time to be equally divided between the sponsor of the amendment and the manager of the bill; that on an amendment to be offered by the distinguished Senator from Kansas (Mr. PEARSON), there be a time limitation of 40 minutes, the time to be equally divided and controlled by the sponsor of the amendment and the manager of the bill, 20 minutes under the control of the Senator from Kansas and 20 minutes under the control of the manager of the bill.

Mr. JAVITS. Mr. President, does that imply that the pending amendment will be the last amendment to be acted upon tonight?

Mr. MANSFIELD. Yes, indeed.

It is my understanding that perhaps the Young amendment may be pending at the conclusion of the morning business on tomorrow.

I remind the Senate that we will convene at 11 o'clock tomorrow morning. That is a very important hour in connection with Veterans Day observance, because at 11 o'clock on November 11, 1918, World War I came to a close by virtue of an armistice.

What used to be Armistice Day is now Veterans Day. Some of us expect to make appropriate remarks paying tribute to those who have served and those who have given their lives in the various wars in which this country has been engaged.

Mr. JAVITS. Mr. President, may I ask the manager of the bill whether a roll-call vote will be requested on final passage.

Mr. PASTORE. There will be a rollcall vote in view of the fact that it is an appropriation bill.

Mr. MANSFIELD. Mr. President, I would like to put the Senate on notice

that sometime tomorrow we will try to give 25 minutes to the distinguished senior Senator from New Hampshire (Mr. COTTON) in which to talk on a very important subject.

Mr. JAVITS. Mr. President, I gather that the pending amendment will be the last amendment to be acted upon this evening, even though another amendment may be offered on the pending bill.

Mr. MANSFIELD. The pending amendment will be the last amendment to be acted on tonight.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Ordered: Effective at the conclusion of the morning business on Tuesday, November 11, 1969, that during the further consideration of H.R. 12307, making appropriations for sundry independent executive bureaus, boards, commissions, etc., and HUD, debate on an amendment by the Senator from West Virginia, Mr. BYRD, be limited to ten minutes, debate on an amendment by the Senator from Ohio, Mr. YOUNG, be limited to one hour, and debate on an amendment to be offered by the Senator from Kansas, Mr. PEARSON, be limited to forty minutes. The debate on each amendment is to be equally divided and controlled by the proponent of the amendment and the manager of the bill, the Senator from Rhode Island, Mr. PASTORE.

Mr. HART. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Michigan has 10 minutes remaining.

Mr. HART. Mr. President, I yield 5 minutes to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, I would like to add to the observations made by the distinguished Senator from New York with reference to the performance of the Senator from Rhode Island. I know the Senator from Rhode Island is a friend of the programs and has fought for them in committee.

I know that the figure contained in the pending bill represents the herculean efforts of the Senator from Rhode Island.

I point out that what I have to say ought not to be interpreted as any kind of criticism of the Senator from Rhode Island. Indeed, I expect the Senator has given us in reality what is likely to come from the conference.

I think the case for the amendment is very strong. I think the case for the cities ought to be made on the Senate floor. I think they will feel better that it is made. However, I think there is a greater prospect that there will be better efforts in the future if we make the case today. I hope that we may strengthen the hand of the distinguished Senator from Rhode Island in conference.

Mr. President, I am pleased to support the amendment offered by the distinguished senior Senator from Michigan (Mr. HART) to increase the appropriations for the urban renewal program for fiscal year 1970 from \$1 billion to the authorized amount of nearly \$1.6 billion. At this time I should like to express my concern about the serious effects of failure to provide adequate funding for conventional urban renewal and new neighborhood development projects.

Mr. President, appropriations last year for the urban renewal program totaled \$1.080 billion. This figure included a carryover of \$17.5 million from the previous fiscal year. Of this amount, \$409 million was allocated to already existing urban renewal projects; \$465 million to new, conventional urban renewal projects; \$105 million to related programs, such as code enforcement; and \$100 million to neighborhood development projects, which are an integral part of the model cities program.

At the present time, urban renewal applications, including both conventional and neighborhood development projects, total \$2.6 billion, and they are increasing at a rate of nearly \$200 million a month.

Failure to appropriate an adequate amount for the urban renewal effort will have serious consequences for the model cities program and the neighborhood development project areas, which rely in part on adequate urban renewal funding. There are currently 296 neighborhood development projects throughout the Nation with applications pending or being developed, including projects in Portland and Presque Isle, Maine. Ninety-six of these applications are from towns and cities which have had no previous urban renewal project, and the great majority of them are from small cities and towns.

Mr. President, I have seen letters and telegrams from local officials expressing great concern over the level of urban renewal funding for fiscal year 1970 and urging the Senate to support the \$1.6 billion authorized level. Many mayors are deeply concerned over the commitments they have already made to the people in their communities. They fear the disillusionment and despair which will arise, if the Federal Government is unable to keep its commitment this year. One mayor of an Ohio city explained that officials of the Department of Housing and Urban Development had urged his city to undertake an NDP program, which it did and for which the city has already spent \$340,000 for planning. However, Federal funds, which had been promised to the city by no later than May of this year, still have not been made available. The mayor goes on to say:

The lack of funding of this program has created dissent, frustration and ammunition to the militants—but more so, frustration for those that had hope.

Mayors from other cities tell similar stories about the grave problems they will face if the Federal Government is unable to contribute its share of funds for neighborhood development projects, which have raised high hopes and which offer better opportunities for community involvement in renewal and development.

Other cities—like Portland, Maine, and New Haven, Conn., to name just two—with existing urban renewal projects express similar fears, as do cities like Omaha, Nebr., which is in the process of creating an urban renewal authority for the first time.

Mr. President, I fully realize the budgetary pressures facing us and the members of the Appropriations Commit-

tee who have worked on this bill. And I should like to express my appreciation to Senator PASTORE, the chairman, and the other members of the Subcommittee on Independent Offices, for their action in increasing urban renewal funds to the full request of \$1 billion. But I cannot emphasize too strongly my conviction that the Senate must act to meet its commitment to help rebuild the Nation's cities by increasing this amount to the full authorized level of nearly \$1.6 billion. This would be more consistent with current project needs, and it would reemphasize the Senate's commitment to upgrading the quality of urban life.

The PRESIDING OFFICER (Mr. ELLENDER in the chair). The time of the Senator has expired.

Mr. PASTORE. I have time remaining. I will yield additional time to the Senator if he needs it.

Mr. MUSKIE. I will take 1 more minute.

The PRESIDING OFFICER. The Senator from Maine is recognized for 1 additional minute.

Mr. MUSKIE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD letters and telegrams I have received from city officials in my own State on this point.

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

PORTLAND, MAINE,
November 7, 1969.

Senator EDMUND S. MUSKIE,
Senate Office Building,
Washington, D.C.:

We urge your support of the full \$1.6 billion authorization of renewal funds.

JOHN E. MENARIO,
Portland City Manager.

ORONO, MAINE,
October 20, 1969.

Senator EDMUND S. MUSKIE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Today October 21, at 10 a.m. a coalition of the National Association of Housing and Renewal Officials, the National League of Cities, and the National Conference of Mayors is waiting upon the Congress in an effort to have the Senate restore 1.587 billion dollars to the HUD budget for urban renewal in FY 1970 for the Congress to be consistent with its own goals (See P.L. 171 81st Congress, Section 2. Also P.L. 90-448) it must restore these funds.

In fact, it must go the second mile, it must insure FHA commitment for dwelling construction loans, grants, and insurance in renewal areas.

I urge you to attend this meeting and restore these funds. Letter will follow.

MARSHALL GIBSON,
Executive Director, Orono Urban Renewal Authority.

PORTLAND RENEWAL AUTHORITY,
Portland, Maine, November 3, 1969.

HON. EDMUND S. MUSKIE,
Old Senate Office Building,
Washington, D.C.

DEAR ED: As you know, Portland is most grateful for the assistance you have given in helping us to finance our Downtown Renewal Project. This coupled with our Model Cities activity should give Portland a very fine and balanced program.

We are, however, quite concerned that urban renewal appropriations may not be adequate to finance our NDP, which is the renewal component of our Model Cities Program. The Administration has requested only

\$1 billion for fiscal year 1970. We feel that the demands on renewal are so great that the \$1.6 billion authorized is essential. Even more money will be needed in future years. Please give your full support to maximum funding for the fiscal year 1970. We also believe that the House Bill for fiscal year 1971, calling for \$2 billion is more realistic than the \$1.3 billion which the Senate Bill authorizes.

Thank you for your continued interest and support in these matters.

Sincerely,

HOWARD U. HELLER,
Executive Director.

Mr. MUSKIE. Mr. President, I say again that this is a case we could spend the afternoon making—the need for renewing our cities and the need for giving full support to efforts that have already begun in so many cities across the country, under the prod of the Federal Government and under the stimulus of the incentives which we have built into legislation over the past few years. The additional appropriation we are requesting this afternoon will not begin to fully fund the promises we have already made.

Mr. HART. Mr. President, I yield 2 minutes to the Senator from Illinois.

Mr. PERCY. Mr. President, I should like to commend the Appropriations Committee for providing an additional \$20 million for section 235, for homeownership, which I think is one of the best investments we will be making. The committee is also to be commended for the faith it has shown in the National Home Ownership Foundation by providing initial funds of \$250,000, so that it can start to program where this housing should go.

I should also like to indicate my support for the amendment offered by the Senator from Michigan, because I do feel that this is the way to emphasize improved housing.

The neighborhood development program was authorized in the 1968 act as an alternative approach to urban renewal.

NDP is an essential tool to the development of livable communities and the construction of housing for middle- and low-income persons. It is the vehicle for enabling neighborhood and community groups to finance professional assistance, to prepare applications, conduct planning, and effectively develop programs for submittal to HUD—either individually or through the model cities network—for funding of 235 programs, especially rehabilitation; 236 programs, rent supplement; acceptable urban renewal grants; housing for the elderly and the handicapped; model cities projects; public housing, etc.

Approximately 287 cities throughout the country have NDP applications awaiting approval. Only some 35 or so have been funded. HUD issued a freeze on such applications and it is unable to give an estimate as to how many cities have withheld filing an application because they know funds are not available. But, it is known that the program is enthusiastically supported in local communities and it is a most effective tool in involving individuals in local community affairs. This is particularly so since there is some indication that model cities may be tending in some places at

least to foreclose effective citizen participation. NDP in addition is the first essential step on the road to building new housing and to rehabilitating existing housing. It is not, as some persons may suggest, a vehicle for draining funds from housing construction. If this is doubted, ask the people in the local communities who have required or who want NDP funds.

In the pending appropriations bill, no money is to be earmarked for NDP as such. Instead funds for NDP are incorporated in the overall urban renewal appropriation. The Congress has earlier authorized \$1,587,500,000 for urban renewal. The House has appropriated \$850 million. The Senate now plans to increase this sum to \$1 billion. The Hart amendment intends raising this appropriation to the authorization level; namely, \$1,587,500,000. I agree with and shall support this amendment. I do so principally because I believe adequate funds must be provided for neighborhood development programs, and I urge that HUD allocate \$400 million for neighborhood development programs out of the sum of appropriations contained in the Hart amendment and the Senate bill.

Far more than \$400 million is required to fund the applications pending before HUD. Clearly two or three times that sum could be expended, it is estimated, on applications that would be submitted by other cities if funds were available. I recognize, however, that fiscal moderation is required. The figure of \$400 million is not pulled out of the air, however. This is the sum that was contained in the House Banking and Currency Committee bill. The committee did hold hearings on the needs of NDP and came to the conclusion that such sum was a reasonable amount to be made available.

There are those who may charge that we do not have the money to support the increased appropriation proposed in the Hart amendment.

Housing and urban development, in my opinion, is one of the six essential domestic priorities that we are duty bound to support—not starve—in our appropriations efforts. The other five are pollution, education, health, jobs, and crime control. I have argued before and I reiterate that there are many sources from which we can conserve funds in order to finance our major priority needs. Our heavy expenditure to support 600,000 troops and dependents in NATO amounting to \$15 billion a year is just one possibility.

I urge that the Hart amendment be adopted to demonstrate our commitment to the needs of our urban communities and their residents.

Mr. ALLOTT. Mr. President, I shall not discuss this matter at great length, because I think the distinguished chairman of the committee has covered this matter factually as it actually occurred.

We had a \$750 million appropriation from last year. We have \$250 million this year, which is asked for, and this would raise it to \$1 billion.

My colleague calls my attention to the fact that perhaps my remarks were not clear.

We put in \$250 million this year and

\$750 million last year, which raises it to the full budget estimate.

There is much to be said for the arguments that have been advanced in behalf of this. The truth of the matter is that as long as we have the situation we have, and as long as the Federal Government, through the legislation Congress has provided, provides two-thirds of the money that goes into urban renewal, we can expect to see these applications continue to stack up and stack up and stack up.

As a matter of fact, this afternoon, in reviewing the hearings and the testimony of Secretary Romney, who did a wonderful and explicit job of defining exactly what their needs are, I came to realize that unless we can find some other way, these demands for urban renewal can build up beyond the point where Congress can actually ever finance them all, especially when we take into consideration the welfare needs of the people of this country, the food needs, the medical needs, the medical research needs, and all those things.

We were faced, frankly, with a very cold conclusion. It is not that we are afraid that we would lose a conference with the House. We know pretty well how the House feels about these matters. But it is this: that we would be going over the budget by the amount of this amendment, and it would be over by a great amount of money. In the first place, I am not sure that all of it can be spent—and this was the point made by the Senator from Maine and the Senator from Michigan, who just spoke. There really is no point in appropriating it except as it needs to be available. We have a supplemental coming along in January, when we will have a much better picture. But, unfortunately, we have already gone through 6 months of the year, and HUD has been able to finance this only upon the basis of a continuing resolution.

On the other hand, if we went ahead and expended this money, we would be violating or placing in jeopardy the expenditures control which we placed in the Congress some time ago. If that is the case, the question becomes, Where do we find, and out of what do we take, this extra money above the billion-dollar budget?

I see the distinguished Senator from New York in the Chamber, and I am glad he is here, because some people are inclined to believe that those of us who are from more sparsely populated States do not have these problems. This is not so at all. We have them just as much—if not in as big numbers—as any other State.

We have tried honestly in this bill to do everything we can for housing. We have even done it with respect to the rent supplement program, a program of which I have been exceedingly skeptical; and of which even some of its most ardent supporters in the past have become somewhat skeptical. We have provided for the funding, the full funding, of the 235 and 236 funds, the full funding of the rent supplement. Together, these three programs account for a commitment by the Federal Government of approxi-

mately \$12 billion over the years—not this year.

So, Mr. President, I realize that all these applications are stacking up, and they will continue to stack up as long as the legislation Congress has provided is in the form it is; because the cities are going to utilize the two-thirds contribution of the Federal Government, and in some localities of less than 50,000, a three-quarters contribution. Under those circumstances, I can see nothing but a building up of the demands for these programs.

On the other hand, in the fiscal and financial situation we find ourselves, I can see nothing, either, with fiscal responsibility, but to provide the full amount of the budget. Incidentally, this not only was President Nixon's budget; it also was President Johnson's full budget, which was \$1 billion.

Mr. President, this is the last statement I shall make in this regard. There are other areas in the country which are suffering a very, very great loss. There has been a 75-percent freeze on construction budgets in this country, those involving needed post offices, those involving needed Federal buildings, and in many other areas. I see the distinguished Senator from Oklahoma (Mr. HARRIS) in the Chamber. In many areas they involve needed water facilities and needed water development. This water development is not just for farms, but it is also for cities and for industries. We need to get started now, not tomorrow; but we cannot, and there is a price being paid by States all over the Union.

In view of this I hope the amendment will be defeated, not as a blow to urban renewal, but in the sense that its defeat is, in itself, a vote for full and complete fiscal responsibility. I do not see how we can do otherwise without causing a great deal of mischief down the road.

Mr. President, I hope the amendment is rejected.

The PRESIDING OFFICER. Who yields time?

Mr. HART. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. PASTORE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 11 minutes remaining.

Mr. PASTORE. Does the Senator from Michigan want some of that time?

Mr. HART. I yield myself my remaining time.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. HART. Mr. President, I wish to close the discussion on the note on which it was opened, namely, the realization on the part of all of us who sponsored the amendment, and I am sure I can speak for those who may vote for it, that we recognize the enormous effort that the subcommittee, and more particularly, the chairman, the Senator from Rhode Island, have made to increase the figure now given. This reflects the deep concern of the Senator over all the years that Congress effectively responded to the needs of the urban centers of this country.

Nevertheless, I hope very much that a

majority of us will give him the added strength in conference which would come from the adoption of the amendment.

It is interesting that if we settle for the \$1 billion figure, we will be fixing a figure less than that of a year ago, and the figure of a year ago was less than the figure the year before. This is the wrong direction for Congress to proceed if we think we are going to persuade metropolitan leaders and the citizens of metropolitan centers that we understand what we should be doing.

Instead of letting applications stack up, we should begin to clear land, eliminate slums, and get decent housing for Americans. We are not doing that. Small wonder there are people who question the effectiveness of the system.

Mr. PASTORE. Mr. President, I merely wish to conclude by saying that regardless of how the amendment goes I shall continue my interest and activity in seeing that these programs are properly funded. That has been my record in Congress and I intend to pursue it, no matter what the outcome may be.

I shall vote against the amendment. If the amendment is agreed to, it should not be considered as an affront to me; and if the amendment is rejected, it should not be considered an affront to those who sponsored it.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Michigan. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Alabama (Mr. ALLEN), the Senator from North Dakota (Mr. BURDICK), the Senator from South Carolina (Mr. HOLLINGS), the Senator from North Carolina (Mr. JORDAN), the Senator from Louisiana (Mr. LONG), the Senator from Montana (Mr. METCALF), the Senator from Alabama (Mr. SPARKMAN), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Texas (Mr. YARBOROUGH) are absent on official business.

I also announce that the Senator from Nevada (Mr. CANNON), the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Alaska (Mr. GRAVEL), the Senator from Iowa (Mr. HUGHES), the Senator from Minnesota (Mr. MCCARTHY), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Minnesota (Mr. MONDALE), the Senator from Arkansas (Mr. MCCLELLAN), and the Senator from New Mexico (Mr. MONTROYA) are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey (Mr. WILLIAMS) and the Senator from Missouri (Mr. EAGLETON) would each vote "yea."

On this vote, the Senator from Alaska (Mr. GRAVEL) is paired with the Senator from Arizona (Mr. FANNIN). If present and voting, the Senator from Alaska would vote "yea," and the Senator from Arizona would vote "nay."

Mr. SCOTT. I announce that the Sen-

ator from Tennessee (Mr. BAKER), the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senator from New York (Mr. GOODELL), the Senator from Michigan (Mr. GRIFFIN), the Senator from Florida (Mr. GURNEY), the Senator from Wyoming (Mr. HANSEN), and the Senator from Vermont (Mr. PROUTY) are necessarily absent.

The Senator from Iowa (Mr. MILLER) and the Senator from Ohio (Mr. SAXBE) are absent on official business.

If present and voting, the Senator from Iowa (Mr. MILLER) would vote "nay."

On this vote, the Senator from New York (Mr. GOODELL) is paired with the Senator from Wyoming (Mr. HANSEN). If present and voting, the Senator from New York would vote "yea" and the Senator from Wyoming would vote "nay."

On this vote, the Senator from Arizona (Mr. FANNIN) is paired with the Senator from Alaska (Mr. GRAVEL). If present and voting, the Senator from Arizona would vote "nay" and the Senator from Alaska would vote "yea."

The result was announced—yeas 34, nays 36, as follows:

[No. 145 Leg.]

YEAS—34

Bayh	Hatfield	Nelson
Brooke	Inouye	Packwood
Byrd, W. Va.	Jackson	Pell
Case	Javits	Percy
Cook	Kennedy	Ribicoff
Dodd	Magnuson	Schweiker
Fong	Mansfield	Scott
Fulbright	Mathias	Symington
Gore	McGovern	Tydings
Harris	Moss	Young, Ohio
Hart	Murphy	
Hartke	Muskie	

NAYS—36

Aiken	Dole	Randolph
Allott	Dominick	Russell
Anderson	Ellender	Smith, Maine
Bellmon	Ervin	Smith, Ill.
Bennett	Holland	Spong
Bible	Hruska	Stevens
Boggs	Jordan, Idaho	Stevens
Byrd, Va.	McGee	Talmadge
Church	Mundt	Thurmond
Cooper	Pastore	Tower
Cotton	Pearson	Williams, Del.
Curtis	Proxmire	Young, N. Dak.

NOT VOTING—30

Allen	Gravel	McIntyre
Baker	Griffin	Metcalfe
Burdick	Gurney	Miller
Cannon	Hansen	Mondale
Cranston	Hollings	Montoya
Eagleton	Hughes	Prouty
Eastland	Jordan, N.C.	Saxbe
Fannin	Long	Sparkman
Goldwater	McCarthy	Williams, N.J.
Goodell	McClellan	Yarborough

So Mr. HART's amendment was rejected.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. ALLOTT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENTS NO. 272

Mr. YOUNG of Ohio. Mr. President, I call up my amendments (No. 272) and ask unanimous consent that they be stated and considered en bloc. On my amendments, I propose to ask for the yeas and nays. I am not asking for a vote at this time, but I simply ask for the yeas and nays.

The amendments (No. 272) are as follows:

One page 31, line 8, strike out "\$50,700,000" and insert in lieu thereof "\$47,700,000".

On page 31, line 17, beginning with "\$21.-", strike out all through the second comma on line 18 and insert in lieu thereof "\$16,500,000".

The yeas and nays were ordered.

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

Mr. YOUNG of Ohio. I yield.

LEGISLATIVE PROGRAM

Mr. SCOTT. Mr. President, will the Senator from Ohio permit me to ask the the order of business for today and thereafter?

Mr. YOUNG of Ohio. I yield for that purpose.

Mr. MANSFIELD. Mr. President, we will have a period for the transaction of morning business tomorrow, during which, I assume, Members of the Senate will make remarks of respect and remembrance to those who have died in our wars, who have been wounded, who have served, and who are still serving.

At the conclusion of the morning business, the Young amendment will be the pending matter before the Senate. It has been agreed to have one hour to debate that amendment, the time to be equally divided; to be followed, I think, by a 10-minute amendment by the distinguished Senator from West Virginia (Mr. BYRD), again the time to be equally divided; to be followed by a 40-minute amendment on the part of the distinguished Senator from Kansas (Mr. PEARSON) and a number of cosponsors, the time again to be equally divided.

Hopefully, by that time, we will be able to vote on final passage.

There will be rollcall votes on the Young amendment and the final passage.

It is hoped we will be able to get to the distinguished Senator from Oregon and the distinguished Senator from New Hampshire for speeches they would like to make on important subjects.

Then it is hoped we will get to the military construction authorization bill; on Wednesday, the public works appropriation bill; and on Thursday, hopefully, the nomination of Judge Haynsworth. That will take us through the rest of the week and into the beginning of next week, I think.

Mr. SCOTT. Mr. President, in view of the fact that at 11 o'clock tomorrow some Senators will necessarily be absent because of memorial services out of the city, I wonder if we could have an agreement to have no votes until 2 o'clock tomorrow.

Mr. MANSFIELD. That will be fine. If we reach a vote on an amendment, we will postpone the vote and take up something else. The first vote will not be taken before 2 o'clock. I realize that many Senators are going out of the city to participate in Veterans Day observances in Pennsylvania, New York, Ohio, Maryland, and many other States.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

HO CHI MINH'S LETTER OF SEPTEMBER 2, 1969

Mr. PELL. Mr. President, I read with great interest the informed and interesting column by the prescient and well-informed Joseph Kraft in the Washington Post of yesterday, which to my mind adds further support to the thesis that Ho Chi Minh's letter of September 2 to President Nixon, rather than slamming the door on negotiations, left it wide open.

I ask unanimous consent that Mr. Kraft's piece be inserted in the CONGRESSIONAL RECORD.

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

A CHANNEL TO HANOI—A FRENCH EXPERT SAYS THE NORTH VIETNAMESE ARE QUITE WILLING TO BARGAIN WITH UNITED STATES

(By Joseph Kraft)

It is passing strange that so many people have made up their minds so quickly about the President's speech on Vietnam. For at the core of Mr. Nixon's argument, there is a mystery—the mystery of why negotiations have gone sour.

The President's claim, of course, is that the intransigence of the other side is to blame. But the evidence he offered argues the opposite. And so does the view of a truly weighty figure used by the President as counselor and go-between—the former French High Commissioner in Vietnam, Jean Sainteny.

The issue of negotiations is central because the President offered the country an absolute choice between immediate withdrawal and his plan for Vietnamization. Since hardly anybody favors a bugout, the tendency is to go with the President, but only if there were no other alternatives available. And in theory, at least, one obvious alternative is negotiated settlement.

It is not only an obvious alternative, but a very promising one. For negotiation offers a genuine answer to two problems usually raised sophistically by persons whose public reputation or sense of the dramatic requires that the war go on.

Through negotiations, it is possible to avoid—by an international guarantee of personal safety—the bloodbath so widely feared if the Communists gained the upper hand. Through negotiations for a neutral Southeast Asia, it would also be possible to guarantee the small states in the area against Communist domination—to prop up the dominoes.

The uses of negotiation were plainly not lost on Mr. Nixon and his chief foreign policy adviser, Henry Kissinger. Even before they took office, they had opened a line of communication to the late President of North Vietnam, Ho Chi Minh. And subsequently, they pushed negotiations through the Russians and in secret meetings in Paris.

So what went wrong? The President said in his speech that "the obstacle is the other side's absolute refusal to show the least willingness to join in seeking peace." As evidence, he released an exchange of letters with Ho Chi Minh. But Ho's letter, dated three days before his death on Sept. 2, does nothing to justify the President's staggering denunciation.

The tone is conciliatory. The text refers to the need for "good will on both sides." It speaks of an American withdrawal, but without the usual demand that it be either immediate or unconditional. It mentions the 10-point program of the National Liberation Front not as the only basis for settlement, in the manner of past demands, but more modestly, as "a logical and reasonable basis for the settlement of the Vietnamese problem."

Many American officials past and present—including the Johnson administration's chief negotiator in the Paris talks, Ambassador Averell Harriman—find Ho's letter a flexible document full of openings for negotiation. But the Nixon speech didn't say anything about making reply to the letter. Apparently it went unanswered. Why?

At this point, Sainteny becomes relevant. He was an old friend to Ho Chi Minh. He slipped into Washington this summer under somewhat mysterious circumstances, and may have been the means of passing Mr. Nixon's letter of July 15 on to the other side. Previously, Mr. Nixon had sought his counsel on Vietnam even to the point of once searching him out for a chat when Sainteny was off sailing on the Mediterranean.

I saw Sainteny at the end of September, just after his return from the funeral of Ho Chi Minh in Hanoi. He had had a long talk with Premier Pham Van Dong. He was persuaded that the other side was prepared to accept a settlement that would include an independent and noncommunist South Vietnam set in a neutralist Southeast Asia.

The obstacle to agreement, in his view, was that Hanoi did not have any faith in Mr. Nixon's claim that he wanted agreement. On the contrary, the North Vietnamese thought the United States was still trying to impose in Saigon, by military means, a pro-American government hostile to Hanoi.

Sainteny felt—and his feelings were made known to the President—that the United States could dispel Hanoi's doubts in two ways. One would be a formal statement that the United States recognized the principle of total withdrawal of American troops from South Vietnam at some unstipulated date. The other would be by broadening the present regime in Saigon to include some political figures who were not diehard anticommunists.

If these views are correct, then the responsibility for blocking negotiations does not lie only with Hanoi. Washington is to blame for not making considerable concessions, for wanting to shove the Saigon regime down the throat of Hanoi.

Maybe Mr. Nixon's plan for Vietnamization can succeed. Maybe the South Vietnamese will prove able to undertake their own defense with an American contribution so low as to be no cause for internal strife in this country. But I have looked upon the South Vietnamese government and upon its army, and I have my doubts.

In any case, the price being paid for Mr. Nixon's policy should be clear. The other side has now been confirmed in its worst suspicions of the United States. Negotiations are much more difficult than ever before—if possible at all. A long and bitter struggle, almost certain to intensify at some point, looms ahead. That struggle is, by no mere rhetorical touch, Nixon's war.

THE SEA-GRANT COLLEGE PROGRAM

Mr. PELL. Mr. President, I wish to express my specific gratitude to my distinguished senior colleague from Rhode Island and to the entire Appropriations Committee, for the consideration they have given to the appropriation of funds for the sea-grant college program. In terms of dollars, this program represents

only a small fraction of the funds provided by this bill.

Yet I know that the senior Senator from Rhode Island gave this program the same careful attention accorded every item in this appropriation bill. I am delighted that the committee in its report recommended that of the total appropriation for the National Science Foundation, not less than \$10 million be allocated for the sea-grant college program.

This recommendation, I might say, is very much in keeping with the deep interest my senior colleague and other members of the Appropriations Committee have shown in advancement of our national marine-science program. The support given the sea-grant college program by Senator PASTORE has been a vital element in getting this very promising program established as an important element of our national effort to preserve and develop the marine resources of the country.

Again, I commend and congratulate my colleague.

S. 3132—INTRODUCTION OF A BILL RELATING TO APPEALS BY THE UNITED STATES IN CRIMINAL CASES

Mr. HRUSKA. Mr. President, I send a bill to the desk which was transmitted to the President of the Senate by the Attorney General and which I introduce on behalf of the administration. The bill is in the form of a clarifying amendment to 18 U.S.C. section 3731, entitled "Appeals by the United States." I ask unanimous consent that the bill and letter of transmittal be printed following my remarks.

The present section 3731 provides generally for appeal by the Government in a criminal case. Under existing law, an appeal may be taken directly to the Supreme Court of the United States by the Government when the judge's decision setting aside an indictment is based on the invalidity of the statute upon which the indictment is founded. An appeal would also be well taken from a motion at bar when a defendant has not been put in jeopardy. Jeopardy usually attaches to a defendant when the jury is empanelled and sworn, and certainly by the time the Government begins to present its evidence.

Many trial court rulings, made appealable by existing law, involve questions which do not warrant Supreme Court consideration. They are questions involving narrow factual interpretations and not questions involving broad constitutional doctrines and issues. However, an adverse trial court ruling can seriously impede the administration of criminal justice, by nonsuiting the Government's prosecution of a criminal defendant, and for this reason should be appealable in fact as well as in law.

In addition, the courts have interpreted the present law to limit the time within which the Government can file its appeal. As I mentioned above, the appeal can only be taken before jeopardy attaches. But many questions of law arise during the actual presentation

of evidence. These are questions that are critical to the orderly statement of facts reflecting a violation of laws. Yet, the Government has no recourse from an adverse trial ruling.

The instant bill remedies these two defects in the operation of 18 U.S.C. section 3731. First, the Government is allowed to appeal to a U.S. circuit court from the district court. Thus, the Supreme Court is no longer burdened with questions of little constitutional moment but the Government is still afforded appellate review of adverse trial court decisions. Second, the existing law is clarified to insure that the Government may file appeals at all stages of the trial process.

Mr. President, I ask that this bill be appropriately referred and hope it will get prompt committee action.

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

The bill (S. 3132) to amend section 3731 of title 18, United States Code, relating to appeals by the United States in criminal cases, introduced by Mr. HRUSKA (by request), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3132

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3731 of title 18, United States Code, is amended by striking out the first seven paragraphs and, in the eighth paragraph, the words "From an order", and by inserting in lieu thereof the following:

"In a criminal case an appeal by the United States shall lie to a court of appeals from a judgment or order of a district court dismissing an indictment or information or terminating a prosecution in favor of a defendant as to any one or more counts, except that no appeal shall lie from a judgment of acquittal: *Provided, however,* That when the judgment or order is based solely on a determination of the invalidity of an Act of Congress the appeal shall lie directly to the Supreme Court.

"An appeal shall lie to a court of appeals from an order".

The letter presented by Mr. HRUSKA, is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., October 29, 1969.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a legislative proposal to amend the Criminal Appeals Act. The purpose of this proposal is to obviate problems which have arisen with increasing frequency with respect to the government's right to appeal rulings which terminate prosecutions other than by judgments of acquittal.

Under existing law, 18 U.S.C. 3731, an appeal in a criminal case may be taken directly to the Supreme Court by the United States when a decision or judgment dismissing or setting aside an indictment or information is based upon the invalidity or construction of the statute upon which the indictment or information is founded, or when there is a decision or judgment sustaining a motion in bar when the defendant has not been put in jeopardy. An appeal may be taken to a court of appeals by the United States when there is a decision or

judgment setting aside or dismissing an indictment or information, or arresting a judgment of conviction, except where a direct appeal may be taken to the Supreme Court.

Although the language of the present statute appears to authorize an appeal to a court of appeals whenever an indictment or information is dismissed except where a direct appeal to the Supreme Court is provided, it has not been so interpreted. First, the courts, in light of the historical development of the statute, have interpreted it as allowing appeals only on rulings pertaining to the process by which an indictment or information is returned or the validity of an indictment or information as a pleading. Second, the statute has been interpreted as not permitting the government to appeal from decisions made after jeopardy has attached, irrespective of whether the defendant has been acquitted.

Therefore, under present interpretation, the government is not allowed to appeal any motion which terminates the prosecution after the trial has begun. This creates an artificial boundary line and defendants can merely reserve their objections until after the trial has started and, if successful in obtaining a ruling in their favor, can render the government powerless to appeal, even upon issues of law.

Also, problems pertaining to the construction of a statute as applied to a particular narrow factual situation do not warrant Supreme Court consideration. Since that is the only court where such appeal is presently permitted, some decisions which should be reviewed are not.

This proposal would permit the government to appeal from any decision which is not a judgment of acquittal and would require such an appeal to be taken to a court of appeals unless the sole ground for the decision is a determination of the invalidity of an Act of Congress. In such a case, the appeal must be taken to the Supreme Court.

The Department of Justice urges the prompt consideration and enactment of this important measure.

The Bureau of the Budget advises that there is no objection to the presentation of this proposed bill from the standpoint of the Administration's program.

Sincerely,

Attorney General.

S. 3133—INTRODUCTION OF BILL PROHIBITING CERTAIN USES OF LIKENESSES OF THE GREAT SEAL OF THE UNITED STATES, AND OF THE SEALS OF THE PRESIDENT AND VICE PRESIDENT

Mr. HRUSKA. Mr. President, I introduce a bill that was transmitted to the President of the Senate by the Attorney General and which I introduce on behalf of the administration. The bill is in the form of an amendment to 18 U.S.C. 713.

Section 713 now protects the great seal of the United States against a use which conveys the false impression of sponsorship by the United States. The law does not now protect the Presidential and Vice-Presidential seals in an identical fashion. Nor is there any protection at all for the three seals against commercial exploitation.

The Secretary of State, who is the official with custody of the original great seal, has received several reports in recent years of misrepresentation and commercial exploitation of the great seal. This symbol of the Government's authority, along with the symbols of Presidential and Vice Presidential au-

thority, must not be subjected to abuse and must be afforded the protection of the law.

Thus the proposed amendment extends the coverage of section 713 to the Presidential and Vice Presidential seals so that a person misusing these seals and conveying the false impression of sponsorship for a venture by the President or Vice President would be subject to prosecution for a violation of the law.

The proposed amendment also subjects the commercial use of all three seals to Presidential regulation and provides for injunctive relief against improper commercial exploitation.

Mr. President, I ask that this bill be referred to the appropriate committee and that the bill and the letter of transmittal be printed following my remarks.

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

The bill (S. 3133) 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, introduced by Mr. Hruska (by request), was received, read twice by its title, referred to Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3133

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 713 of title 18, United States Code, is amended to read as follows:

"§ 713. Use of likenesses of the great seal of the United States, and of the seals of the President and Vice President.

"(a) Whoever knowingly displays any printed or other likeness of the great seal of the United States, or of the seals of the President or the Vice President of the United States, or any facsimile thereof, in, or in connection with, any advertisement, poster, circular, book, pamphlet or other publication, public meeting, play, motion picture, telecast, or other production, or on any building, monument, or stationery, for the purpose of conveying, or in a manner reasonably calculated to convey, a false impression of sponsorship or approval by the Government of the United States or by any department, agency, or instrumentality thereof, shall be fined not more than \$250 or imprisoned not more than six months, or both.

"(b) Whoever, except as authorized under regulations promulgated by the President, knowingly manufactures, reproduces, sells, or purchases for resale, either separately or appended to any article manufactured or sold, any likeness of the great seal of the United States, or of the seals of the President or Vice President, or any part thereof, except for manufacture or sale of the article for the official use of the Government of the United States, shall be fined not more than \$250 or imprisoned not more than six months, or both. (c) A violation of subsection (a) or (b) of this section may be enjoined at the suit of the Attorney General upon complaint by any authorized representative of any department or agency of the United States."

SEC. 2. The analysis of chapter 33 of title 18, United States Code, immediately preceding section 701 of such title, is amended by striking:

"713. Use of likenesses of the great seal of the United States." and substituting therefor:

"713. Use of likenesses of the great seal of the United States, and of the seals of the President and Vice President."

SEC. 3. The amendments made by this Act shall not make unlawful any preexisting use of the design of the great seal of the United States or of the seals of the President or Vice President of the United States that was lawful on the date of enactment of this Act, until one year after the date of such enactment.

The letter of transmittal, presented by Mr. HRUSKA, is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., October 29, 1969.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a legislative proposal to protect the great seal of the United States, and the Presidential and Vice Presidential seals, against misrepresentative use and commercial exploitation.

Section 713 of title 18, United States Code, presently protects the great seal of the United States against uses intended to convey the false impression of sponsorship or approval by the Federal Government. There is no law similarly protecting the Presidential or Vice Presidential seals, nor is there law against the commercial exploitation of any of the three seals.

The proposed legislation would amend section 713 of title 18, United States Code, to (1) cover the Presidential and Vice Presidential seals; (2) subject commercial use of all three seals to Presidential regulation; (3) provide for injunctive relief in addition to criminal prosecution; and (4) add to the enumeration of proscribed uses and alter the present standard of proof.

The Secretary of State, into whose custody the original great seal of the United States was delivered by act of Congress on September 15, 1789, has received several reports in recent years regarding misrepresentative use and commercial exploitation of the great seal. Similar abuses have been noted with respect to the Presidential seal. The Secretary of State shares the view that the symbol of Government authority and the emblems of this country's highest offices should receive the fullest statutory protection. The proposed legislation would provide an effective sanction against objectionable usage of all types, and would additionally furnish the Government with the discretion to seek an injunction rather than to prosecute for unauthorized use of a design in cases where the usage, though deceptive, is not accompanied by a fraudulent or deceptive intent.

The Secretary of State joins me in urging the prompt enactment of this legislation.

The Bureau of the Budget has advised that this legislation is in accord with the Program of the President.

Sincerely,

Attorney General.

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1970

The Senate resumed the consideration of the bill (H.R. 12307) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1970, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside.

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

AMENDMENT NO. 274

Mr. BYRD of West Virginia. I send an amendment to the desk and ask that it be printed.

The PRESIDING OFFICER. The amendment will be received and printed and will lie on the table.

Mr. BYRD of West Virginia. Mr. President, I should like at this point to make a brief explanation of my amendment. I cannot be here tomorrow because of official business which will require my presence elsewhere, and for that reason I have offered this amendment today. I have talked with the majority leader about the amendment, and he will call up the amendment on my behalf tomorrow.

My amendment would add \$2.5 million for the nonhighway programs under the funds appropriated to the President, for Appalachian regional development programs.

For the nonhighway programs, the Appropriations Committee, of which I am a member, has recommended restoration of \$10 million above the House allowance of \$95 million, which would make a total of \$105 million. This is \$7.5 million below the budget estimate. The reclama, as I understand it, was in the amount of \$2.5 million more than the Senate Appropriations Committee allowed. My amendment would bring the total restoration up to the full amount that was appealed.

These programs are designed to help the poorer communities of Appalachia participate in regular Federal grant-in-aid programs. Many communities in Appalachia lack the tax base to provide the matching share required for basic Federal grants. Per capita local revenue in 1962 for the United States was \$149, but in Appalachia it was only \$85.

Back in 1965, when the Appalachian Regional Development Act was passed, Appalachia, with almost 10 percent of the Nation's population, was receiving only a little over 7 percent of Federal grants in aid. This year, thanks to this program, Appalachian communities are receiving almost their fair share of national grants in aid.

However, tight money conditions have imposed a new burden upon many of our smaller communities. The rise in interest rates has foreclosed many of them from being able to raise needed funds in the bond market for local improvements un-

less some assistance can be provided to them through grants under the Appalachian programs to reduce the amount they will have to raise in the private market. It is because of these increases in the cost to localities of borrowing money that an additional \$2.5 million is required.

The Appropriations Committee has recommended restoration of \$10 million over the amount recommended by the other body, and I am grateful to Mr. Pastore and Mr. Allott and others on the committee but this is still \$7.5 million below the budget estimate. Of this restored amount, the committee recommends that \$5 million be used to provide the full amount of the budget estimate of \$35 million for the Appalachian health program and that \$5 million be restored

to provide the full amount of the budget estimate of \$25 million for vocational education facilities.

In recommending the addition of \$2.5 million to the supplemental grant program, I wish to point out that most of the supplemental grants—80 percent of them, in fact—are used to assist communities to build schools, hospitals, and other education and health facilities. If we fail to provide these needed additional funds, a number of urgently needed health and educational services and facilities cannot be provided and, thus, some of the momentum we have achieved in this effort will be lost. I hope that the Senate will agree to my amendment on tomorrow.

Mr. President, I ask unanimous consent that the amendment of the Senator

from Ohio (Mr. Young) be again laid before the Senate and made the pending business.

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

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order entered on Thursday, that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 50 minutes p.m.) the Senate adjourned until tomorrow, November 11, 1969, at 11 a.m.

EXTENSIONS OF REMARKS

THE 50TH ANNIVERSARY OF THE INSTITUTE OF INTERNATIONAL EDUCATION

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 6, 1969

Mr. BRADEMAS. Mr. Speaker, one of the most important, and least noted, aspects of our relations with foreign countries is to be found in the many programs of academic exchange, which each year bring thousands of foreign students and professors to the United States and enable many Americans to study and teach abroad.

For the past half century the Institute of International Education has played a leading role in encouraging the development of international exchange programs in the United States and abroad.

I join my friends in the academic and foreign affairs communities in extending to the IIE my warmest congratulations on its 50th anniversary.

I submit for inclusion in the RECORD the following editorial from the October 25 edition of the Chicago Tribune:

FOREIGN STUDENTS

Foreign students in the United States in the 1968-69 academic year numbered 121,362—one of many interesting figures recently released by the Institute of International Education. This is the largest number ever. It is a record that may stand for a time, as cuts in government and foundation financial support to foreign students have now been put in the pipeline.

That figure of 121,362 is large absolutely, and even larger as a proportion of the rising intellectual leadership in the 172 foreign countries represented. If it can be assumed that the experience of foreign students in this country is for the most part happy, increasing rather than diminishing their friendliness to the United States, the large volume of foreigners studying in the United States will yield political advantages for this country as well as educational advantages for the countries to which most of the foreign students will eventually return.

In the academic year 1967-68, 25,359 students from the United States were on foreign soil. In declining order, the principal host countries were Canada, France, the United Kingdom, Germany, and Mexico. In 1968-69,

5,639 United States faculty members were working outside of the country, more than half of them in Europe. Foreign scholars here in the same year totaled 12,137, with more than 1,000 coming from each of three nations—the United Kingdom, India, and Japan.

This coming and going is of benefit to the institutions concerned, of course, as well as to individuals and countries. One characteristic of a great university is its cosmopolitanism. Our distinguished institutions of higher learning have much to offer students from other parts of the world—but the gains experienced are not all on one side.

BELLIGERENT SPEECH BY PRESIDENT NASSER

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, November 10, 1969

Mr. BYRD of Virginia. Mr. President, the Richmond Times-Dispatch of Sunday, November 9, 1969, contains a thoughtful editorial on the belligerent speech delivered last week by President Nasser of the United Arab Republic. The editorial makes the point that only the aid of the Soviet Union makes possible President Nasser's bombast. The chief editorial writer of the Richmond Times-Dispatch is Overton Jones.

I ask unanimous consent that the editorial, entitled "Fire and Blood," be printed in the Extensions of Remarks.

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

[From the Richmond Times-Dispatch,
Nov. 9, 1969]

"FIRE AND BLOOD"

Gamal Abdel Nasser would be nothing more than a paper tiger, except that he has the Russian bear behind him.

On Thursday the cocky Egyptian president made another of his inflammatory speeches calling for war against Israel. The only path for the Arabs to take to recover their occupied territory from Israel is the path of "fire and blood," he told the National Assembly.

Nasser and his supporters in the Kremlin "are adding flames under a pot which is already boiling," said Virginia Sen. Harry F.

Byrd Jr. The Arab nations must recognize, Byrd declared, that "Israel is here to stay."

Byrd expressed the belief that the Soviet Union "was the motivating force behind Nasser's provocative actions against Israel in 1967." Those actions, it will be recalled, resulted in a short and totally one-sided war in which Israel was the easy victor. But the Arabs' tremendous losses in war-making equipment have now been replaced, largely by the Soviets. Whether Nasser really feels as strong as he talks is a question.

The latest war talk from Cairo comes at a time when U.S. Under Secretary of State Elliot L. Richardson is able to report a "substantial degree of agreement" between Washington and Moscow on principles of a settlement of the Middle Eastern problem. He acknowledged, however, that important points remain unsettled. It is hoped that a full agreement can be reached by the Big Two, then by the Big Four powers, and ultimately by the Arabs and Israelis themselves.

Meanwhile, in Moscow on Friday, the Soviet Union marked the 52nd anniversary of the Bolshevik Revolution with less show of military force than normal on such occasions. Western diplomats said the military parade was "low-key," and one remarked that "the Russians want to appear these days as calm and nonprovocative."

This is encouraging. But the most casual student of modern history knows how foolish it is to read very much into what appears to be the Russian mood of any particular moment. The Reds who seem to be using a fire extinguisher today may suddenly be throwing gasoline on the international flames tomorrow.

"Our friend," said Nasser Thursday, "is the Soviet Union."

Tell it to the Czechs, Gamal, tell it to the Czechs.

PERSONAL ACTION FOR POSITIVE AMERICANISM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, November 10, 1969

Mr. THURMOND. Mr. President, Mr. Joseph B. Head, a concerned and patriotic American, has written a moving article to which I would invite the attention of the Senate. Mr. Head is the national vice president general of the Sons of the American Revolution and