

good driving and responsible citizenship on our highways.

It is a pleasure to note the wonderful cooperation and assistance which so many of our truckdrivers give to our citizens in distress on the highways.

Having been helped myself several times by the willingness and voluntary assistance of truckdrivers, I want to add my compliments to our good truckdrivers, and particularly I want to compliment Major Gray, of Mid-South Co., from Memphis, Tenn.

I am inserting in the RECORD the following article by Virginia Payette from the Pittsburgh Post-Gazette, Friday, February 28, 1969:

COMMENTS

(By Virginia Payette)

It's every driver's bad dream. There you are, 50 miles from nowhere, it's pitchblack outside, bitter cold, and your engine has just started gargling nuts and bolts.

You know darned well there are cutthroats and robbers lurking out there in the frosty

dark, just waiting to pounce when the motor gasps its last.

And while you sit there, dead by the road, a stream of luckier humans, snug and warm and motor purring, zips endlessly by.

But when someone does stop at night, legend has it, it's almost sure to be a truck driver. And as of last week, 30 miles up the hill from Nashville, that legend came true.

There we sat, old Betsy hissing with high fever and harboring an alarming clank somewhere in her gizzard.

Then, before old Dad could even start to look for his tools (which Sonny had probably sneaked off to college, anyway), there was a whoosh of air brakes and a trailer truck pulled in and parked 50 feet ahead.

From the comparative safety of what seems like a 10-story cab, as you stand there alone in the cheerless dark, the driver decides you look honest and climbs down—a combination of helpful mechanic, highway counselor and emergency chauffeur, to say nothing of angel-from-heaven.

Our truck driver turned out to be Major Gray, a handsome prototype from Memphis, who's been hauling trailers for 36 years. He makes the 10-hour Memphis-to-Nashville

round trip daily, five days a week—100,000 miles a year.

He stuck a flashlight down Betsy's throat, diagnosed her garglings as a messed-up water pump, advised us to lock her up and leave her there, ride into Nashville with him, check into a motel, and call a wrecker in the morning.

How many people get a chance to bounce over the mountains in a heated cab, watch an expert handle a 10-speed shift, and be delivered to the front door of your motel in a 22-ton taxi?

And for all his service and advice Mr. Gray would take absolutely nothing.

"Wouldn't think of it," he said with a grin. "But if you ever have to ship anything ship Mid-South."

Turned out he was a good mechanic, too. It was the water pump.

So the next time your jalopy collapses on one of those super highways carefully engineered to avoid civilization, don't panic. Pray a little, look respectable, and I guarantee some angel in a noisy monster will happen along and help you out.

And may yours be as nice as our Major Gray.

SENATE—Wednesday, March 26, 1969

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

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

O God of our life, judge of men and nations, our times are in Thy hands and we commit all our ways to Thee. We ask Thee not to lift us out of life, but to prove Thy power within it; we ask not for tasks more suited to our strength, but for strength more suited to our tasks; not to take our burdens from us, but to give us grace to carry them; not to banish our problems, but to give us higher wisdom to solve them. Give us the vision that inspires, and the grace of Jesus Christ who wore our flesh and walked the earth like a conqueror and abides with us now.

In His name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, March 24, 1969, be dispensed with.

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

REPORT ON INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of March 24, 1969, the Secretary of the Senate, on March 25, 1969, received the following message from the President of the United States, which (with the accompanying report) was referred to the Committee on Foreign Relations:

To the Congress of the United States:
I herewith transmit the report for fiscal year 1968 on the international educational and cultural exchange program conducted under the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256). During fiscal year 1968,

6,777 teachers, scholars, and distinguished leaders were involved in this program in the United States and in 126 other nations and territories. This was a reduction of 10 percent from the preceding year. Since 1949, a total of 125,777 persons have participated in the exchanges.

RICHARD NIXON.

THE WHITE HOUSE, March 25, 1969.

MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of March 24, 1969, the Secretary of the Senate, on March 25, 1969, received a message in writing from the President of the United States submitting a nomination, which was referred to the Committee on Banking and Currency.

(For nomination received on March 25, 1969, see the end of proceedings of today, March 26, 1969.)

EXECUTIVE REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of March 24, 1969, the following executive reports of committees were submitted, on March 25, 1969:

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

Jerome M. Rosow, of New York, to be an Assistant Secretary of Labor.

By Mr. RANDOLPH, from the Committee on Public Works:

John B. Waters, Jr., of Tennessee, to be Federal cochairman of the Appalachian Regional Commission.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of March 24, 1969, Mr. Long, from the Committee on Finance, reported favorably, without amendment, on March 25, 1969, the bill (H.R. 8508) to increase the public debt limit set

forth in section 21 of the Second Liberty Bond Act, and submitted a report (No. 91-116) thereon, which was printed.

MESSAGES FROM THE PRESIDENT

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

THE PROBLEM OF INFLATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-92)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States:

To the Congress of the United States:

Clearly this Nation must come to grips with the problem of an inflation that has been allowed to run into its fourth year. This is far too long, and it has already caused substantial distortions in our economy.

Inflation is a form of economic aggression against the very young and the very old, the poor and the thrifty. It is these Americans who are largely defenseless against the kind of price increases for food, clothing, medicine, housing and education that have swept over the Nation in the last few years.

Government has two major instruments for dealing with this problem. One is monetary policy, which should continue its program of restraint. The other is fiscal policy—the management of the Federal budget—which must turn away from budgets which have propelled the inflation, and turn instead to one with a strong surplus that will help to curb it.

The prospect of a thin budget surplus or a return to deficits would again nudge monetary policy off course. The result, as always, would be further increases in interest rates, a dangerously overheated economic engine, and the threat of accelerating the advance of the price level.

Because the problem of inflation was neglected far too long, we cannot risk even a neutral budget policy of narrow balance.

Only a combined policy of a strong budget surplus and monetary restraint can now be effective in cooling inflation, and in ultimately reducing the restrictive interest rates forced on us by past policies. This is fundamental economics, and we intend to deal with fundamentals.

We are determined to keep faith with America's wage earners, farmers and businessmen. We are committed to take every necessary action to protect every American's savings and real income from further loss to inflation.

The budget for the year beginning July 1, 1969, submitted in January, estimates the surplus at \$3.4 billion. However, current examination of this budget reveals that some of its estimates of expenditures were low. For example, interest on the Federal debt will be far more than was estimated. This, along with such items as an underestimate of farm price support payments and a substantial overestimate of offshore oil lease receipts, means that a current analysis of the budget submitted in January shows a reduction in the surplus of \$1.3 billion for this fiscal year and \$1.7 billion for the fiscal year 1970.

Thus, half of the projected 1970 surplus has disappeared before the year begins. Similarly, more than half of this year's projected surplus of \$2.4 billion will not be realized—and for the same reasons.

On the matter of cutting expenditures:

To produce a budget that will stop inflation, we must cut expenditures while maintaining revenues. This will not be easy. Dealing with fundamentals never is.

I intend to submit budget revisions which will reduce Federal spending in fiscal 1970 significantly below the amount recommended in January, even before those previous figures have been adjusted to reflect current conditions.

On the matter of maintaining revenues:

I am convinced that the path of responsibility requires that the income tax surcharge, which is expected to yield \$9½ billion, be extended for another year. As I have said before, the surcharge is a temporary tax that must be ended as soon as our commitments in Southeast Asia and economic conditions permit. Because of budget and economic conditions, I reaffirm my support of the recommendation President Johnson made last January that the surcharge be extended, and I am transmitting to the Congress a request that this be done.

In addition, the scheduled reductions in the telephone and passenger car excise taxes must be postponed, and user charges equal in revenue yield to those now in the budget should be enacted. Together, these will produce close to \$1 billion in revenue next year.

On the question of tax reform, this Administration remains committed to a more equitable and more efficient tax structure. In the coming month, the first specific proposals of that reform will be

coming up to the Congress from the Treasury Department.

Taken together, these actions to reduce spending and maintain revenues will produce the strong budget surplus urgently needed to meet the inflationary threat.

Moreover, by proving Government's serious intent to counter the upward spiral of prices and wages, we will create conditions which will encourage the private sector to stop assuming a high rate of inflation in long-range planning.

Courageous Government action will modify the inflationary psychology which now afflicts business, labor and consumers generally. It is particularly hard on small business, and those of modest means in the management of their incomes and savings.

This ordering of our economic house—distasteful as it is in many respects—will do much to slow down the rise in the cost of living, help our seriously weakened position in international trade, and restore the sound basis for our on-going prosperity.

RICHARD NIXON.

THE WHITE HOUSE, March 26, 1969.

Mr. KENNEDY subsequently said: Mr. President, I ask unanimous consent that the message from the President of the United States on inflation be jointly referred to the Committees on Appropriations and Finance.

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

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, informed the Senate that, effective March 21, 1969, Representative CORBETT had resigned from the Joint Committee of Congress on the Library.

The message announced that the House had passed a joint resolution (H.J. Res. 584) making a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 8438) to extend the time for filing final reports under the Correctional Rehabilitation Study Act of 1965 until July 31, 1969, and it was signed by the Vice President.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 584) making a supplemental appropriation

for the fiscal year ending June 30, 1969, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

AGREEMENTS WITH THE UNITED MEXICAN STATES ON RADIO BROADCASTING—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive B, 91st Congress, first session, two agreements with the United Mexican States on radio broadcasting, transmitted to the Senate yesterday by the President of the United States, and that the agreements, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The ACTING PRESIDENT pro tempore. As in executive session, the request, without objection, is granted.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith two separate but related agreements between the United States of America and the United Mexican States signed at Mexico City on December 11, 1968, namely:

(1) an agreement concerning radio broadcasting in the standard broadcasting band (535-1605 kHz), and

(2) an agreement concerning the operation of broadcasting stations in the standard band (535-1605 kHz), during a limited period prior to sunrise ("pre-sunrise") and after sunset ("post-sunset").

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the two agreements.

Since the end of 1967, when the broadcasting agreement of January 29, 1957, ceased to be in force, there has been no agreement governing the relations between the United States and Mexico in the use of the standard broadcasting band. Relations of the United States with other major countries in the North American Region in the broadcasting field continue to be governed by the North American Regional Broadcasting Agreement of November 15, 1950, to which Mexico is not a party.

The two agreements with Mexico have been concluded after negotiations extending over a period of more than two years between United States and Mexican delegations, with representatives of the United States broadcasting industry participating as advisers to the United States delegation. The Federal Communications Commission and the Department of State express the opinion that the best interests of the United States would be served by ratification and entry into force of both agreements, the substance of which is understood to be generally satisfactory to broadcasting interests in the United States.

The first-mentioned agreement, re-

ferred to as the broadcasting agreement, contains detailed provisions designed to resolve many engineering and allocation problems between the United States and Mexico, as explained more fully in the report of the Secretary of State.

The other agreement, referred to as the pre-sunrise/post-sunset agreement, is tied to the broadcasting agreement in the sense that it can be effective only so long as the broadcasting agreement remains in effect. The regulations therein for station operation with daytime facilities for limited periods of time before the sunrise-to-sunset period heretofore prescribed will enable the Federal Communications Commission to implement plans for pre-sunrise operation of United States daytime stations, so that, for the first time, it will be possible for a large number of such stations, now operating on seven clear (I-A) channels accorded to Mexico in the broadcasting agreement, to have uniform starting times throughout the year. Whereas the United States would gain from the provisions for pre-sunrise operation, Mexico would gain from the post-sunset provisions.

The two agreements would be brought into force by the exchange of instruments of ratification and would remain in effect for a term of five years and indefinitely thereafter unless replaced by a new agreement or unless terminated by a one-year written notice from either party to the other party.

I recommend that the Senate give early and favorable consideration to the two agreements with Mexico.

RICHARD NIXON.

THE WHITE HOUSE, March 25, 1969.

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

COMMITTEE MEETINGS DURING SENATE SESSION TODAY

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

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to consider executive business.

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The bill clerk read the nomination of Charles H. Rogovin, of Massachusetts,

to be Administrator of Law Enforcement Assistance.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF LABOR

The bill clerk read the nomination of Jerome M. Rosow, of New York, to be an Assistant Secretary of Labor.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

APPALACHIAN REGIONAL COMMISSION

The bill clerk read the nomination of John B. Waters, Jr., of Tennessee, to be Federal cochairman of the Appalachian Regional Commission.

The ACTING PRESIDENT pro tempore. Without objection the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I move that the President be immediately notified of the confirmation of the nominations.

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

LEGISLATIVE SESSION

Mr. MANSFIELD. 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.

DESIGNATING THE VENTANA WILDERNESS IN CALIFORNIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 112, S. 714.

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

The LEGISLATIVE CLERK. A bill (S. 714) to designate the Ventana Wilderness, Los Padres National Forest, in the State of California.

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

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 1, line 7, after the word "dated" strike out "August 15, 1967," and insert "March 14, 1969," so as to make the bill read:

S. 714

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with subsection 3(b) of the Wilderness Act of September 3, 1964 (78 Stat. 891), the area classified as the Ventana Primitive Area, with the proposed additions thereto and deletions therefrom, as generally depicted on a map entitled "Ventana Wilderness—Proposed", dated March 14, 1969, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture, is hereby designated as the Ventana Wilderness within and as a part of Los Padres National Forest, comprising

an area of approximately ninety-five thousand acres.

Sec. 2. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and a legal description of the Ventana Wilderness with the Interior and Insular Affairs Committee of the United States Senate and the House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal description and map may be made.

Sec. 3. The Ventana Wilderness shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

Sec. 4. The previous classification of the Ventana Primitive Area is hereby abolished.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was 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. 91-115), explaining the purposes of the bill.

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

PURPOSE

The bill, S. 714, would designate a total of 94,728 acres in the Los Padres National Forest in California as the Ventana Wilderness to be administered in accordance with provisions of Public Law 88-577, the Wilderness Act of 1964, by the Secretary of Agriculture. The area includes most of the Ventana Primitive Area and some contiguous lands which are predominantly valuable as wilderness resource.

DESCRIPTION

The proposed Ventana Wilderness lies on both sides of the Santa Lucia Range of mountains and the east side of the crest of the Coast Range, Los Padres National Forest. It is entirely within Monterey County, Calif., and is approximately 120 miles south of San Francisco, and is approximately 36 miles south of Monterey, by way of State Highway 1. The proposed wilderness contains the headwaters of the Carmel, the Arroyo Seco, the Little Sur, and North and South Forks of the Big Sur Rivers. Elevations range from 1,200 feet on the Big Sur River to 4,800 feet on Ventana Double Cone. The area is ideal for use by hikers and horsemen. It contains superb mountain scenery, basin-like valleys, unusual species of trees and wild animals, and is close to the large centers of population in the San Francisco Bay-San Jose area.

There is a great variety of vegetation. The rain forest on the western boundary changes to a typical southern California brush-type vegetation in the easterly portion of the area. Numerous species of conifers and hardwoods grow here; one is the California coast redwood growing at the most southerly limit of its range. Another conifer found in the area is the Santa Lucia fir, or bristlecone fir.

California black-tail deer, mule deer, and wild boar are found in the area. The four main rivers and many other streams contain trout. Small mammals, ranging from possum to spotted skunk, are often seen, along with an occasional black bear or mountain lion.

NATURAL RESOURCES

The timber is classified as noncommercial because of inaccessibility and relatively small volume. There is no grazing by domestic livestock within the area. No commercially significant mineral deposits have been found in the area and there is no known mineral production.

NONFEDERAL LANDS

A total of 2,510 acres are in non-Federal ownership. These are in nine parcels ranging from 37 acres to 640 acres in size, and are not occupied. The Forest Service is continuing a plan of acquisition, by exchange or purpose.

AMENDMENT

At hearings on S. 714, the major problem centered around area G, or Willow Creek, comprising approximately 3,000 acres. Nearby residents and conservationists were anxious to have this area included. The Forest Service left it outside its proposed boundaries.

Willow Creek is a year-round stream bordered by meadows and scattered oaks and sycamores. The area offers good opportunities for backpacking, hiking, camping and other similar recreation activities. It contains several hike-in camps which are used regularly by Boy Scouts and other groups.

The Forest Service left it out with the intention of managing it primarily for recreation without public road access and with no motor vehicle use permitted. Forest Service testimony indicated the only reasons for not including Willow Creek were to continue its present more intensive recreational use and because a fire line existed along the western side of Willow Creek to make a natural boundary on the ridge top. However, it was pointed out that fire line also exists on the eastern side along a ridge top to provide another natural boundary. The Forest Service also said it could manage the area either as wilderness or outside the boundaries as it had proposed. The committee decided to amend the bill and include the area.

RECOMMENDATION

The Senate Interior and Insular Affairs Committee favorably reports, as amended, S. 714, and recommends that it pass.

VISIT TO THE UNITED STATES BY HON. PIERRE ELLIOTT TRUDEAU, PRIME MINISTER OF CANADA

Mr. MANSFIELD. Mr. President, the President and the people of the United States of America have had the opportunity, over the past 2 days, to meet with, to get to know, and, in a sense, to evaluate a distinguished statesman, the Prime Minister of Canada, Pierre Elliott Trudeau.

Mr. Trudeau represents a new generation in politics, a new outlook on the world, and an up-to-date understanding of the realities of the globe on which we all exist.

As the leader of the predominant party in Parliament—as the head of his government, in fact—he is a person who has assumed great responsibilities not only in his own country but in his nation's relations with all the other countries of the world.

Prime Minister Trudeau, in my opinion, represents a fresh breeze from the north. His talks with our President, I am sure, have been fruitful and understanding, and the results of their meetings will, I believe, offer a continuing hope for the future of our two countries and perhaps together, a new hope for the world.

No one should underestimate Canada,

large in size, small in population, but with a voice which has been, still is, and should be heard in the world's councils.

Mr. Trudeau, on the basis of the impressions he made in Washington, on the basis of what he has said, what he has done, and what he is attempting to do since assuming the office of the Prime Minister less than a year ago, is a man of candor, understanding, wit, and sympathy. While he is appreciative of our problems, as the working head of a sovereign nation, he must and he will pursue courses which he considers to be in the best interest of Canada. This is as it should be for any nation.

There will be differences between Canada and the United States from time to time, but that, too, is as it should be. I do not see any problems or disagreements, however, which are not capable of solution if reasonable attitudes are maintained. It is not a case of Canada depending upon the United States or of the United States depending upon Canada or one accepting the dictates of the other. Rather what is most needed is a mutual understanding and a mutual restraint since the two nations have not only an independent destiny but also a large measure of common destiny.

As a Senator from the State of Montana, which shares a 700-mile border with British Columbia, Alberta, and Saskatchewan, and as the majority leader of the U.S. Senate, I wish to thank Canada's Prime Minister for honoring us with his visit and President Nixon for having extended the invitation which brought him here.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of Prime Minister Trudeau's press conference at the Canadian Embassy and also of the press conference held at the National Press Club, both on March 25 and both in Washington, D.C.

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

PRIME MINISTER TRUDEAU'S PRESS CONFERENCE AT CANADIAN EMBASSY, WASHINGTON, D.C., MARCH 25, 1969

PRIME MINISTER. From our point of view the Minister, the Ambassador and our delegation, I think we all seem very pleased with not only the cordiality of the welcome but the approach that the President and his Administration took to us. There was no hard line, no pushing around. It was asking questions, supplying their own impressions . . . I think I had better try and answer any questions.

Question. Mr. Prime Minister, what was the emotion towards the achievement of this brief visit to Washington for Canada?

PRIME MINISTER. I think the fact that we laid the foundations for future exchanges. We laid the basis for personal relationships which will make it easier, as the President says himself, for us to pick up the telephone and cut through the red tape and communicate with each other directly if there are any problems which demand such communications. It was, to me, a bit surprising that we should establish so quickly such a feeling of cordiality and I think it was due largely to a deliberate attempt on the part of President Nixon and the Americans to emphasize the role in consultation that this Administration plans to follow.

Question. Sir, how tough are these domestic problems that are coming up—wheat and oil and so on? And do you think the consulta-

tions here are really going to further the solution of these problems?

PRIME MINISTER. Well they are very tough. I think the consultations will further the solutions to the problems and in the case of oil, as we announced, we will have meetings very soon, I believe the second of April has been chosen. The Americans as well as ourselves realize that the policy has to be revised, perhaps updated with new discoveries and the new levels of consumption and also with the reorganization of the North American market. We are encouraged in the sense that both countries have common interests in this, whether it be wheat or oil. It is not as though we are trying to score an advantage against the other country. We both have advantage in reaching common conclusions. The problem will be on wheat, whether we can convince the other producing nations to accept our point of view and on oil how we will envisage jointly the prospects for the future of this market and the future of this industry. In that sense it is encouraging that we have a community of interest but it does not mean that the solutions will be easy.

Question. Mr. Prime Minister, in your report to the President, did you spend a substantial amount of time on social and student unrest?

PRIME MINISTER. I did with the President and I did with the Vice-President. Most of my meeting with the Vice-President was on that problem. I found that he has a very great interest in the problem of community living but of course he has, as a politician, great experience with that area of our society, our social fabric. In the case of the President, we talked about it, we found that our approach was largely similar—I don't want to speak for him—but I was interested in feeling out whether their approach was strictly based on law and order or whether it had a broader sociological and psychological basis, and I found it was of the latter category. It is not merely a matter of re-establishing law and order, it is not either a matter of inventing new institutions to try to tackle these things. The President used the word "communication" very frequently in dealing with this, and my whole interpretation of the meeting was that in this field, as in others, he is a pragmatist and does not promise set solutions. He is willing to explore avenues with the other person. This I found very welcome. Only the future, of course, will tell what happens to pragmatists. I may be threatened by the same danger myself. If you're approaching too many problems on an "ad hoc" basis, you may suddenly find that the other guy with an ideology or a doctrine has outflanked you, but one must be wily enough, and I believe the President is, and I try to be.

Question. Do you think the President might come to Canada this summer, Mr. Prime Minister, any idea?

PRIME MINISTER. Well, in inviting him, I tried to make it pressing on the one hand, because I do want him to feel extremely welcome, but on the other hand I so much sympathize with a man in that very high office of such a big country that I didn't want to make him feel that he had to come soon to please us. I feel that it will be a miracle if he has time to do more traveling before many months are up. But we did not explore any precise dates except that I think very clearly he mentioned that he had been to Canada at the opening of the Seaway, and I said it would be a good chance to come back and celebrate the anniversary, early in July. But I do not know if he will entertain that idea or not.

Question. (Unclear)

PRIME MINISTER. One can only speculate and I would say very clearly that we were given the impression, we were not made to feel that there was some linkage or some bargaining here, that if we were nice on the military and strategic problems they would be nice on the other bilateral questions.

There was no connection in our talks between the problems, between the questions. Now what is back of the psychology of negotiation I can't say, but we were all very impressed. The Minister has told me that, as regards his own talks, was the fact that the Americans put their point of view, they asked us about ours, but there was no pressing, no compelling demand that we understand that point of view and that we behave accordingly. It was a simple statement of point of view and, as I say, no linkage between these questions.

Question. Mr. Prime Minister, can you give us any idea when you expect to come to a decision concerning the ABM policy and, while you're at it, can you enlighten us by what you mean by possible participation?

PRIME MINISTER. I didn't talk down here about possible participation, you mean in Parliament. We have found out, and I'm thinking because I want to make sure I'm not giving you any classified information, and I'm sure I'm not, we have found out that, in the system as now rearranged, the Spartan missiles won't create any problems for Canada, in the sense that they won't be using our air space. They will be exploding in the outer atmosphere . . . I shouldn't say the outer atmosphere, I should say outside of the atmosphere. They will not be causing problems of fallout or flash blindness in Canada. It's conceivable that the Sprint missiles which are part of the Safeguard system could cause, not problems of fallout we are told, but perhaps problems of air space. I say perhaps because there is no degree of precision to this and this is one aspect of it that we will want to look into, both from a technical and legal point of view. If the Sprints at any time are expected to use or to traverse or explode in Canadian air space, this could cause a problem. What the results would be I don't know. You see, it would be easier if such a problem didn't arise, but apparently there are circumstances in which it can. Now, should we just tell the Americans: "You use it and we'll close our eyes"? Or should we say: "We want you to ask us our general authorization"; or would we want to be consulted every time it's likely that a Sprint will use our air space? These are complex questions; depending on the way in which you answer them, you decide on whether you want to participate in some way in the control of the system; whether you want it within NORAD or not. These, as I say, are quite complex legal problems with technological basis, the answer of which we don't have completely yet and this may take some time before having all the answers.

Question. "Some time"—in weeks, months, before we make our decision?

PRIME MINISTER. Well no, it's linked to our defence review, it's linked to what we want to do in or out of NORAD, the way in which we see the orientation of our future defence policy, and, according to the decisions we make in the next few weeks, then we will either have a simple next step to make or a complicated one. All these problems are inter-linked and the position we take on NATO will determine our orientation on many of the others.

Question. I wonder if you regret at all not having met the American people? It's all been "official" Washington, as I see it, and no contact, hardly at all, with the public in Washington.

PRIME MINISTER. I regret it in the sense that the trip for me is always more interesting if I have a chance to meet old friends and make new ones amongst the American people, or the people of the country I happen to be in. But I know the Americans so well that it's just an added but minor frustration. I feel that perhaps I can meet other Americans in other American cities and make up for my laxity this time.

Question. Going back to NORAD, did Mr. Nixon ask you to reconsider the NORAD agreement, to include ABM?

PRIME MINISTER. No they did not. We repeated our position that when NORAD was renewed last year we demanded that the anti-ballistic missile system be not covered by any new agreements. On that they didn't take any pressing position, or even a suggested one. I think they are leaving it up to us completely. They feel that they can go ahead with NORAD without us, obviously, and I think they want to have us make up our own minds, and this refers to the earlier question. If we want to answer these other questions we may have to involve ourselves with whether a control system in which Canada participates is desirable or not. But we're not ready to take that step yet. We're not ready to ask the question yet.

Question. Did the Quebec issue . . . come up in your meetings with the President?

PRIME MINISTER. Certainly in no important context. I'm just trying to search my mind if there was any direct or indirect allusion to it. I think there was not. In my discussions with the Vice-President, when I was talking about urban problems and leverage on municipalities in the areas of housing and urban growth, I asked him about their state relations with the national Government, and we talked about the similar problem in Canada, provincial-federal relations, with no particular emphasis on any one problem, though.

Question. Could you tell us anything about the Administration's reaction . . . on Red China. Did you discuss it much . . . ?

PRIME MINISTER. Yes, we did. I don't think it would be fair for me to speak about their position on it, beyond perhaps repeating that here, too, there was no arm-twisting and no attempt to oppose our views with strong counter-views. The President indicated that he had his own thoughts on this, on which I am not authorized to speak. There was no effort to, shall we say, violently alter the course of our actions.

Question. In last week's debate in the Commons you said that you were coming to speak with Mr. Nixon and discuss the roles (of survivors). You also said that the ABM problem was giving you great concern. Are you coming back to Ottawa tonight with less concern than before? Are you reassured?

PRIME MINISTER. No, I don't think the general question in my mind has been answered any more now than it was a week ago. I have more technical knowledge. We had some fairly elaborate briefings by officials of the U.S. Government. But our moral and political position on the ABM system, I am no more closer to being able to announce today than I was a week ago. With this new information I will be discussing in Cabinet how we answer the question I was asking in Parliament. Does this constitute escalation or not? Is this provocative or not? Is it, in the American mind, something which is irrevocable or not? On this I think the President and members of his Cabinet went out of their way to establish that this was to be implemented over a long period of time. I think the two sites which they want to be operational first will only be in operation around '73 under present time schedules. The President did emphasize that it's the kind of programme which could be accelerated or switched off, according to the way the East-West talks went. As a background to all this, what reassured me most is that the President repeated his desire to use NATO—not for confrontation so much as for dialogue and exchange between East and West. He sees an important linkage between NATO and between the whole question of nuclear escalation or de-escalation, the whole question of strategic arms limitation talks. He feels that the United States is in a better position to discuss the limitation of strategic arms with the Soviets, if the NATO rug isn't pulled out from under him, as it were.

Apparently I made a slip at one point, and I used NORAD instead of Safeguard. I know I mentioned this new Safeguard system, and I don't know in what context, but thank you, Romeo.

Question. When do you expect to make a statement on NATO policy?

PRIME MINISTER. Well, I think it's an open secret now, that the Cabinet is meeting on Saturday and Sunday to consider the latest input, that of the Parliamentary Committee. I would think that we'd be in a position to make a general statement within a few days after that weekend meeting. I say general because according to whether the statement is broadly a decision to stay in or to pull out, all kinds of supplementary statements will be necessary: how do we phase the pulling-out, if that's the decision; or in what sense do we orient the staying-in, if that is the decision. But the decision of principle I should think would be known in about a week or ten days.

PRESS SECRETARY. You said the Americans can go ahead with NORAD without us—what you meant was Safeguard in that context.

PRIME MINISTER. Ah, well this is the context, that we should strike out NORAD and put in Safeguard.

PRESS SECRETARY. The Americans can go ahead with Safeguard without us, instead of NORAD.

PRESS CONFERENCE HELD BY THE HONORABLE PIERRE ELLIOTT TRUDEAU, PRIME MINISTER OF CANADA, AT THE NATIONAL PRESS CLUB, WASHINGTON, D.C., MARCH 25, 1969

Ladies and gentlemen, we are more than glad to welcome today a man of tomorrow, Canada's dashing young Prime Minister—and I would like to stress that "young" because he is not all that much younger than myself. He is pictured by reporters in Canada as a member of the Jet Set, an intellectual, nonconformist, a French bon vivant, a bold adventurer, a swinger. Well, he may be all of these things, and I notice his press clippings don't contain any disclaimers by him. But he is also pictured as a possessor of a tough and thoughtful mind, a pragmatist, and not an arch-radical.

Prime Minister, it has been said that you came on a "get acquainted" visit to President Nixon. I think all of us here have the same approach to the first official visit of a head of government to Washington since the change in Administrations here. We have read a lot about you in the last 12 months since you were elected leader of the Liberal Party in Canada after the comparatively short experience of some three years in national politics. But we would all like to get more about you.

Canadians look to you as a unifying force, one who has stirred their nationalism and their desire to have a greater identity in international affairs. You have promised changes in foreign policy such as recognition of Communist China. You have promised a major effort to advance bilingualism and biculturalism across Canada.

As a French-Canadian you have expressed your major aim to be "One Canada," a Canada in which French-Canadians can feel at home in all parts of the country.

You are, as Time Magazine has described you, "a fairly unstuffy man who, when asked by a pretty young Trudeauopper for a kiss, can respond with, 'Why not? It's spring!'" (Laughter)

You are broadminded and cultured, a lover of canoeing, a diver of mere championship caliber, a practitioner of Yoga, a driver of fast cars, and a bachelor—one who can command the company of beautiful women.

Summed up Time, last July, after your overwhelming election in the national elections in Canada: "Whatever else he does, he is certain to give Canada four years of color-

ful and unpredictable government." (Laughter)

So there is little wonder, Prime Minister, that we here in the United States—indeed, all of us in the Western world—are hanging from the rafters to get a glimpse of this most interesting head of government. You are not the first Canadian Prime Minister to speak at this Club, but you are certainly the first one in memory—at least in my memory—who has been followed to Washington by a plane-load of Canadian reporters and who has, moreover, induced about 200 young ladies to greet you in the lobby of the National Press Club. (Laughter)

But someone commented to me just prior to this lunch that your first day in Washington yesterday appeared to stress the formal and, shall we say, the more serious side of the trip. This is in character, I might say, with the picture we have of the Prime Minister of one of the staunchest allies in the Western Alliance.

I would like to welcome you, sir, as the man who appealed to the Canadian people last year to "Take a bit of a chance" by electing you with a clear majority.

You are the man to whom the Canadian people have given their overwhelming confidence and whose success is important to all of us.

Lastly, sir, if you will forgive me, and if the fine French-Canadian people will forgive an Englishman trying to use their tongue, I would like to say this: (Speaking in French.) (Laughter and applause.)

I now take great pleasure in introducing the Prime Minister of Canada, the Right Honorable Pierre Trudeau. (Standing ovation.)

Prime Minister TRUDEAU. Mr. Chairman, distinguished guests, ladies and gentlemen: Thank you, Mr. Chairman, for your very warm welcome. Thank you for the invitation to speak to such a distinguished gathering.

The description you made of some of my activities is getting more and more difficult to live up to. I will tell you one aspect of it that comes rather easily, the bit about "It is spring!"

And I thank you for doing, as perhaps the Canadian people did a year ago, taking a chance on me, taking a chance on inviting me, to be patient with some of the ideas I want to express to you. They are meant essentially to indicate some of my approaches to the problem of government. They are not very original, as you will see, but as Winston Churchill said about another Prime Minister, "He is the only one we have." (Laughter)

The relations I have with the Press are always very warm. I feel very close to members of the Press, and especially abroad I feel they are very close—perhaps sometimes a little too close.

But one of the real pleasures of being here is really due to the fact that, being a Canadian, one knows that one always has a warm welcome in the United States.

There must be few countries in the world where individuals on either side of a border feel so much at home on the other. I hasten to add, however, that at times in our history we have paused to wonder whether your friendly invitations "to come and stay awhile" have not been aimed at Canada as a political unit rather than at Canadians as individuals.

Many of you will recall, I am sure, that your Articles of Confederation, as ratified in 1781, contained a clause which was an open invitation, and an exclusive one to Canada. And I read Article IV:

"Canada acceding to this confederation, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this union; but no other colony shall be admitted into the same unless such admission be agreed to by nine states."

So, we have always had a favored position. In any event, we did not join, and history has recorded our differences.

Two hundred years later, the results of our separate and distinct political existence are evident for all the world to see: Professional hockey is a major spectator sport from New York to Los Angeles, and "Peanuts" is one of the most popular comic strips from Halifax to Vancouver.

But Americans should never underestimate the constant pressure on Canada which the mere presence of the United States has produced. We are a different people from you. We are a different people partly because of you.

Our two countries have pushed against one another from time to time, perhaps more courteously in recent years than previously, when your invitation and your republicanism appeared more intimidating to us.

Canadians still smart when they recall President Theodore Roosevelt's tough instructions to Oliver Wendell Holmes, Jr., on the occasion of the Alaska-Yukon boundary arbitration. But how many of your historians have ever noted what Canada's first Prime Minister Sir John A. Macdonald was at one time contemplating as your fate?

In 1867 that gentleman wrote to a correspondent in Calcutta:

"War will come some day between England and the United States, and India can do us yeoman's service by sending an army of Sikhs, Ghoorkas and Beluchees across the Pacific to San Francisco, and holding that beautiful and immortal city with the surrounding California as security for Montreal and Canada." (Laughter)

You see, Mr. Chairman, that although Canadians may not always be able to follow through, we should never be sold short on imaginative proposals.

Indeed, a question which some of your Canadian newspaper colleagues are now beginning to ask about my government is whether our ideas are capable of implementation. It's a valid question.

Imaginative and original approaches to problem solving are always welcome, but they must be practical and, even more important, they must be effective.

Some of our policies may be of interest to this audience, and with your permission, I should like to speak about several of them in a few minutes.

But first, let me say that it should not be surprising if these policies in many instances either reflect or take into account the proximity of the United States. Living next to you is in some ways like sleeping with an elephant: No matter how friendly and even-tempered is the beast, one is affected by every twitch and grunt. (Laughter.)

There is in Canada at the present time a growing sense of unease that in a nation as rich as ours there is a problem of widespread poverty; that among people as dispassionate and understanding as are Canadians there is linguistic apprehensiveness and inequality; that in a world possessed of the technological means to journey to the planets, there exist terrifying threats to our environment and to our very existence.

Canada, by itself, cannot solve all these problems, and perhaps not even some of them. But we firmly believe that we can and must apply our talents and our resources in such a fashion as to seek solutions and, where appropriate, to persuade other states to cooperate with us in seeking these solutions. We have some qualifications for these tasks, and we have had considerable valuable experience which might prove to be of assistance to other states afflicted with similar problems. This is so partly because these qualifications, this experience, and the conditions which have spawned them, are similar in many respects to the differences and the difficulties which are found in the larger

world community. And I wish to list some of them.

Canada is a federal state, the same as the U.S.A. Yet, two of our Provinces—Ontario and Quebec—are so populous in comparison with the other eight as to give to them an immensely influential position.

Nor is wealth in our country any more equitably distributed. The per capita income of the richest Province is about twice that of the poorest, and we have elaborate arrangements for redistribution of tax revenues among the Provinces of Canada.

Only one-third of all Canadians are of a stock that had English as its mother tongue, although two-thirds of the population live and work in English; the other third speak French daily as their normal means of communication—socially, in commerce and with government.

Within Canada there are French-speaking universities, radio and television networks, newspapers and labor unions. There is a complete language community.

Another item: One economy is founded largely upon foreign trade. In this respect I should pause to point out that we sell more to the United States, and buy more from the United States, than any other country in the world. The immense size of this trade bears out this emphasis. Canada's purchases from the United States each year exceed in value the total purchases of your four next largest trading partners: Japan, Britain, Germany, and France combined—more than your total sales to all of Latin America.

So it is this pattern of uneven economic development, this heritage of linguistic diversity, and this dependence upon continued international intercourse that leads us to think that perhaps by way of some example we may be of benefit to a world which is so desperately seeking solutions to pressing problems.

As I say this, I hope that we Canadians do not have an exaggerated view of our own importance. We prefer to think that our place in the world is such that we can occasionally experiment with good ideas without risking a complete upset of the whole international order.

We are as pleased as is any country when our views are sought or our assistance requested. But we may be excused, I hope, if we fail to take too seriously the suggestion of some of our friends from time to time that our acts—or our failure to act—this or that way will have profound international consequences or will lead to widespread undesirable results.

But as an example to others we hope that we are able on occasion to serve a beneficial purpose. Our close relationship with the United States is an important illustration of what I mean. The fact that Canada has lived and flourished for more than a century as the closest neighbor to what is now the greatest economic and military power in the history of the world is evidence to all countries of the basic decency of United States foreign policy.

And I add in all seriousness that every occasion on which our policies differ from yours in an important fashion, that difference—if of course it is founded on good faith and sound evidence, as we hope is always the case—contributes to your international reputation as a good citizen as much as it does to ours.

When Canada continues to trade in non-strategic goods with Cuba, or proposes the recognition of the Peoples' Republic of China, or—as sometimes happens—finds itself supporting a point of view different from yours in the United Nations, the world is given evidence of your basic qualities of understanding and tolerance.

Because a state's foreign policies are in substantial part a reflection of its domestic scene, I wish to mention to you some of our basic programs.

What we are trying to do in Canada is to ensure to every individual the dignity to which he as a human being is entitled. Much of the unrest and turbulence now becoming evident in Western societies originates in the belief by the young, by the poor, by the minorities, that the massive socioeconomic machines that we have developed in our countries are incapable of recognizing them as persons, and of catering to their individual needs.

My government has stated again and again that it is dedicated to preserving the right of every individual to do his own thing.

We have proposed to the Provinces the amendment of the Constitution to include a far-sweeping charter of human liberties, a charter that will protect not only the classical political and legal rights which your Constitution has done here, but as well egalitarian and linguistic rights.

We have amended our criminal laws to permit more freedom to individuals to engage in acts which, sinful though they may be or appear to many, are not possessed of that injurious quality that we normally associate with criminal conduct.

We are examining with increased vigor such debilitating side-effects of an urbanized, technological society as environmental pollution, urban housing and transportation, the protection of spaces in which to play, to think, to be free from the pressures of noise and fumes.

We are attempting to find some lasting and just solution to the problems of our native peoples—the Indians and Eskimos.

We have introduced new concepts aimed at rehabilitating the economy of entire regions by supplying tailor-made programs designed to improve the quality of education, increase the efficiency of agriculture and industry, upgrade transportation facilities and strengthen social services and incentives.

All this is being done against the background of a federal political system and a bilingual society, as I mentioned earlier. If in these circumstances we are able to accomplish our goals, providing we do, it will be to achieve a better life for all Canadians, and if we manage to do it, we will demonstrate to our citizens that the social structure is capable of change, that it is sensitive to the needs and demands of individuals, that orderly processes do exist inside society able to act as a vehicle for the protestations and the challenges of the aggrieved, then we shall have succeeded not only for ourselves, but I believe we shall have illustrated that tribalism and withdrawal are not the answer, that diversity and nonconformity contribute to a more satisfying and culturally enriched life.

And, especially, Mr. Chairman, I think we will have demonstrated to the citizens that their government is capable of solving problems and of meeting crises when they arise, and perhaps preventing insofar as possible the arising of such crises.

Most of our advanced societies are now in the position where they practically have to reassure their citizens and demonstrate palpably that these crises can be met, that government, in short, can govern; and we have to do this by steering a mid-course between too much authority and too much liberty, and it is a great challenge for all of us.

It should not therefore be expected that this kind of nation—this Canada that I am describing—should project itself onto the international scene as a mirror image of the United States. Much as our two countries are alike, much as they have in common—both with one another and towards other nations—we are different. And each of us is healthier as a result of that difference.

It cannot be expected that a country which is so deeply involved in social changes within its own boundaries should not be examining as well its foreign policies. Canada is, as you know, now reaching the conclusion of the first methodical and total review of

our foreign policy and our defense policy since the end of World War II. We have gone back to first principles in doing so, and we are questioning the continuing validity of many assumptions.

Some policies will, without question, be found wanting for the conditions of today and be changed. Others will be retained. I want to emphasize that this review is not an excuse to prove our independence; that independence needs no proving. Nor is it an exercise intended to illustrate to the United States our potential for irritation. We have no desire, and no surplus energy, for that kind of activity.

We are building a new society in Canada. It should not be surprising that the external manifestations of this society may be somewhat different than has been the case in the past. But just as one of the invariable principles of that domestic society is the primacy of the individual, so is one of the invariables of our foreign policy genuine friendship with the United States.

The usual way of stating this fact is to refer in somewhat grandiloquent terms to our 4,000-mile unguarded border, to our lengthy history of amity and harmony, and to the many projects in which we are jointly engaged. It could also be illustrated by proving how interdependent our two nations are in economic, in resource, in geographic, and in environmental terms.

I prefer, however, to express all this more on the level of hockey and Charlie Brown, however. One of our better known humorists, Stephen Leacock, put things in their proper perspective. Writing as an English-speaking person in a bilingual society, he said:

"In Canada we have enough to do keeping up with two spoken languages without trying to invent slang, so we just go right ahead and use English for literature, Scotch for sermons, and American for conversation." (Laughter)

Mr. Chairman, so long as we continue to behave like this, I think the warmth with which Canadians and Americans regard each other will protect us all from any sins our governments might in error commit. (Applause.)

Mr. HEFFERNAN. Prime Minister, perhaps I should explain that I only ask the questions as they are sent up from the floor.

The first one: After hearing Mr. Nixon's argument, are you now in favor of an ABM system?

Prime Minister TRUDEAU. Well, you know, in Canada we have a Cabinet system of government. We do not have the Presidential system. This really means, in effect, that all I can do now is go back to my Cabinet colleagues, report to them the new information we have received, report to them the new technological information that has been imparted to us, and we will have to assess the impact of this on our own approach to foreign affairs, and we will have to announce a decision. I could not say, therefore, if Mr. Nixon's arguments have changed my mind, because I don't believe any of you or anyone knows what my mind was before. (Laughter)

Mr. HEFFERNAN. We have a question in French, and the Prime Minister has kindly consented to read it himself and to reply in French.

Prime Minister TRUDEAU. If you know Quebec at all, you can be sure this is not a friendly question, or it is not put up by someone friendly. It is certainly bona fide. I can read French, but I cannot read everyone's writing. (Speaking in French.)

In a few words, this really means that though we were down here to meet the President and his Administration, we are aware of what the critics made of the decision on the ABM, and we did meet some of these critics socially yesterday, but that any formal discussion with them could not properly take place.

Fortunately, thanks to gentlemen and

ladies like yourselves, we are made aware in a very immediate though direct way of what these criticisms are.

As I entered this building, I found one of these persons making an argument, a man with a picket sign telling us what we should tell your government to do.

Mr. HEFFERNAN. A two-part question, sir, which represents many which have been passed up to me: What are the reasons for the seeming lack of progress on your proposal to recognize Communist China—that is, the lack of progress in the Stockholm talks? Do you think it is possible to have a two-China or one-China/one-Formosa arrangement?

Prime Minister TRUDEAU. Well, on the lack of progress, our Secretary of State for External Affairs, Mr. Sharp, has indicated to Parliament that we were prepared to be very patient. I do not know how patient this really means.

One person has calculated that the Chinese intend to take as long in exchanging recognition as was taken by the country who delayed recognition, which would mean it would mean waiting 20 years. But this would be a frightening prospect. But there are more frightening ones: If we do decide to recognize the Vatican, we are 2,000 years late. (Laughter)

But, seriously, we do not think that there has been any undue delay. It is only two months now I believe since we made our first approach to the Peoples' Republic of China representative in Stockholm, and we have put to them our desire to enter into talks with a view to exchanging representation.

There has been, I believe, one meeting since, and there is really nothing more to report at this time. But it does not distress us at all. I think the important step has been made—that is our indication that we were prepared to embark upon diplomatic representations, and we were prepared—perhaps that is also by way of answering the other part of the question—to recognize Peking as the legitimate Government of China. This, in itself, is an answer to what we would do, or what we consider, to Formosa to be the legitimate Government of China. It is that we cannot recognize two governments. Therefore, we are indicating to Peking and to the world that we are now prepared to recognize it as the legitimate government.

What consequences will flow or not out of our determination, I suppose it would be even unwise to speculate too widely on them, and, as it were, to show all of our hand before reaching agreement with Peking.

But Formosa's claim to be the government of all China is one, of course, which we reject, once we recognize Peking as the government. What will follow, whether there will be one Formosa and one China, is really for these two countries to determine, more than ourselves.

As you know, the act of recognition of a country does not carry with it necessarily a recognition of that country's territorial claims. We can recognize the Argentine without recognizing its territorial claims over the Falkland Islands. Therefore, the fate of Formosa is really one which will be determined by the Taipei Government itself.

As to whether it will wish to continue asserting its claim of being the government of all China, or whether it will embark on some other course of being a sovereign state of its own, I cannot speculate on what course they wish to follow, nor what course Peking will wish to follow in its relations with it.

Mr. HEFFERNAN. There are a number of questions on the question of Canada joining the Organization of American States. The most direct of them:

Why doesn't Canada join the Organization of American States?

Prime Minister TRUDEAU. Well, as you know, we have been considering this for a long while. I think what has held us back most in

the past is, as in the present, the sense that if we join the Organization of American States, we would be a pale reflection of the American image, and we did not find this useful.

To be quite blunt, we have never evolved a very coherent and organic policy towards Latin America. We have been turned towards Europe, other parts of the world, much more than we have towards South America and Central America. And, not having a clear, coherent policy, had we entered the OAS, I am afraid we would have brought no new knowledge and no new resolve, and the danger of that would have been that either we would have reflected the State Department's views in all matters, and this would have been, I believe, not only detrimental to ourselves, but it would have been detrimental to the kind of relationship that we hoped to establish with Latin American countries. Or, on the other hand, we would have necessarily felt obliged in many cases to disagree with the State Department just to prove our independence, but without any logical or consistent background or policy toward it.

So what we have done in this new administration is to send a high-level delegation to South America, a ministerial level, which toured most of the countries of Latin America and Central America, and which is now embarked upon defining for ourselves a policy as regards these nations.

The question of the OAS is really only secondary. I think we all feel we would like to be part of it, but only if we can be a useful part. And if we find that our policy is one on which we can make a clear statement, one on which we can seek clear guidelines and principles which we would follow, then I think a normal step would be to ask for admittance to the OAS.

I might only point out in passing that I believe that many of the Latin Americans—most of them—feel very much as we do in this, and it was rarely the first or the second question they asked us, whether we would join the OAS. They were more interested in knowing where we were going in relation to them. And we indicated to them we wanted to establish much tighter links with this vast land mass which will have some half-million people by the turn of the century and which, if we do not consider it as one of the important parts of the world, can become obviously a very serious source of disturbance to world order.

Because of this, we want to increase our relations with South America and with Central America. We want to do it in the areas of trade, in the areas of culture, of exchanges of many kinds—of people, of students, of ideas. And as a next step we will consider the OAS.

I would say that our inclination is towards asking admittance, but with the timing to be determined.

Mr. HEFFERNAN. In the same field, Prime Minister, a nice easy one:

Why does Canada support Cuban intervention in Latin America by trading with Cuba?

And along with it:

What should Uncle Sam do about Fidel Castro?

Prime Minister TRUDEAU. Well, I suppose a long dissertation on Cuba would be repetition of one that you have heard and read many times.

I would perhaps reject the premises of the question that we do support Castro's activities in South America merely because we are trading with them. Because if that were the principle on which we were to base ourselves, we could argue that the United States does trade with a lot of governments—most countries in the world trade with a lot of governments with policies of which they do not approve. And I believe that one of the best vehicles of understanding and closer relationships between countries is trade. The

missionaries come first, and the traders come next.

I think that the Canadian approach to these problems—and it has not been an original one—is that in our relations with other countries we should not try and intermingle the two types of issues. Short of being at the state of war with another nation, we do not believe that curtailment of trade is in any sense conducive to a lessening of tensions between countries. On the contrary. We trade with Communist China. We trade with Cuba. The United States trades with many countries, the policies of which I am sure your people disagree.

Therefore, what should the United States do with Fidel Castro? I suppose anyone in this room now would say the thing you shouldn't do is ask the FBI.

I think it is important to realize that the force of nationalism, the force of independence, the feelings of independence of a nation are pretty hard to stifle, and that in international relations—as in domestic relations—the catchword, the key word is communication. The key word is dialogue, in the same sense that we are beginning to discover within our societies that you cannot repress sources of discontent and hope that you will have a peaceful society. But the only way is to talk about the values which the discontented groups feel. Talk about bridging this gap, whether it be a generation gap or color gap or geographical gap within a society or a rich-poor gap. The only way to prevent two societies developing within the nation, each with its own set of values which reflects the other person's set of values, is to discuss these values, to meet, to exchange, as you try to do in your politics—as we try to do in ours. And if this is true within societies where tensions are mounting, it is certainly true in international society. And that is why we have the United Nations. That is why we have forums where we discuss the other person's values.

And we think that in the case of Cuba this applies just as much as it applies in the case of Red China. It is once again only by discussion and communication that you can perhaps not convince the other person that your values are the right ones, but convince him that he has had a chance to make his point, and that the discussion is based on reason and appeal to thought rather than to emotion. (Applause.)

Mr. HEFFERNAN. On oil, Prime Minister, what is your position for or against the continental oil policy for the United States and Canada? And are you here to discuss it now?

Prime Minister TRUDEAU. Yes, we are. We did discuss it, both the President and myself, and then our Ministers and officials. We have a continental oil policy of sorts. It was set up in the past, and it worked reasonably well.

The technical details of it are perhaps a bit elaborate, but essentially it means that Canadian oil producers sell to Western Canada and sell to the United States an amount roughly equivalent to the amount of oil that Eastern Canada purchases overseas and, notably, from the Venezuelan producers. It is a deal between the American Government and the Canadian Government which is cost-saving for both parties.

The new oil discoveries and the implementation of this past policy is creating problems. We did discuss them and we are announcing in a press release that there will be further meetings on the 2nd of April with a view to looking at this continental oil policy and discovering the new avenues that might want to be followed.

I think we have arguments for the United States in the sense that our oil is not only cheaper, but it is more secure in terms of defense in any future conflict. It is continental oil. It is more easy of access. And if we do not continue exploring and discovering new sources of oil, there might

come a time when there will be an oil gap that we won't be able to fill on this continent.

Discoveries at Prudhoe Bay perhaps retarded for some years the development of such a gap, but I think it is very present in our mind, both the American and Canadian Government, and we will now be seeking to establish new guidelines for a policy which will be in the mutual interests of both countries to permit the encouragement and development of oil resources in Canada, and at the same time not disrupting your internal markets.

We find that the discussions went very well, that there was a great deal of understanding between our government on the over-all aims, and we are very optimistic that there will be emerging a renewed oil policy which will be satisfactory to both governments.

Mr. HEFFERNAN. A bank of questions on the question of draft evaders. What is the attitude of your government in regard to Americans who travel to Canada to evade the draft? Has their entry noticeably affected the thoughts or policy of Canadians? And is there a limit to the number you will admit?

Prime Minister TRUDEAU. When a question is restricted to draft-dodgers, the answer is a very simple one. The status of being a draft-dodger does not enter at all into our immigration policy. You can have your draft card in your pocket. If you are dodging the draft, you are not even asked about it and you are admitted to the Canadian border.

It is an irrelevant question from the point of view of our policy, and because it is not a relevant question, we do not have statistics on it. We do not know how many draft-dodgers have been admitted to Canada and have stayed there. I believe it is a policy which is similar to that practiced by the United States as regards draft-dodgers. We do know that a number of Americans come to Canada to evade the draft. We also know that a number, perhaps a superior number, of Canadians come to the United States to join the United States Army. We do not have statistics. Some of them are even fighting in Vietnam.

But what effect these draft-dodgers have on our students is a question which, of course, I am no more informed on than you might be, sir. Their presence has been felt. They have aroused a great deal of sympathy on the Canadian campuses. By and large they have proved to be good students, orderly students, and much of their attitude, I believe, is dictated by reasons of conscience rather than by any desire to upset a particular order of things.

If the question were to go on and ask about deserters, I might be in a more delicate situation. Our policy as to deserters is not as clear as that regarding draft evaders. In general, we do have statistics on this and, in general, Canadian policy has been, shall we say, a little less free towards deserters than to draft evaders, on the basis that immigration does consider whether a prospective immigrant has any moral or legal commitment in the country of origin. And this applies, of course, not only to American immigrants but to immigrants from all countries. We do have statistics on this. I believe that we admitted 56 deserters in Canada last year and this, as you see, is a very small number. There may be others in Canada but who have not asked for immigrant status and, therefore, on which we cannot report.

Mr. HEFFERNAN. Another question: Do you really think you can unify the French-English tradition in the Dominion? And how serious today is the threat of French Canada seceding from the commonwealth?

Prime Minister TRUDEAU. Well, this is a question on which there is no real answer except that many politicians have staked their political future on the hypothesis that there was no lasting danger of secession and, more important that we could unify, as the

question puts it, Canadians in spite of their linguistic differences.

I think the key to this—and it might be worth a word of explanation—is that we as a government—and it was the position of our party in the elections which, as you know, also scored resounding victories in the French part of Canada, which was an overwhelming return. Our approach is that there are not two nations in Canada, because if you are going to talk to two nations there is a danger that you will go towards two political nations and two distinct legal entities either called "states" or "countries" or "peoples."

Our approach to it is that language is merely a vehicle; it is a tool. We have one nation. We have one political nation and we want to remain one political nation. But in this nation we have taken the position that there will be two vehicles of communication. There will not be the French-Canadian and the English-Canadian. There will be French-speaking Canadians, which might include a lot of people of Italian, of Hungarian, of Rumanian ancestry, and there will be English-speaking Canadians which in fact include Canadians of all ethnic origins. Therefore, we do not try to distinguish two ethnic groups or say one ethnic group has a privileged status. We say there are in Canada many ethnic groups, as in the United States of America. And on the basis of history, we cannot say that English and French Canadians are the first or the best and that their languages should be the only official ones because if it were an historical basis, we would find that there were other people here before the English and French, the Eskimos and Indians and so on.

Therefore, we tend to look at this problem from a pragmatic point of view. We say, in fact, there are two large linguistic communities in Canada: the English-speaking and the French-speaking. And because of this, it will be important for members of those two communities to be able to communicate with the state in the official language of their choice. And this can be done. It can be legislated. We cannot legislate equality of two groups in the nation. It is not possible. I mean, you can say that the citizen of Guatemala is equal to the citizen of Germany. You can talk of an equation in international law, but within a society you cannot say the blacks will be equal to the whites, or the English will be equal to the French. This is not an operational concept. You cannot say there will be as many stores on Main Street of the French language as there is per capita French in the country. You cannot say there will be as many students in your school as there is a proportion of that group to the overall total. It is not an operational concept. But the language concept is an operational concept. It has worked in many other countries more or less well. (Speaking in French.)

It works in Switzerland where they have three and even four recognized languages. It works in South Africa; it works in Ireland; it works in Belgium. Not perfectly. It does not work perfectly in Canada, too, but we believe that the approach to the world of tomorrow is a pluralistic one, not based on ethnicity any more than it should be based on religion. And we reject any approach which tends to say that the state is the protector of an ethnic group—the French-Canadians in this particular instance. The state must be the servant of all citizens regardless of not only color and creed but of ethnic origin.

By rejecting this approach we do not reject, as I say, the legal declaration that the tools of communication shall be the English and the French language. This is once again not because they are superior or intrinsically better than any other language. It is because, as a pragmatic fact, we see that these are the tools of communication; that if the country is to hold together, each citizen of

that linguistic community must feel that he can plug into his organs of government. And this is our approach. (Applause.)

Mr. HEFFERNAN. Perhaps following that up, sir: Do many Canadians feel that the British-North American Act of 1867 is outdated? What would you propose to update it?

Prime Minister TRUDEAU. We have been embarked upon constitutional negotiations in the past year a little bit. Our approach for some years was that there were very few important problems in Canada that could not be solved under the BNA Act, 100 years old as it was. But the urgent priorities for government were at all levels. They were questions of poverty, questions of urban growth, questions of environmental control, questions of law and order, questions of economic development and the correction of regional disparities. All these problems are top priority, and we fear that too much of our mental energies and time would be diverted into constitutional debates.

We feel that by and large the citizen in our country, as I suppose in many countries, is not so much interested in arbitrating quarrels between one level of government and the other, not so much interested in the results of competitions between, in our case, the central government and the provincial governments as to who should have power over what. The citizen is interested in being well governed from all levels of government. And that is why our approach to the constitution has been that first we must state that which unites us, those principles which we hold in common, all Canadians, rather than begin by opening the debate on a division of power, on the respective jurisdictions of the federal and provincial governments which, as I say, appear only secondary to the citizen. We have tried to define those values common to all. One of them, as I just said in answer to the previous question, being the linguistic beliefs; and that is why we have brought before the Provinces this approach to the constitution which, as I said in my remarks earlier, is the belief in a charter of fundamental human liberties. If we can state that in the constitution, if we can protect the citizen from governmental invasion of these rights, then we would have gone a long way to establish the community of feeling and of thought in Canada which is essential to any consensus of any government.

That is the first step. We have gone well beyond that. I don't want to bore at least the Canadian people in the audience by summing up what we have proposed, but beginning February of last year, until the present day, we have had many, many, many discussions on the most vital parts of the constitution. They go all the way from a charter of fundamental liberties to the institutions of federalism themselves; the role of the Senate in the federal form of government; the role of the Supreme Court; how it should be set up; the role of the national capital and the desirability of having it reflect the bilingual and multi-cultural character of our society.

These are all propositions which we have put to the Provinces, upon which debate and negotiation is going on at the present time.

There has been in recent months an emphasis put on by some Provinces on the fiscal aspects of it, on the use of the spending power by the federal government. This aspect is being debated, too, and my government's feeling on what the constitution might be could be best gathered by reading a fairly lengthy booklet on it which our Ambassador would be delighted to hand to you.

This is our general approach.

Mr. HEFFERNAN. There are many questions which we will not have time to ask. But maybe one we should deal with is: Did you and President Nixon have a meeting of the minds on the future of an international grains agreement; and more specifically, the world price of wheat; and do you think that price is too high?

Prime Minister TRUDEAU. Well, we did have a meeting of the minds at least on our approach to it. We did feel that this international agreement, which was drafted after considerable pain by producing, exporting and importing nations, it would be desirable if it could be respected.

We realize that beyond this pious wish there is much work to be done. One of the large and important exporters is, of course, the Government of Australia. The Prime Minister of Australia will be in this country and in our country in some days' time, and we have agreed that we should try and involve the Government of Australia in our approach to reestablishing respect for the international grains agreement. To this extent there has been a meeting of the minds.

We have not found out how we could get the world community to accept our point of view, but there has been called a meeting early in April of the exporting nations. They are to examine this problem. They will then examine the problem that was asked, sir, about whether the price has been set too high.

Our Canadian answer to this is that the price was set after a great deal of discussion and debate. It is perhaps easy or tempting now to say the price was too high because of the current situation of the producing nations and the surpluses in grain. But this is the basis of all commodity agreements. If we didn't have an agreement, we might be able to probably say the price is too high now; but in years of shortage, then the price would probably appear too low to us and we would be tempted, all of us exporters, to up the price considerably to the consuming nations. And that is why a balance must be established in all these international commodities, commodities which are internationally traded, and that is why we have this approach.

It is no longer the individual farmer who is selling his wheat or his sugar or his cocoa or whatever the other commodity is which is covered or should be covered by international agreements. It is the state itself which is involved. And we know that all of these policies, if they are not guided by an agreement, will tend to beggar each other, and the result will not be favorable.

In times of overproduction, it will be advantageous to the consuming nation; but in times of underproduction, it will be disastrous to them. And it is to average this out, sir, that we have these agreements. And on these general principles the President and his Administration agree very much with ours.

Mr. HEFFERNAN. Prime Minister, we are very indebted to you for coming here today and answering so many questions. And in acknowledgment of this we would like to present this Certificate of Appreciation from the National Press Club.

Prime Minister TRUDEAU. Thank you very much. (Applause.)

Mr. HEFFERNAN. Also, sir, we have a little gift—the official tie for the National Press Club. And we would implore you not to try to hang yourself with it, just to wear it.

Prime Minister TRUDEAU. Thank you very much. (Applause.)

Mr. HEFFERNAN. One final question—I don't know whether we are going to get this into air time. When is General de Gaulle coming for a return visit? (Laughter.)

Prime Minister TRUDEAU. I believe you have invited him to visit your country. We will see what he does if he goes to Louisiana, and then we will report. (Laughter and applause.)

(Whereupon, at 2:00 o'clock p.m., the conference was concluded.)

Mr. AIKEN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. AIKEN. Mr. President, I know we are all very much gratified by the results of the visit to Washington by our good

neighbors to the north, not only of Prime Minister Trudeau, but of the entire delegation from Canada.

We have heard much about the Prime Minister, and I, for one, am very much pleased with what he did and said while he was in Washington. He turned out not to be a fire-eater; and I am sure that when the chips are down, it will be found that he is not a shrinking violet, either. He impressed me, as he did all others who had a chance to talk with him, as being a good listener, an excellent listener, a man who tries to be fair, one who is dedicated to doing what is right when he knows what the right thing is.

Last night, at the Canadian Embassy, we had occasion to meet many of the Canadian officials, including besides Prime Minister Trudeau the Secretary of State for External Affairs, Mr. Mitchell Sharp, the Under Secretary of State for External Affairs, Mr. Marcel Cadieux, and others, as well as leading citizens and officials of the United States. We had a good discussion, which lasted rather longer than we anticipated. In fact, it ran pretty close to midnight.

As an indication of how informative and interesting that discussion was, I may say that for the first time in a long time our majority leader did not want to go home early.

Not only will Canada and the United States benefit from this visit by Prime Minister Trudeau and other Canadian officials, but the whole world, as well, will benefit from this first visit. I hope that the exchange of visits by our leading officials may become a habit.

Mr. MANSFIELD. Mr. President, I could not agree more with what the distinguished Senator from Vermont, the dean of Republicans in this body, has said about the meeting last night. I think it was the most interesting and informative one I have attended in my 27 years as a Member of Congress.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be recognized for 2 additional minutes.

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

VIETNAM

Mr. MANSFIELD. Mr. President, we should all be encouraged with the statement issued by President Thieu on yesterday to the effect that the Saigon government was willing to meet with the NLF in private and without conditions. President Thieu stated also that he opposed the renewed bombing of North Vietnam. This is the first encouraging sign in many months, if not the first during the whole period of talks and negotiations, to indicate that some movement is under foot and some progress may be made.

It is now possible, if the NLF and the Saigon representatives will get together, to begin laying the first building block toward the achieving of a responsible settlement of the war in Vietnam. I have no information of any kind as to what steps were taken leading up to President Thieu's statement, but I assume that the

administration has been working in private and if it is responsible for this possible movement toward peace, then I want to give it full credit for what it has done in helping to break the impasse which has marked the Paris talks to date.

On the other hand, I am disturbed by the newspaper stories from Saigon that the U.S. military command has asked President Nixon to approve plans to attack bases in Cambodia.

It has been stated that Cambodian Chief of State, Prince Norodom Sihanouk, indicated in a recent speech that he would not object to the United States bombing Communist targets in his country. I question this allegation because an attack on Cambodia would very possibly bring that nation into the conflict, expand the war considerably, very likely bring about an increase in American forces, and would reduce all prospects, in my opinion, for a reduction in the war, a possible deescalation and would hinder the chances of American withdrawals at a future date.

This is dangerous talk covering a delicate area which involves a potential enlargement of the war which would decrease rather than increase the chances for peace. If this report is true, I hope, most sincerely, that the President will give it short shrift and immediately, and with emphasis, turn it down.

SENATOR SAXBE'S WISE WORDS

Mr. YOUNG of Ohio. Mr. President, during my recent factfinding visit to Vietnam, under authority of the Armed Services Committee, I spent a large part of a month last year not only in South Vietnam but also in Laos and Thailand. While in Saigon for approximately a week, I had an opportunity to take side trips throughout various areas in Vietnam, ranging from the area in Khesanh and in the northern highlands to the area around Da Nang.

I observed, to my surprise, that our many thousands of marines in Vietnam were on the defensive in the Khesanh and Da Nang area. I say much to my surprise for the reason our marines are the best trained and best equipped offensive fighting men in the entire world. As a veteran of 37 months of service in World War II, but in reality never more than a civilian in uniform, my belief that our marines should be leading offensive operations in the Mekong Delta and spearheading amphibious landing operations there and along the South Vietnam coast was shattered by the policy then followed under the leadership of General Westmoreland. At that time, our marines were on the defensive throughout Vietnam. Not any were engaged in offensive operations along the long shoreline of Vietnam or in any of the rivers interlacing huge areas in the Mekong Delta.

While in Saigon I managed on several occasions to get away from the VIP schedule and program and on my own do some sightseeing and interviewing. I was informed from reliable sources that Madam Ky, wife of Vice President Ky, owned vast holdings not far distant from Saigon of highly productive rice lands and also that she was either sole owner or part owner of a huge rubber planta-

tion taken over from the French. Furthermore, I do not consider it can be claimed by any advocate of our involvement in the civil war in South Vietnam that Madam Ky might have been a young woman of wealth and might have inherited this property. She was an airline stewardess at the time Air Marshal Ky married her. In Vietnam and throughout Asiatic nations young women of wealth do not engage in gainful employment as they do in the United States. Here is a blatant example of absentee landlordism.

The gravest mistake any American President ever made was the mistake of President Lyndon Johnson and now his successor, President Nixon, in supporting the corrupt militarist Saigon regime and waging an American war in what was a civil war in Vietnam. This undeclared war in which nearly 40,000 Americans have been killed in combat and more than 200,000 wounded in combat has become the most unpopular war in American history. We Americans who consider ourselves the most revolutionary nation in the world are fighting on the side of the Tories of Vietnam. We are supporting a corrupt regime of militarists who overturned the duly elected civilian government in Saigon in a nighttime coup in June 1965; and we have taken over from the defeated French the fighting against the forces of national liberation seeking freedom for what was known as the French Indo-Chinese colonial empire. The VC, or forces of the national liberation front, have been fighting in South Vietnam as they did victoriously in what is now known as North Vietnam to redistribute the vast property of absentee landlords giving that land back to the peasants who were subjugated into serfdom and third-class citizenship by the French.

Mr. President, I associate myself with the statement made by my distinguished colleague from Ohio, Senator WILLIAM SAXBE, who recently stated in Columbus:

In Vietnam we are backing the landlords and we should be backing the peasants. For what we are spending in Vietnam we should buy the land and give it to them. We should try land reform comparable to that done in Kenya and Mexico.

My colleague made a very perceptive and admirable statement. It is apparent to any observer in Southeast Asia that the Saigon regime is hopelessly corrupt and unconcerned for the lot of the South Vietnamese people and unconcerned regarding their welfare. They treat the mass of the Vietnamese in the countryside in the same manner as the French and Japanese colonial masters who preceded them.

Less than one-fourth of the arable land acquired by the Saigon government since 1954 for distribution to the peasants has actually been distributed. At the same time the National Liberation Front, or VC, have reportedly distributed some five times the amount of land distributed by the Saigon regime. In areas under control of the Saigon military regime, the old feudal system of absentee landlords still prevails. Top-level talk of winning the "political" war by "social reform" and "revolutionary development" remains empty verbiage. Wherever U.S.

troops, or friendly, so-called South Vietnamese soldiers establish "security" in the villages, the landlords return to collect back rents and reimpose a feudal system on the peasantry.

Mr. President, I wish to pay tribute to and express my respect and admiration for my colleague from Ohio (Mr. SAXBE) for speaking out loud and clear on this matter.

Unfortunately, more than \$100 billion of American taxpayers' money has been dissipated, blown up into smoke, trying to crush the VC or forces of national liberation. During this month of March, an additional \$2.6 billion or more will be spent in our undeclared war in Vietnam. It is most unfortunate that our new administration seems to be yielding subservience to the military-industrial complex and to the generals of the Joint Chiefs of Staff who have been proven wrong from November 1963 to this time. I praise my colleague, Senator SAXBE, for the good advice he has given on this subject to the leaders of this new administration and to his highly critical denunciation of the policies of aggression pursued by us in Southeast Asia.

When President Eisenhower left the White House in January 1961 there were 685 American military advisers in Vietnam. When President John F. Kennedy was assassinated in November 1963 there were approximately 16,000 American military advisers in Vietnam. With President Johnson in the White House our involvement in this civil war was escalated to more than 550,000 ground forces and airmen of our Armed Forces supported by more than 40 percent of our naval forces and 50 percent of our airpower. It was largely due to the efforts and determination of Secretary of Defense Clark Clifford that the demand of General Westmoreland for more than 200,000 additional fighting men to be sent to South Vietnam was denied.

In Vietnam General Westmoreland told me that the bulk of the VC fighting in South Vietnam were born and reared in South Vietnam. Gen. Richard Stillwell, his chief deputy, informed me that 80 percent of the VC, or forces of the Vietcong, fighting in the Mekong Delta which is south and west of Saigon were born and raised in that area. When I stated "Well then, we are involved in a civil war," the response reluctantly given was "Well, it could be termed an insurrection."

The great American tragedy is that nearly 240,000 of the finest young men of America have been killed and wounded in combat in this civil war in South Vietnam and thousands have died of bubonic plague, malaria fever, hepatitis, and other tropical ailments, and thousands more killed in what the Pentagon terms "accidents and incidents." Nor is the horrible end in sight. This tragedy and great wrong has been perpetrated by myopic generals of our Joint Chiefs of Staff and by President Johnson. Now President Nixon appears—and I hope I am wrong—even more warlike in supporting a corrupt Saigon regime which all along has rejected land reform but connives with absentee landowners and corrupt provincial leaders. Thieu and Ky have the backing of less

than 20 percent of the population of South Vietnam. Their regime would collapse except for our support. They propose to fight on to the last American.

Again I report that my colleague, Mr. SAXBE, is deserving of praise and commendation for the statement he has made.

SOMETHING IS RIGHT IN THIS WORLD

Mr. PASTORE. Mr. President, the Senator from Rhode Island is happy to state this morning that something is right in this world. As the Monday news headlines bring details of the vandalism and violence that scars the Sabbath, one wonders if anything is right in this world.

Then the heart is refreshed by such an event as the "Rally for Decency" staged last Sunday, March 23, at Miami's Orange Bowl.

The 30,000 people gathered there may not have "made" the front pages of the Washington Star or the Providence Journal or the Boston Globe. But I was happy to see that the story was by no means "buried" by those newspapers.

Indeed, the story made its own headlines in the inside pages and its own heartlines for all whose eyes fell upon it.

I do not intend to sermonize. I could not improve on the truth and thrust of the Associated Press observer. His reporting speaks for itself.

Between the lines, the reader could find fresh confidence that the widely publicized vicious violence is but the madness of a minority.

When dignity and decency which mark the majority finds its voice, sanity will obliterate obscenity.

The Associated Press and the countless newspapers which carried the good news—all deserve the highest praise. Let me praise in the highest the stars of the entertainment world who participated so genuinely and so generously. The story deserves the utmost circulation.

To that end, I ask unanimous consent that it be printed in the RECORD at the conclusion and climax of my remarks.

The headline of the article reads, "Teens Draw 30,000 to 'Rally for Decency' in Orange Bowl."

Today, I say in the Senate of the United States, "Thank God."

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

TEENS DRAW 30,000 TO "RALLY FOR DECENCY" IN ORANGE BOWL

MIAMI.—Some 30,000 hand-clapping people, some waving signs saying "Down With Obscenity," rallied in the Orange Bowl yesterday to support a teen-agers' crusade for decency in entertainment.

Teen-agers organized the rally after Jim Morrison, lead singer of The Doors was charged with indecent exposure during a Miami concert on Mar. 1. Six warrants have been issued for Morrison's arrest.

"This is not a protest rally," said Julie James, 18, a member of the teen-age Rally for Decency executive committee. "We're not against something. We're for something."

Teen-age speakers gave three-minute talks on God, Parents, patriotism, sexuality and brotherhood, sandwiched between appearances by professional entertainers who donated their services.

"Five virtues" selected as the keynote of

the rally were: "belief in God and that He loves us; love of our planet and country; love of our family; reverence of one's sexuality, and equality of all men."

"Sex is definitely being exploited and it is because society has been losing its reverence for one's sexuality," Miss James said.

The shirt-sleeved crowd, basking in a warm sun, cheered for such entertainers as Jackie Gleason, Anita Bryant and The Lettermen who appeared in order to applaud the teens' rally.

"I believe this kind of movement will snowball across the United States and perhaps around the world," Gleason said.

"I think it's great, there should be more things like that," said Tony Butala of The Lettermen.

"I always kid around on my show about how glad I am to be in Florida with the good golf weather and so on and after this decency rally, I can honestly add now that I am proud to be a Floridian," said Gleason.

He said after the rally that today's teenagers have many more temptations than teens in the past. "Perhaps I shouldn't say this, but television has a lot to do with it," he said.

The originator of the rally, Mike Levesque, 17, a senior at Miami Springs High School, said the idea grew out of a Catholic youth group discussion two days after The Doors concert.

Levesque said he was thrilled by the rapid growth of the decency movement and the support it gained from adults.

The crowd was about evenly split between teenagers and adults.

Another member of the executive committee, Alan Rosenthal, 16, said telephone calls and letters poured in from around the country from teen-age groups interested in the movement.

He said, "We're going to try to come up with some kind of international youth organization. It could really tie the world together."

Numerous organizations, including major religious denominations, contributed to the rally. American Legion members passed out 10,000 small American flags.

STATEMENT BY SENATOR ALLOTT, OF COLORADO, BEFORE THE REPUBLICAN POLICY COMMITTEE

Mr. SCOTT. Mr. President, at the request of the Senator from Colorado (Mr. ALLOTT), I ask unanimous consent to have printed in the RECORD the statement made by the Senator from Colorado before the Republican policy committee on March 25, 1969, on the subject of student disorders on the campuses of American colleges and universities.

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

STATEMENT BEFORE THE REPUBLICAN POLICY COMMITTEE BY SENATOR GORDON ALLOTT, REPUBLICAN, OF COLORADO, CHAIRMAN REPUBLICAN COMMITTEE, MARCH 25, 1969

I want to speak briefly about student disorders on the campuses of American colleges and universities. After I have completed this brief statement, I have arranged to show you a film clip prepared by KLT, the Time-Life station in Denver, taken at the time student militants—shouting obscenities, hurling chairs and lighted cigarettes—delayed for an hour a speech at the University of Colorado by Dr. S. I. Hayakawa, acting President of strife-torn San Francisco State College. I believe this film clip dramatizes the problem and the reality of the present situation in a way which rhetoric simply cannot reach.

Until recently, many thoughtful citizens tolerated the hijinks of student disorder with an attitude similar to the aristocratic Eng-

lish lady who said that she did not care what people did, so long as they did not do it in the streets and frighten the horses. Perhaps in remembrance of the springtimes of yesteryear, when sap quickened the veins of youthful inventiveness, many parents were apt to dismiss sit-ins and free speech movements as the evolutionary outcropping of the kind of campus fun and games in which they also had participated.

There is, however, little relationship between goldfish swallowing activities and the deliberate attempt to impose student control over our educational institutions. In cases where student militants are unable to gain control, they seek to destroy.

When the average citizen reads about the "demands" of college or high school students, he can easily become confused, and that is exactly how the revolutionaries would have it.

What we have tragically underestimated is the fact that *sincere students* were expressing their disenchantment with policy matters of the university with which they believe they have a right to be concerned—including some that have long been thought to be the sole prerogative of university officials. These demands have now spilled over into the largest perhaps ethical, demands of what they conceive the relationship of the university to society should be, e.g. Viet Nam, the draft, crisis in the cities, unlimited personal license.

Very often the organizers of student protest interject themselves into intra-campus issues which have some legitimacy, or which at least enjoy widespread popular appeal on campuses.

They interweave, for example, demands such as "beer on campus" with demands for student control over faculty and curriculum. Thus, the organizers are able to use popular issues as a front for their real aims, which include control and/or destruction of the institution.

In this way, students who are concerned with contemporary problems such as the Viet Nam war, the draft, the crisis in the cities, have become ready prey for the professional agitator and malcontent, because the professionals are able to turn these issues into militant protests against the "establishment."

When many of these student activists first transferred their energies and concern about the civil rights movement in the South to the barricades of student protest on their own campuses, they discovered, almost by accident, that the rules and traditions of campus regimentation had become so brittle that they were capable of breaking these rules with impunity. They must have noted with grim satisfaction that when their demands were pressed beyond polite discussion that campus administrators began to waver, bend, and break when confronted with the politics of contempt and unrelenting, violent, physical confrontation.

Revolutionary efforts were fanned by the excitement of being on the leading edge of "progress" in academic reform. The techniques of insurrection suggested by new student heroes like Che Guevara, Mao Tse-tung, and Jules Debray showed increased signs of adaptability each time another campus administration was successfully overcome. Real or imagined social consciences, aroused by the works of Herbert Marcuse and the incoherencies of self-styled anarchists and fostered by trained revolutionaries, created a climate in which regard for the rights of their fellow man were dismissed by students in favor of wanton destruction of authority and all that represents it.

Inevitably, what was once regarded as isolated instances of militancy and violent disorder has become a pattern of conduct which, frankly to this Senator, now threatens the very fabric of our educational system in this

country today. The techniques of responsible reaction by college administrators, have been marked by mounting frustration to say the least. In many, many instances college officials have, in good faith, tried to separate constructive student proposals from the more patently disastrous ones. Despite their efforts, however, the sounds of protest, orchestrated by groups like the Students for a Democratic Society, have been elevated into a crescendo of organized maelstrom, called rather euphemistically, student protest.

I have just returned from a weekend of meetings in Colorado. The people out there, still smarting at the rude response to Dr. Hayakawa, were treated to another outbreak of violence outside one of Denver's high schools on Friday. They want this kind of activity stopped and they are looking to those in authority to exercise judicious responsibility.

Recently, I obtained a document which was handed out at a meeting of the SDS East Coast Regional Offices held in Princeton, N.J., February 1-2, 1969. Because this document is so enlightening as to what the future portends with regard to the activist efforts of the SDS to continue insurrections in this country this Spring, I want to make excerpts available to you this afternoon. The entire document is, of course, available to any of you who might want to read it in its entirety.

I think after you read it, and you see the film clip, that you will share my deep concern with these pretentious little fascists. I sometimes think their only goal is to goose-step across the smoldering ashes of an academic wasteland holding the bloody scalp of capitalism in one hand and a Viet Cong flag in the other.

It is because of statements made in this document, and my continuing study of the problem, that I have already written to Attorney General Mitchell applauding his recent announcement indicating his intention to prosecute to the full measure of the law those professional agitators who are taking advantage of the freedom of this country in order to destroy the land, who in some misguided way equate forbearance with permissiveness and thus are willing to press the art of confrontation to its final, violent fulfillment.

Likewise, I applaud the President's statement over the weekend in which he indicated that federal funds should be denied to those who participate in this kind of anarchy.

I would submit to you that until we determine just how these revolutionaries and anarchists are financed, and then act to deny them funds for such purposes, we will not stop this problem. The best information I have indicates that prominent leaders in the student revolution movement have received financial backing from both public and private sources, such as tax-free foundations.

I believe that our federal government must keep a strict account of where and for what purposes its money is spent. I also agree with those Members of Congress who have called for greater scrutiny of money allocated by tax-free foundations. I believe Congress and the Administration should act on both counts without delay.

As Chairman of this Policy Committee, I have a deep concern over this matter, as I know you do, and I look to your guidance for suggestions of ways you may have in mind to cope with this problem.

EXCERPTS FROM SDS DOCUMENT OBTAINED FROM MEETING IN PRINCETON, N.J.

THE DEMANDS

After the agitation around the war, after Columbia, after Chicago, it is necessary to begin the creation of a self-conscious, mass, anti-imperialist movement throughout this country. Such a movement cannot be constructed without a real program to mobilize and struggle around: the left must establish itself in this country as not simply a dis-

ruptive agency, but as a social force that has a real power. This power can only come through the creation of a mass movement which identifies and fights in the interest of oppressed people in America and throughout the world. We believe that the best way of doing this is with a mass demand for conclusion of the issues that have been fought over by oppressed people and students for the last few years:

SMASH THE MILITARY IN THE SCHOOLS

No ROTC.

No war or counter-insurgency research.

No military or war recruiting.

No draft assemblies in high schools.

No high school sending of names to draft.

OFF the Pig; No Police Training on Campus.

No tracking in high schools.

Open admissions.

Such an attack would be defined by two considerations:

(1) The struggle should not be seen primarily as a university struggle; it is necessary to make students fight the universities not as students but as radicals attacking American imperialism . . .

(2) The demands are made in the interest of winning them. In the case of ROTC, a nationwide attack would severely hurt the military. ROTC exists on 348 campuses and in many Midwest high schools; in some places it is compulsory. As a result of VC and GI sharp-shooting, the military has been experiencing a severe shortage of officers. In the case of war company recruiting, a national attack might well begin a long-range attempt to deny the military-industrial complex a significant portion of its technicians. In the case of war research, a national attack on, for example, Project Agile, MIT, or the Research Analysis Corporation, could greatly hamper the efficiency of counter-insurgency from Bolivia to Watts. The strength of such a program obviously has to do with its national scope. Our demands, the comprehensive nature of our tactics, and the clarity of our arguments should show people that SDS indeed identifies with and fights for the liberation of oppressed people that, in terms of the nation is not simply a gadfly; that in terms of individuals, it is not simply concerned with students and others as IBM cards to be put through the radicalization computer. Both the demands and the struggle must be non-negotiable. Any anti-capitalist struggle today must, of necessity, be an anti-imperialist one. This means that the struggles against imperialism being waged in the Third World will define our struggle at home. Their battle is one of victory or death; and therefore the inflexibility of our position does not come out of romanticism, but rather out of the hard and intractable facts that necessitate social revolution for the great majority of the people in the world.

We must no longer resist imperialism, we must mobilize the people to combat it.

STRATEGY FOR CHAPTERS

(1) That chapters adopt as a base for their winter-spring offensives the eight demands outlined above, always making those demands explicitly anti-racist as well as anti-imperialist; that organizing at the chapter and regional level, as well as actions, be directed to these demands.

(2) That there be a national mobilization in early April, denoting the mid-point of the struggle, and providing a national focus for the politics and demands of the spring programs of SDS. That the politics and tactics of the mobilizations grow out of SDS programs, thereby directly trying into our on-going organizing, and, in its national character, helping in adding a national perspective to our daily work. The mobilization will carry a statement of the eight demands of the military program, and will be open to statement of other programs that may

develop later. The mobilization will be the clearest presentation since 1965 of SDS's position:

Support for black liberation, smash imperialism, negotiations are a fraud, U.S. get out of Vietnam, U.S. get (out) of Paris, immediate withdrawal. Our position on negotiations must be clear. The U.S. has used the Paris talks as a weapon in the waging of the war—as a cover-up for continued imperialism in Vietnam. At the same time, we do not condemn the NLF's use of negotiations as a tactic in their liberation struggle. Our slogan must be: Negotiations are a fraud; Immediate withdrawal.

Internationally the Vietnam struggle is the primary fight against American imperialism. If the Vietnamese people win their struggle against American imperialism, it will serve as the mightiest boost to the development of national liberation struggles yet seen. Clearly SDS as a revolutionary organization must create an anti-imperialist movement—a movement that supports the NLF and fights to end the war.

(3) That chapters and regions return after the national action to initiate militant actions around those demands, joining with high school and black groups wherever possible.

Step 1 will perhaps be the first attempt to co-ordinate organizing and local actions on a long-term basis around a national program and as part of a larger strategy. The necessity for regions to break down the demands to correspond to their real manifestations of imperialism in the local institutions is an absolute necessity. The movement within the U.S. has always partaken of a quality of uneven development—while this has allowed for isolated actions, such as Columbia or SF State to shock the entire movement into a qualitative leap in both ideological and political militancy it has also made the workings of the national program extremely difficult.

NATIONAL FOCUS

Step 2 therefore becomes the "common denominator" of the strategy, an action that gives national focus to the local organizing, that expresses the political and tactical level of the movement as a whole. Step 3, though, is the most important part of the program. It is here that the clarity of our national demands and nationally oriented politics will be matched by our local and regional actions. In the more developed regions, the militant and widespread nature of the revolts against imperialism and racism will clearly aid the whole strategy. In less developed regions and chapters, the national action and any low-level demonstrations that occur afterward will certainly contribute to the building of the movement at those chapters if not to the immediate winning of the eight demands, as may be possible in other areas.

How these regional struggles will proceed must be worked out at the regional level. At Boston, perhaps, a region-wide attack on MIT as a war-making institution which should (be) attacked nationally is possible.

IMPLEMENTATION

The creation of such a mass movement necessitates an amount of work that SDS has never yet engaged in: while we should be open to working with people in other organizations, SDS, primarily the local and regional chapters, should undertake to keep the organization and implementation of the program under its control, e.g., literature, fund-raising, tactics, advertising, travel. To meaningfully implement the program, the chapters and regionals must work collectively—a much more extended organizational version of the way things worked during the electoral program. In terms of building for a national conscious commitment of the movement and preparatory organization, we propose:

(1) Printing of this revised program in New Left Notes.

(2) Continued allocation of space by NLN for other papers—other regional models, longer analyses of imperialism and racism in relation to the program, organizer's articles, and reports of progress—region by region.

(3) Initial contacts from chapter to chapter and region to region, with high school groups and black groups.

(4) February 1 and 2 meeting of all chapters and regions that have approved the program or will do so, to cement the outlines of the national program, and to mandate, the NIO to call for the national mobilization and regional actions.

(5) Continuous contact between regions and chapters, exchange of organizing materials and regional strategies, perhaps setting up an office for co-ordinating the mobilization or elections of regional steering committees to implement regional strategies.

(6) April 12-13—National Mobilization.

(7) Spring Rebellion.

COAL MINE HEALTH AND SAFETY

Mr. BYRD of West Virginia. Mr. President, early today I appeared before the Labor Subcommittee of the Committee on Labor and Public Welfare and made a statement with reference to coal mine health and safety.

I ask unanimous consent to have my statement printed in the RECORD.

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

STATEMENT BY U.S. SENATOR ROBERT C. BYRD, DEMOCRAT, WEST VIRGINIA, BEFORE THE LABOR SUBCOMMITTEE OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE ON MARCH 26, 1969

Mr. Chairman, I appreciate this opportunity to appear before the Subcommittee. I know of the diligent efforts put forth already by the Subcommittee in the conduct of hearings on mine health and safety, and I am particularly cognizant of the keen interest which has been manifested by my senior colleague, Mr. Randolph, a member of this Subcommittee. These efforts by my colleague and by you and the other members of the Subcommittee are to be highly commended, Mr. Chairman, and I want to assure you that I will exert every effort and utilize the full capacity of my office as a Senator toward the enactment of whatever Federal law may be considered feasible and necessary, in addition to state laws, to improve health and safety in our mines.

I was raised in the home of a coal miner in a mining community of West Virginia. From the time I was a child I have been conscious of the mining accidents that exact a heavy toll of human life. I have seen automation relieve the physical strain of men whose principal tools were the pick and shovel, but I have been disappointed because improved safety has not kept pace with mechanization. It is past time for Congress to demand immediate safety progress in every way possible and simultaneously to develop a blueprint for a long-range program which will serve to eliminate the dangers that have always been a threat to life and limb in the mines.

It is sad indeed to reflect on the senseless waste of life and impairment of health experienced by miners in this country. In spite of our advances in industrial technology and our great achievements in the natural sciences, we have allowed thousands of our citizens to die and many more to linger with poor health because of intolerable health conditions in the mines.

I am deeply concerned, particularly about the harmful effects of coal dust pollution that

exists in America's coal mines today. In addition to being a serious safety hazard, coal dust has serious effects on the health of coal miners. Thousands have developed the terrible disease of pneumoconiosis. This disease not only causes miners to suffer for years with a serious impairment of health, but it has also resulted in the premature death of many of them.

Last December, Charles C. Johnson, Jr., Chief of the U.S. Consumer Protection and Environmental Health Service, emphasized the health hazards of coal dust. He stated that at least 100,000 miners are running the risk of developing pneumoconiosis. Approximately 1,000 coal miners in Pennsylvania alone die each year from the disease. Although we have no reliable estimates on the death rate from the disease in West Virginia, we could certainly expect it to be intolerably high, since employment in the coal mines has been substantially higher in West Virginia than in Pennsylvania for many years, and the coal dust problem is similar in both states.

The results of a U.S. Public Health Service study of the extent to which miners in certain leading bituminous coal areas were afflicted by pneumoconiosis appeared in the Mining Congress Journal in 1965. It was reported that nearly "one out of every ten soft coal miners working in the coal fields of Appalachia has radiographic evidence of coal workers' pneumoconiosis." The study revealed further that approximately one out of five inactive miners was afflicted. Moreover, the prevalence rates for those who worked in the mines for over 20 years showed sharp increases.

The symptoms of the disease are painful and often debilitating. Moreover, many of the affected workers will have other associated respiratory problems which include emphysema, silicosis, and chronic bronchitis.

Once the progress of the lung disease sets in, there is no medical treatment known to alter its course. After the process starts, its progression is steady and rapid. It results in a disabling breathlessness that usually results in death from heart failure, asphyxia, or pneumonia.

The testimony presented to date here by representatives of both industry and the United Mine Workers of America has been highly gratifying. Both the industry and the union are demonstrating a new determination to safeguard the health and safety of mine personnel.

A few days ago, for example, I was shown photographs of a number of safety devices that have been developed recently and are not in general use, but which have been discussed before your Subcommittee, and which will reduce the number of mine accidents.

It would also appear that dust particles, which present a menace to health, can be reduced if more care is given to ventilating systems and if water sprays are brought into wider use at the face. These are other precautions which, I am told, can be applied at once.

The mining industry has further indicated additional safety devices in the development state, and I favor whatever research or demonstration experience is necessary to bring them into use without delay.

I believe that, for the long term, the Federal government must utilize scientific and engineering talent to develop systems engineering for coal mines.

Using the "systems" approach, the mining, processing and use of coal would be seen as a single continuum in which every operation is linked to all the others. The goals of the system would be to produce adequate quantities of low-cost fuel while minimizing hazards to the health and safety of those employed in the industry, as well as the environmental pollution associated with coal. Every operation in the system would be designed with these goals in mind. For example, mining

methods would be selected, not merely for high productivity, but to reduce mine safety and health hazards as well. Today, by contrast, many hazards are actually caused by the mining methods used, and techniques have had to be developed to cope with problems that need not ever have arisen.

The systems concept has been most spectacularly applied to the Nation's space program, and the recent flights of Apollo Eight and Nine show how well systems engineering can work. It is time we applied it on and under the earth to solve problems that are rooted in the haphazard and undirected growth of today's technology. Problems like mine safety are not the inevitable results of industrialization; they are instead the undesirable by-products of an un-systematic technology.

I made a statement on this subject on the Floor of the Senate on February 28 of this year and I ask that it be included in the record of these hearings.

Techniques of roof support, haulage, ventilation, and other mining procedures must be devised which will remove health and safety hazards from our mines at the earliest possible moment. Then, and only then, will we have fulfilled an obligation long overdue to a vital segment of our citizenry.

In the past several months, during which mine health and safety have come into national prominence, the coal industry has been exposed to considerable criticism from every direction. The industry is responding in a constructive way, and eagerly seeks solutions to the many health and safety problems inherent in the mining of coal. This is gratifying. Coal mining is a dangerous work, and it is of vital importance to the Nation.

Although relatively few homes are heated by coal furnaces, a majority of our residences would be without heat were it not for this source of energy. Most home heating systems, whether they be gas or oil, are activated by thermostats requiring electricity for their operation. In addition, an increasing number of homes, schools, churches, and office buildings are heated by electricity. For the record, it should be stated that coal generated 63.6 per cent of all electric power produced by fossil fuels in 1968.

Recently, the Monongahela Power Company announced that a new 1.3-million-kilowatt generating plant would be constructed near Shinnston, West Virginia. It is another of a series of power stations arising in the rich coal fields of the Appalachian range. A complex of power plants in West Virginia and Pennsylvania is connected with long-distance transmission lines to bring energy into the large metropolitan areas extending from New York to Virginia. At the same time, unit trains laden with thousands of tons of coal are leaving West Virginia's mines daily to bring energy to electric stations as far away as New England, Florida, and the Great Lakes.

Coal is a necessary ingredient of the steel-making process and of numerous other industrial activities. If coal output were terminated, America's economic progress would halt and our defense structure would be weakened.

Coal is the foundation of the defense effort, for without it there would be no steel for weapons or equipment. Coal is, in addition, a source of explosives, synthetic rubber, and countless other war products of the chemical laboratory. So long as Communism attempts to encroach upon free peoples, coal will remain a vital component of our national security.

We must have coal, but it need not come at the unnecessary sacrifice of the men who mine it. The spectacular increase in productivity of mines in the past quarter-century is a tribute to mine operators and workers, and I am confident that by continued co-operation and determination they will achieve safety standards heretofore assumed to be unattainable.

Mr. Chairman, I know that your Subcommittee will adopt whatever amendments to the mine safety laws may be considered necessary, and I assure you that I shall do everything I can to insure that your proposals will be acted upon with expedition when they reach the Senate Floor.

The Subcommittee has already conducted careful and thorough hearings, and its work is not yet done. Undoubtedly, the information you will have accumulated, as a result of the hearings, will be valuable in your approach to the preparation of legislation for consideration by the full Committee and the Senate. Through the collective judgment of the members of your Subcommittee, therefore, you will arrive at conclusions based on the evidence that has been submitted during the hearings. In this respect you will be in a far better position than I—or perhaps than any other individual who has appeared before you—to determine what is needed in the way of new legislation to protect the health and safety of the men who work in the mining industry. I merely want to state that there is an evident need for federal legislation and that I have confidence in the membership of this Subcommittee to point the way. I want to support you as much as I can in reaching that objective.

I do wish to propose, Mr. Chairman, that a federal law be enacted to provide compensation to disabled coal miners suffering from "black lung" who are not covered by state laws.

This may or may not be a legislative matter over which your particular Subcommittee would have jurisdiction, but I believe that here is a legislative gap which should be bridged, and it seems to me the only way to do it is through the enactment of federal legislation. If you will indulge me for a few additional minutes, I shall outline the general idea of what I have in mind.

For example, the West Virginia Legislature recently enacted a new compensation law covering pneumoconiosis, but I am advised that some of the "black lung" sufferers may not benefit from it because such workmen's compensation legislation cannot be retroactive.

So, unless a federal law is enacted to include those who may have retired before the new state law goes into effect, or for whom the statute of limitations may have expired, I am told that some of these people may have no recourse to compensation. Therefore, I propose that legislation be enacted to authorize compensation in such cases on a federal/state matching basis. Such legislation would only affect those miners disabled from pulmonary diseases contracted through exposure to coal dust and silica, etc., and who are not covered by state laws. Such a law could run for, say, a twenty-year period, with the federal government providing 100 per cent of the compensation and administrative costs the first year, with a provision for decreasing each of these categories by five per cent annually. This would take care of most of the miners who have been forced to retire already, and would gradually shift the burden to the states. However, by the end of the twenty-year period, I think one could properly assume that there would not be much of a burden remaining outside a state's normal workmen's compensation fund caseload.

The benefits could be \$25.00 per week—which would be lower than the benefits to which such miners would be entitled under the compensation laws of any state, but this amount would at least provide an income of from \$100 to perhaps \$115 per month. This would prevent some of the families from having to depend on public welfare, and it would also encourage miners to act before a state's statute of limitations expires rather than take the chance of receiving benefits under the federal/state program at a level lower than those provided in a state's workmen's compensation program. As the federal contribution decreased, the state's contribu-

tion would increase under the program I propose.

Such legislation could leave the definition of pneumoconiosis to the respective state laws, and the operation of such a federal law would be based on an agreement between the Secretary of Labor and any state for the purpose of assisting such state in providing compensation to individuals who, as a result of their employment in the mining industry, are suffering from pneumoconiosis, who are unemployable, and who are not entitled to receive compensation under any state workmen's compensation law. The state agency administering the compensation law of a state would be responsible for all payments of compensation made pursuant to the federal/state agreement.

I am glad that you have given me the opportunity to make this statement today, and I appreciate the courtesy accorded me. I deeply thank Senator Randolph for working out the arrangements with you, Mr. Chairman, for me to be present at a scheduled time. My colleague and I see eye to eye on many things, and in our several discussions concerning mine health and safety we have agreed that the possibility of federal legislation on the subject is one which should have high priority.

PRESIDENT NIXON BACKS THE PENTAGON

Mr. YOUNG of Ohio. Mr. President, the decision by President Nixon to deploy a modified ABM system, now called Safeguard, supposedly to protect our offensive silos has started the Nation down a multibillion-dollar road, the end of which is not in sight. In doing so, the President missed a magnificent opportunity to reverse the momentum of the arms race and to display clearly our desire for peace and workable disarmament agreements.

It is crystal clear that the President's decision was a political one designed to appease the rapidly growing opposition in the Congress and throughout the Nation to any ABM program, and at the same time to protect the vested interests of the Pentagon and defense contractors in keeping this boondoggle alive, subject to expansion at the first convenient crisis.

Mr. President, the President's decision is a political compromise that could well compromise the future security and well-being of the Nation, indeed of world peace. Robert Lowell, the great poet once said:

Compromise makes a good umbrella, but a poor roof; it is a temporary expedient, often wise in party politics, almost sure to be unwise in statesmanship.

Changing the name of the weapon and moving it from city to country, supposedly reducing the initial expenditure, and promising greater research on it answer none of the fundamental agreements against an anti-ballistic-missile system.

The Sentinel ABM was to cost \$5.5 billion when first proposed by President Johnson. President Nixon estimates Safeguard will cost \$6 billion to \$7 billion. However, a record of military spending replete with miscalculated costs has certainly taught us that if the estimate now is \$6 billion to \$7 billion Safeguard will undoubtedly cost nearer to \$10 billion or \$12 billion.

Furthermore, for years Defense De-

partment officials have assured Americans that even if the Russians strike first we possess a second-strike capability with our Minuteman missiles in underground sites that would inflict unacceptable damage upon the Soviet Union. We were assured that the hardened sites were adequate and that we would not need additional protection for our intercontinental ballistic missiles.

Were we being misled then, or now? The argument that we need more protection of our land-based ICBM's completely ignores the fact that we have 41 Polaris submarines with more than 650 ICBMs which cannot be destroyed by a first-strike because they are underwater and moving all the time. These missiles have a maximum range of 2,875 miles and no area in the vast land mass of the Soviet Union or Communist China is safe from devastation from missiles fired from these submarines. The Poseidon program will soon increase this offensive power to 4,000 warheads capable of being fired from mobile bases under the oceans and seas of the world. If such a second-strike capacity will not deter an attack, nothing will. Placing the safeguard ABM around a small share of our land-based missiles will certainly not add one iota of credibility to our deterrent capacity.

Once an ABM system is installed—whether it be Sentinel, Safeguard or by any other name—it will follow as the night the day that the military-industrial complex will press for funds for a "thick" ABM system, so called, and for more powerful warheads. Then, proponents will probably claim that the Soviet Union intends to protect itself by placing its major industrial and defense facilities underground and that we must do likewise because of our greater concentration of industry and population. The cost—anywhere from \$300 billion to \$500 billion or more. It is not difficult to imagine the atmosphere of tension and terror that would result.

It is clear that deployment of the ABM will result in a squandering of national resources and treasure and will actually subtract from our national security rather than strengthen it. It would trigger an escalation of the arms race to a fantastically high and unbelievably costly plateau which would leave both sides with no more security than each has today. We should be considering arms cutbacks, not increases; encouraging disarmament negotiations, not a new arms race. Of course, this would terrify defense contractors, especially in the aerospace industry which is becoming a kind of national industrial welfare program.

Mr. President, last week the St. Louis Post-Dispatch, one of the great newspapers of the Nation, published an excellent editorial entitled "Mr. Nixon Backs the Pentagon." It clearly and concisely pointed out the inherent weaknesses of the President's decision to proceed with the so-called Safeguard ABM, and his inability to withstand the pressure of the military-industrial complex.

I ask unanimous consent to have the editorial printed in the RECORD.

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

MR. NIXON BACKS THE PENTAGON

President Nixon has elevated antiballistic missile policy to new heights of absurdity with his decision to deploy a temporarily limited version of the Sentinel system. His thinner-than-thin ABM program, to which he gives the name "Safeguard," will not safeguard anything except the vested interest of the Pentagon and the defense contractors in keeping this military boondoggle alive, subject to expansion at the first convenient crisis.

The President deserves commendation for facing up to the fact that there is no feasible way to defend the population of our cities from a missile attack. In rejecting a "thick" defense system he thus rejects all the rubbish that has issued from the Pentagon about building an ABM system to reduce casualties in a nuclear exchange from 100 million to 40 million. Even 40 million dead, as he recognizes, amount to an unacceptable loss which nobody but a war-games theorist can even consider. The population can be protected from a nuclear exchange only if the exchange does not take place.

But while abandoning the "damage limitation" rationale for the ABM, Mr. Nixon adopts an equally preposterous one of his own. The bases are going to be moved away from the cities, where the political opposition to ABM is strongest, and their alleged purpose will be to "protect" our deterrent power to launch a retaliatory second strike. This protection is to be accomplished by "safeguarding" only two of the Minuteman missile bases. What about all the others? Mr. Nixon's own war-games theory evidently assumes that they will be destroyed. If they are, millions of people will be destroyed at the same time, if not by blast then by fallout. Would an enemy who could knock out our population and 90 per cent of our missiles with a saturation attack actually be deterred by the possibility that 10 per cent of our missiles might survive?

There is, of course, very little probability that the 10 per cent would in fact survive. The ABM system, whether thick or thin, whether based near the cities or on the great plains, depends upon delicate radar and other electronic devices which many qualified scientists say would be rendered useless by a saturation attack. In knocking out the 90 per cent of our bases left unsafeguarded the enemy could confidently count on knocking out the other 10 per cent, by disrupting their controls, as well.

If Mr. Nixon's assumptions are accepted for the sake of argument, still his policy won't hold water. For if the strategy of deterrence is valid at all—a question nobody seems to ask—it is as valid without the ABM as with it. We now have more than 600 Polaris missiles ready to launch from far-ranging submarines, and the Poseidon program is in process of proliferating these missiles into 4000 warheads, all to be fired from untargetable mobile bases under the seas. If such a second-strike capacity will not deter an attack, nothing will. The highly questionable ability to protect a small share of our land-based missiles is not going to add credibility to our deterrent capacity.

Nor is Mr. Nixon's suggestion that the ABM will protect us from the kind of attack China might be able to mount in the '70's any more persuasive. If the Chinese ever reach the point of madness where they wish to invite destruction of their own country they are not likely to fire missiles at the Minutemen sites safeguarded by the Sentinel. They need only fire them at San Francisco, Los Angeles, Chicago, St. Louis, New York, Boston, and Washington, which are the places Mr. Nixon has decided cannot be defended. For that matter, a mad Chinese would not have to use missiles at all; he could plant nuclear bombs in suitcases at the bus depots.

The President's decision, unfortunately, is the kind that had to be expected from him—an act of political brokerage, giving everybody a little something, but in essence sustaining the military domination of foreign policy that has embroiled us in Vietnam and an insane arms race. In the pinch, although confronted with a unique opportunity to mobilize strong public support for a new and more promising policy, he could not withstand the pressure of the military-industrial complex in the opposite direction. One can only hope that Congress will do better.

EXECUTIVE COMMUNICATIONS ETC.

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

REPORT OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Acting Administrator, National Aeronautics and Space Administration, reporting, pursuant to law, on an extraordinary contractual adjustment authorized by the NASA Contract Adjustment Board; to the Committee on Aeronautical and Space Sciences.

REPORT OF REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Compensation and pensions," for the fiscal year 1969, had been apportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

PROPOSED MILITARY CONSTRUCTION, AIR NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on the location, nature, and estimated cost of certain additional facilities projects proposed to be undertaken for the Air National Guard (with an accompanying report); to the Committee on Armed Services.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the opportunity for savings by increasing transfers of excess property among Federal agencies, General Services Administration, dated March 21, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on an audit of financial statements of the St. Lawrence Seaway Development Corp., calendar year 1967, Department of Transportation, dated March 26, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of financial statements, fiscal year 1968, Tennessee Valley Authority, dated March 25, 1969 (with an accompanying report); to the Committee on Government Operations.

SERVICE OF SUMMONSES FOR JURY DUTY

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend section 1866 of title 28, United States Code, prescribing the manner in which summonses for jury duty may be served (with an accompanying paper); to the Committee on the Judiciary.

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

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant

to law, a report of all claims paid by this Department under the Military Personnel and Civilian Employees' Claims Act of 1964 for the period January 1, 1968 to December 31, 1968 (with an accompanying report); to the Committee on the Judiciary.

PROPOSED TENURE AND RETIREMENT BENEFITS OF REFEREES IN BANKRUPTCY

A letter from the Deputy Director, Administrative Office of the United States Courts, transmitting, a draft of proposed legislation to amend the Bankruptcy Act and the civil service retirement law with respect to the tenure and retirement benefits of referees in bankruptcy (with accompanying papers); to the Committee on the Judiciary.

REPORT OF DENIAL FOR EXTRAORDINARY RELIEF OF THE AMERICAN SHIPBUILDING CO.

A letter from the Assistant Secretary for Administration, Office of the Secretary of Transportation, reporting, pursuant to law, the Department denied the American Shipbuilding Co.'s application for extraordinary relief on a shipbuilding contract (with an accompanying paper); to the Committee on the Judiciary.

PROPOSED LEGISLATION TO IMPROVE AND MAKE MORE EFFECTIVE THE VETERANS' ADMINISTRATION PROGRAM OF SHARING SPECIALIZED MEDICAL RESOURCES

A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to amend title 38 of the United States Code in order to improve and make more effective the Veterans' Administration program of sharing specialized medical resources (with an accompanying paper); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

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

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Alaska; to the Committee on Commerce:

"S.J. Res. 29

"Joint resolution recommending the confirmation of Charles Meacham as Commissioner of the Fish and Wildlife Service, Department of the Interior

"Be it resolved by the Legislature of the State of Alaska:

"Whereas Charles Meacham has been nominated by Secretary of Interior Walter J. Hickel to be Commissioner of the Fish and Wildlife Service of the United States; and

"Whereas this office involves responsibility for the care and management of all fish, and wildlife under joint or exclusive United States control; and

"Whereas Charles Meacham has previously served in the Alaska Department of Fish and Game which manages one of the largest fisheries in the United States; and

"Whereas the State of Alaska has more fish and game resources than any other state in the United States; and

"Whereas Charles Meacham has been connected with the management of those resources as an employee of the Territory and then the State of Alaska for 12 years; and

"Whereas Charles Meacham has been active in International Fisheries negotiations since 1960, and since 1968 has served as the Advisor to the Governor of Alaska on International Fisheries matters; and

"Whereas Charles Meacham has 19 years of over-all experience in the field of fish and game management;

"Be it resolved that the Legislature of the State of Alaska commends Secretary of Interior Walter J. Hickel for his nomination of Charles Meacham as Commissioner of the

Fish and Wildlife Service, and respectfully urges the Interior and Insular Affairs Committee of the United States Senate and the Senate as a whole to approve the nomination of Charles Meacham.

"Copies of this Resolution shall be sent to the Honorable Walter J. Hickel, Secretary of the Department of the Interior; the Honorable Richard B. Russell, President Pro Tempore of the Senate; the Honorable Henry M. Jackson, Chairman of the Interior and Insular Affairs Committee; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Howard W. Pollock, U.S. Representative, members of the Alaska delegation in Congress.

"AUTHENTICATION

"The following officers of the Legislature certify that the attached enrolled resolution, Senate Joint Resolution No. 29, was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.

"Passed by the Senate March 7, 1969.

"BRAD PHILLIPS,
"President of the Senate.

"Attest.

"BETTY HANIFAN,
"Secretary of the Senate.

"Passed by the House March 10, 1969.

"JALMAR M. KERTTULA,
"Speaker of the House.

"Attest.

"CONSTANCE H. PADDOCK,
"Chief Clerk of the House.

"KEITH H. MILLER,
"Governor of Alaska."

A concurrent resolution of the Legislature of the State of Indiana; to the Committee on Interior and Insular Affairs:

"H. CON. RES. 93

"A concurrent resolution concerning national cemeteries

"Whereas, The men and women of the State of Indiana rise to rally around the colors when the state and nation are in peril and under attack by enemies both domestic and foreign; and

"Whereas, Many of these people pay the supreme penalty in the defense of the state and nation sacrificing their most precious possession, their lives; and

"Whereas, The congress of the United States has created and established national cemeteries for the burial of veterans of all wars; and

"Whereas, It has been brought to the attention of the 96th General Assembly of the State of Indiana that these national cemeteries both in Indiana and throughout the land are rapidly filling up leaving no room for present Vietnam and future veterans for burial; and

"Whereas, Veterans organizations such as the veterans of foreign wars of the United States, the American Legion, the Spanish American War veterans are urging the Congress of the United States, through resolutions passed through their national conventions including the national convention of the veterans of World War I, to establish national cemeteries throughout the land; and

"Whereas, The above named organizations and others including the last governor of the State of Indiana, Roger Branigin, have approved a location of a new national cemetery for the State of Indiana be on land owned by the government of the United States near highway #63 south and just south of the Pfizer Corporation and which is now in the possession and jurisdiction of the United States prison which contains some 2600 acres, more or less; and

"Whereas, This location near Terre Haute is most desirable insofar as a large portion of land is available for the purpose of eliminating the shortage of burial space for veterans, and will in all probability work well with a proposed super jet air glide for Hulman Field which is in the general area; and

"Whereas, This land is not suitable and has been rejected by agricultural interests who refuse to purchase when offered for sale by the national government at \$1.00 per acre: Now, Therefore

"Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

"SECTION 1. That our representatives in the Congress of the United States and the Congress assembled be requested and urged to pass and enact the proposed new national cemetery to be located at Terre Haute, Indiana, as the new national cemetery for the State of Indiana.

"Sec. 2. The principal clerk of the House of Representatives is directed to send a copy of this resolution upon the Senate's concurrence to each member of the Indiana Congressional Delegation and the principal clerk of the United States Senate and House of Representatives."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of West Virginia, from the Committee on Appropriations, without amendment:

H.J. Res. 584. Joint resolution making a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 91-117).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 170. Resolution to print a report entitled "Review of United States Foreign Policy and Operations," as a Senate document (Rept. No. 91-118).

EXECUTIVE REPORTS OF COMMITTEES

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

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

Walter C. Sauer, of the District of Columbia, to be First Vice President of the Export-Import Bank of the United States.

By Mr. TYDINGS, from the Committee on the District of Columbia:

John A. Nevius, for appointment as a member of the Board of Directors of the District of Columbia Redevelopment Land Agency.

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

Nils A. Boe, of South Dakota, to be an Assistant Director of the Office of Emergency Preparedness.

Mr. MURPHY. Mr. President, from the Committee on Armed Services I report favorably the nominations of 60 flag and general officers of the Army and Navy and ask that these names be placed on the Executive Calendar.

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

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Maj. Gen. Oren Eugene Hurlbut, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general while so serving;

Don C. Bowman, Jr., and sundry other Naval Reserve officers, for promotion in the U.S. Navy; and

Harvey P. Lanham, and sundry other officers, for promotion in the U.S. Navy.

Mr. MURPHY. Mr. President, I also report favorably 1,569 appointments in

the Marine Corps in the grade of colonel 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Bennett W. Alford, and sundry other officers, for appointment and promotion in the Marine Corps.

By Mr. LONG, from the Committee on Finance:

Eugene T. Rossides, of New York, to be an Assistant Secretary of the Treasury;

Paul W. Eggers, of Texas, to be General Counsel for the Department of the Treasury; and

Randolph W. Thrower, of Georgia, to be Commissioner of Internal Revenue.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

John A. Hannah, of Michigan, to be Administrator of the Agency for International Development;

Nathaniel Samuels, of New York, to be a Deputy Under Secretary of State;

Charles A. Meyer, of Pennsylvania, to be an Assistant Secretary of State;

William B. Buffum, of New York, a Foreign Service officer of class 1, to be the deputy representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary; and

Christopher H. Phillips, of New York, to be deputy representative of the United States of America in the Security Council of the United Nations.

BILLS INTRODUCED

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

By Mr. DIRKSEN:

S. 1674. A bill for the relief of Col. John R. Frazier, U.S. Air Force (retired); to the Committee on the Judiciary.

By Mr. MANSFIELD:

S. 1675. A bill for the relief of William A. Gallagher; to the Committee on the Judiciary.

By Mr. METCALF:

S. 1676. A bill for the relief of Yung-Kuang Chao; to the Committee on the Judiciary.

By Mr. GURNEY:

S. 1677. A bill for the relief of Augusto G. Usategui, doctor of medicine; to the Committee on the Judiciary.

By Mr. MATHIAS:

S. 1678. A bill for the relief of Robert C. Szabo; and

S. 1679. A bill for the relief of Cesar Romero Estoye; to the Committee on the Judiciary.

By Mr. CHURCH (for himself and Mr. JORDAN of Idaho):

S. 1680. A bill to amend section 3 of the act entitled "An act to provide for the disposal of materials on the public lands of the United States," approved July 31, 1947, relating to the disposition by the Secretary of the Interior to moneys obtained from the sale of materials from public lands; to the Committee on Interior and Insular Affairs.

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

By Mr. HOLLINGS:

S. 1681. A bill for the relief of Dennis Ylantis; to the Committee on the Judiciary.

By Mr. FONG:

S. 1682. A bill to increase the maximum rate of per diem allowance for employees of the Government traveling on official business, and for other purposes; to the Committee on Government Operations.

By Mr. MCGOVERN:

S. 1683. A bill to amend the Packers and Stockyards Act, 1921, as amended, so as to authorize the Secretary of Agriculture to obtain injunctive relief in certain cases under such act; to the Committee on Agriculture and Forestry.

By Mr. MCGOVERN (for himself, Mr. ALLEN, Mr. BAYH, Mr. BURDICK, Mr. CHURCH, Mr. EAGLETON, Mr. GRAVEL, Mr. HARRIS, Mr. HART, Mr. HOLLINGS, Mr. INOUE, Mr. MCCARTHY, Mr. MCGEE, Mr. METCALF, Mr. MONDALE, Mr. MONTOYA, Mr. MOSS, Mr. NELSON, Mr. PROXMIER, Mr. THURMOND, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of Ohio):

S. 1684. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. BAYH (for himself, Mr. BIBLE, Mr. BOGGS, Mr. BURDICK, Mr. FONG, Mr. GRAVEL, Mr. HART, Mr. HARTKE, Mr. INOUE, Mr. JACKSON, Mr. JORDAN of Idaho, Mr. KENNEDY, Mr. MAGNUSON, Mr. MANSFIELD, Mr. METCALF, Mr. MCGEE, Mr. MCGOVERN, Mr. MILLER, Mr. MONDALE, Mr. MONTOYA, Mr. MUSKIE, Mr. NELSON, Mr. RANDOLPH, Mr. RIBICOFF, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, and Mr. YARBOROUGH):

S. 1685. A bill to provide additional assistance for areas suffering a major disaster; to the Committee on Public Works.

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

By Mr. BIBLE:

S. 1686. A bill relating to age limits in connection with appointments to the U.S. Parks Police; to the Committee on Interior and Insular Affairs.

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

By Mr. BENNETT:

S. 1687. A bill to authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs and for other related educational purposes; to the Committee on Labor and Public Welfare.

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

By Mr. YARBOROUGH:

S. 1688. A bill to authorize the establishment of the Dinosaur Trail National Monument in the State of Texas; to the Committee on Interior and Insular Affairs.

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

By Mr. MOSS (for himself, Mr. MAGNUSON, Mr. HART, Mr. CANNON, Mr. COTTON, Mr. INOUE, Mr. PROUTY, and Mr. GOODELL):

S. 1689. A bill to amend the Federal Hazardous Substance Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes; to the Committee on Commerce.

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

By Mr. YOUNG of North Dakota:

S. 1690. A bill for the relief of Cely Oliveira; to the Committee on the Judiciary.

By Mr. HARRIS (for himself and Mr. HART):

S. 1691. A bill to remove the limitation on the number of civilian employees in the Division of Indian Health, within the Department of Health, Education, and Welfare; to the Committee on Finance.

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

By Mr. PEARSON:

S. 1692. A bill to provide for an income tax credit or deduction for certain political contributions, to revise the laws relating to corrupt election practices, and for other purposes; to the Committee on Finance.

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

By Mr. NELSON:

S. 1693. A bill to establish a National Commission on Federal Tax Sharing; to the Committee on Finance.

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

By Mr. KENNEDY (for himself, Mr. HARRIS, Mr. HART, Mr. MONDALE, Mr. MUSKIE, Mr. NELSON, Mr. PELL, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, and Mr. YARBOROUGH):

S. 1694. A bill entitled "Immigration Act Amendments of 1969"; to the Committee on the Judiciary.

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

By Mr. CRANSTON:

S. 1695. A bill for the relief of Jose Molina-Nieto, his wife, Maria Jorge (Georgina) Luna de Molina, and their children, Maria Asuncion Molina, Jacinto Molina, Marina Molina, Beatrice Molina, Ignacio Molina, Pedro Molina, and Eulalia Molina; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 1696. A bill for the relief of Wong Sau Chi; and

S. 1697. A bill for the relief of Dr. Camilo C. Balacuit and his wife, Dr. Norma Balacuit; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 1698. A bill for the relief of Demetrios Rodas;

S. 1699. A bill for the relief of Angela Maria Russano; and

S. 1700. A bill for the relief of Jose F. Cabrera; to the Committee on the Judiciary.

S. 1680—INTRODUCTION OF A BILL TO PROVIDE COUNTIES WITH ADDITIONAL REVENUE

Mr. CHURCH. Mr. President, on behalf of myself and my colleague from Idaho (Mr. JORDAN), I introduce, for appropriate reference, a bill to amend the 1947 act providing for the disposal of certain materials on Federal lands.

Included in these materials is timber growing on the public lands, and this bill would direct that 25 percent of the gross revenues from the sale of timber on those lands under the jurisdiction of the Secretary of the Interior shall be paid to the counties in which the lands are situated, to be used for public schools and roads.

This measure also would direct that the base for payment of the counties' share of receipts from other forest lands would be the gross, not the net, figure.

The sponsors mean by gross revenues all moneys paid or deposited by purchasers of timber and forest products from the unreserved public lands and the national forests.

Mr. President, this bill is designed to bring relief to the hard-pressed counties of Idaho and other Western States in the fulfillment of their responsibilities for public education and local roads. Any one of us from a public land State is painfully aware of the impact on local governmental responsibilities, such as the maintenance of schools and roads, of Federal ownership of large areas of the lands within a county. As an example, some 64 percent of our own State of Idaho is in Federal ownership.

Certain of the public laws do provide for payment to the counties of a share of the revenues from Federal lands within the county. However, in the case of forest lands, the percentage has been computed on the basis of the net, rather than the gross. Federal administrative costs have an inevitable tendency to rise and with each increase in these costs, the counties' share declines. It has not been unusual for the gross revenue to be rising while the counties' share is declining.

Mr. President, this bill is identical to S. 1385, which Senator JORDAN and I sponsored in the 90th Congress; it was favorably reported by the Senate Interior and Insular Affairs Committee, and approved by the Senate, but did not reach House consideration.

I hope it will receive early and favorable action.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1680) to amend section 3 of the act entitled "An act to provide for the disposal of materials on the public lands of the United States," approved July 31, 1947, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands, introduced by Mr. CHURCH (for himself and Mr. JORDAN of Idaho), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

SHARING OF PUBLIC LAND REVENUES WITH STATES AND COUNTIES

Mr. JORDAN of Idaho. Mr. President, I am pleased to join my colleague, Senator CHURCH of Idaho, in sponsoring a bill making payments more equitable to States and counties from revenues earned from Federal public lands in such States.

With the Forest Service managing more than 20 million acres of land in Idaho and the Bureau of Land Management administering some 12 million acres of Federal lands of the 53 million acres within our State boundaries, the earnings, as well as the administration of these lands and resources, are of concern to the people of my State.

Thus, with approximately two-thirds of Idaho in Federal ownership, a more equitable sharing of revenues from reserved, classified, and unreserved Federal public lands is essential. This bill amends the Materials Act of July 31, 1947, pertaining to the disposal of materials from

unreserved public lands, as well as the acts of May 23, 1908, and March 1, 1911, as amended, concerning revenues from Forest Service lands, in order to provide more funds for public land States and counties to maintain their schools, roads, and other facilities.

Mr. President, the same problems exist in the other 10 contiguous public land States and in Alaska. There is a wide difference in the formula for sharing revenues from reserved and unreserved lands. Existing laws provide that 5 percent of the net proceeds from timber sales on unreserved domain lands are distributed to the States and counties in which the timber is harvested and another law distributes 25 percent of the revenues from reserved Forest Service lands to States and counties. This bill will provide a uniform rate for both at 25 percent of the gross amount paid or deposited for timber or timber products purchased.

In a 1962 study, published in 1965, made by the Forest Service with the assistance of the Association of County Officials, it was found that after allowing for contributions in kind furnished by the Forest Service, such as roads, fire-fighting, insect control, and other costs, and with the 25 percent of revenues after Knutson-Vandenburg Act deposits had been deducted from the timber sales, the timber counties of North Idaho would have received some \$2 million more each year if these Forest Service lands had been in private ownership and on the tax rolls. We are not recommending this course of action but we do call for a more equitable sharing of revenue.

Mr. President, a bill numbered S. 1385, identical to this bill, was passed by the Senate on July 12, 1968, but was not considered by the House. I hope we can have early approval of this proposal which is of such importance to public lands States.

S. 1684—INTRODUCTION OF RURAL TELEPHONE SUPPLEMENTAL FINANCING ACT

Mr. McGOVERN. Mr. President, I have just introduced, on behalf of myself and 23 coauthors, including Senators ALLEN, BAYH, BURDICK, EAGLETON, GRAVEL, HARRIS, HART, HOLLINGS, INOUE, MANSFIELD, MCCARTHY, MCGEE, METCALF, MONDALE, MONTROYA, MOSS, NELSON, PROXMIER, THURMOND, WILLIAMS of New Jersey, YARBOROUGH, and YOUNG of Ohio, a bill to amend the Rural Telephone Act of 1949, generally known as the rural telephone supplemental financing bill.

Under the Rural Telephone Act of 1949, which was an amendment to the REA Act, we have helped to build or improve 525,000 miles of rural telephone lines serving 2.3 million subscribers living on 79 percent of the Nation's farms. The service is now preponderantly outdated eight-party service and, as you know, because customers are relatively sparse, low-interest capital is necessary to improve and extend the lines. They average 3.7 customers per mile compared to 16 per mile on independent systems and 40 for the Bell companies.

As of June 20, 1968, the rural tele-

phone systems had pending loan applications for \$302 million for which no funds were available. Appropriation of 2-percent loan funds has not kept pace with needs.

The RTA's have developed a supplemental financing plan, through a rural telephone bank, which is authorized in the bill. The House Agriculture Committee has reported the bill favorably by a large, bipartisan vote and I feel sure it will pass the Senate with similar support.

I ask unanimous consent, Mr. President, to have printed in the RECORD a detailed explanation of the bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the RECORD.

The bill (S. 1684) to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes, introduced by Mr. McGOVERN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The explanation, presented by Mr. McGOVERN, is as follows:

EXPLANATION OF PROPOSED TELEPHONE SUPPLEMENTAL FINANCING LEGISLATION Background

The Rural Electrification Act of 1936, as amended, presently has two titles. Title I established the Rural Electrification Administration and provided for the present 2% rural electrification loan program. Title II provided for the present 2% rural telephone loan program. The proposed supplemental financing bill is drafted as an amendment to the original Act and includes Titles III and IV which deal with financing for rural telephone systems.

Proposed policy of the Congress

The growing capital needs of rural telephone systems require the establishment of a Rural Telephone Bank to furnish "assured and viable sources of supplemental financing", with the objective that the bank will eventually become a privately owned, operated and financed corporation. Many rural telephone systems will continue to require financing under the present terms and conditions of the RE Act (2% interest, 35-year loans) and nothing in this proposal changes the loan purposes, terms or conditions authorized under the present telephone loan program.

TITLE III

Rural telephone account

Establishes in the Treasury of the United States a "rural telephone account". Into this account would go all REA assets, undisbursed loan balances, principal and interest payments from the present 2% REA telephone loan program, appropriations, and shares of capital stock of the Rural Telephone Bank.

The funds in the account would be used for advances on REA telephone loans, payment of interest and principal on borrowings from the Secretary of the Treasury, and investments in the Rural Telephone Bank.

TITLE IV

Rural telephone bank

Establishes a Rural Telephone Bank with the general purpose of obtaining an adequate supply of supplemental funds from non-Federal sources to be used in making loans to organizations which are telephone borrowers of REA. The telephone bank would be an instrumentality of the United States

and would have general corporate powers. As long as the telephone bank is an agency of the United States it would be authorized to use the REA services, facilities and employees, be subject to the supervision of the Secretary of Agriculture, and to specified provisions of various Federal laws.

Governor

The Administrator of REA serves as chief executive officer-Governor of the telephone bank.

Board of directors

Management of the telephone bank is vested in a 13-member board of directors which includes the REA Administrator, the Governor of the Farm Credit Administration, and five members to be designated by the President, three of whom shall be from the Department of Agriculture, and two from the general public. The six other members of the board will be selected from the directors, managers, and employees of rural telephone systems. Initially these six will be appointed by the President but later will be elected, three from among the cooperative rural telephone borrower systems and three from among the commercial rural telephone borrower systems. The board will prescribe by-laws, regulate the manner in which the bank shall conduct its business, and will be required to meet at least four times each year and make an annual report to the Congress.

Capitalization

Federal equity capital will be furnished the bank from the net collection proceeds of the rural telephone account (Title III). This capital, for which stock will be issued, is authorized to be appropriated over a ten year period in amounts up to \$30 million annually and until the total capitalization of \$300 million is reached. The Federal capital contribution, evidenced by the issuance of Class A stock, will bear annual interest in the amount of 2% until repaid in accordance with the bank's charter. Borrowers from the bank will furnish equity capital through the purchase of stock in amounts equal to 5% of their borrowings.

Classes of stock

The capital stock of the telephone bank will consist of three classes—A, B, and C. Class B and C stock will be voting stock.

Class A stock shall be redeemed and retired as soon as practicable after an initial 15-year period, or after the total of outstanding class A and B stock reaches \$400 million. The minimum amount of Class A stock then to be retired would be an amount equal to 5% of the bank loans made each year. Class A stock shall be entitled to a return, payable from income, at the rate of 2% per annum on the amounts of Class A stock actually paid into the telephone bank. Such return shall be cumulative and shall be payable annually into miscellaneous receipts of the Treasury.

Class B stock will be issued to recipients of bank loans. Each borrower will be required to invest in the bank a sum equivalent to 5% of the total amount of the loan. Holders of this stock would not receive dividends but would be entitled to patronage refunds.

Class C stock will be available for purchase by rural telephone systems eligible to borrow from the bank and organizations controlled by such borrowers. This stock will be entitled to dividend from the income of the bank, but such dividend shall not exceed the current average rate payable on telephone debentures.

Borrowing power

The telephone bank is authorized to obtain funds through public or private sale of its debentures, provided that the amount of outstanding debentures does not exceed eight times the paid-in capital and retained earnings of the bank. Debentures would be is-

sued at interest rates, and with terms and conditions determined by the bank's board of directors.

Lending power

The bank Governor is authorized to make bank loans to corporations or public bodies which are REA telephone borrowers. Loans will be made for periods not exceeding 50 years for the same purposes for which loans are made under Section 201 of the original Act, and for the financing, or refinancing, the construction, improvement, expansion, acquisition, and operation of telephone lines, facilities, or systems, in order to improve the efficiency, effectiveness, or financial stability of a borrowers system. Two types of loans will be available to borrowers from the telephone bank—an intermediate type loan and a full market rate loan. Eligible borrowers will receive loans carrying the intermediate interest rate, which shall be determined by the current average market yield on marketable securities of the United States having maturities comparable to those of the loans, but with an interest ceiling of 4%. Authority to make "intermediate" loans will terminate after an initial 15-year period. Full market loans will be available to borrowers at interest rates reflecting the average rate payable on the bank's debentures and allowance for estimated losses. Telephone systems with an average subscriber density of three or fewer per mile would be entitled to loans under Section 201 of the Act.

Loan limitations

Loans to finance acquisition of telephone facilities shall be approved by the Secretary of Agriculture. Such acquisitions must improve the efficiency, effectiveness or financial stability of the borrower's system and the size of each acquisition shall not exceed the borrower's existing system at the time it receives its first bank loan. Certificates of convenience and necessity from States with regulatory bodies, or a determination that there will be no duplication of lines, is required for telephone loans. No portion of any loan may be utilized to finance political activities.

Conversion of bank ownership and control

When, through retirement of the government's investment and the increase in borrower investment, the amount of stock held by the government represents less than one-third of the bank's capital, the process of converting the bank to borrower control and operation will begin: The REA Administrator will cease to be the Governor; the bank will cease to be a government agency; and the board of directors will consist of the REA Administrator and the FCA Governor plus six members elected by rural telephone voting stockholders of the bank. Special limitations on loan powers are eliminated after all government-held stock has been retired. Operations of the bank will continue to be subject to Congressional review.

S. 1685—INTRODUCTION OF BILL TO PROVIDE ASSISTANCE FOR MAJOR DISASTERS

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill to provide additional assistance for areas suffering a major disaster. The sole purpose of this bill is to help alleviate the severe losses to property and livelihood so often inflicted on the unfortunate victims of unforeseen natural catastrophes.

Damages to State and local governmental agencies caused by floods, tornadoes, hurricanes, earthquakes, and other major disasters have been eligible for Federal assistance on a continuing, standby basis since Congress enacted the

basic disaster relief law in 1950. The same has not been true, however, for the private sector. Except for special acts adopted retroactively from time to time following a few especially devastating disasters, until 1966 losses incurred by private individuals, families, or firms were almost wholly dependent on charitable efforts for help. In the latter year, legislation was enacted which permits long-term loans at low interest rates for certain kinds of losses, and in 1968 a flood insurance program was authorized, but much still remains to be done to fill in the gaps and to provide supplementary aid if individual hardships are to be helped substantially.

My involvement in disaster relief legislation dates back to the spring of 1965. A series of destructive tornadoes swept over the Midwest in April of that year and wreaked great havoc over a wide area, including my home State of Indiana. After personally viewing the enormous losses, both in life and property, caused by this calamity, I invited a number of Senators and staff members to meet with me to determine what actions might be taken to provide relief for these unfortunate people. As a result of considerable deliberation and consultation with experts in the field, this group formulated a major disaster bill—S. 1861—which was introduced on April 30 of that year with the cosponsorship of nearly 40 other Senators.

The primary philosophy motivating this proposal was to make sure that statutory authority existed which would enable the Federal Government to extend significant aid of all types to disaster victims immediately after a Presidential declaration without having to wait several months for specific congressional action. Consequently, the bill proposed long-term, low-interest loans, refinancing mortgage obligations, supplementary Federal sharing grants, emergency shelter and housing assistance, and standby aid for damages to schools, highways, and unincorporated communities. Although this bill was adopted by the Senate on July 22 of that year, it was not until October 17, 1966, that a shortened version passed the House and became law—Public Law 89-769—a few days later.

Unfortunately, several basic sections of the original bill were not included in the final version of the Disaster Relief Act of 1966. While the loan adjustment and several other provisions were adopted largely intact, and a very commendable section extending help for the repair of disaster damages to higher education facilities was added, a number of others were eliminated. Consequently, on January 12, 1967, 30 other Senators joined me in introducing a second bill—S. 438—which was designed to rectify these deletions. Hearings were held on this bill in June and July of that year, and it was reported out with some modifications by the Public Works Committee on April 2, 1968, but no further action was taken on it during the 90th Congress. In view of the need which still exists for supplementary disaster relief legislation, I have decided to submit a new, updated, and partly revised bill for further consideration this year.

The bill which I am introducing today would provide meaningful additional assistance for those who are subjected to the ravages of natural disasters. First, the Federal loan adjustment feature of the 1966 act would be made more equitable and useful by providing that disaster loans for homeowners and business concerns could be made without regard to whether or not financing could be obtained elsewhere. Although the Senate did approve this section by adopting on May 28, 1968, two amendments to the Housing and Urban Development Act of 1968, they were eliminated in conference and did not become part of the final law.

Hearings which were held by a subcommittee of the Public Works Committee as well as evidence which has come directly to me indicates that application of the present law tends to penalize the person with a good credit rating and favor the one who may be a bad risk. In order to qualify for a Small Business Administration or Farmers Home Administration disaster loan, a victim now must first prove that he has been refused credit by private institutions.

This means that a man who has regularly paid his debts and has established an acceptable credit rating will have to borrow funds to repair or rebuild his home or business at much higher interest rates and often for shorter periods than one who has been a wastrel or whose business is failing. The latter may qualify for 30- or even 40-year loans or mortgage refinancing at 3 percent while the former, who has conscientiously and regularly met his obligations in full, perhaps at great sacrifice, will have to assume the burden of 7 percent or higher refinancing costs. This gives rise to the patently unfair situation where the owners of two houses or two businesses which are side by side and which suffer equal damage in the same disaster are treated exactly opposite by the Federal Government, even though the real loss will bear as heavily on the resources of one as on the other. It is time to wipe out this completely unjustified distinction.

Secondly, the bill would authorize a new cost-sharing program under which States would be encouraged to develop comprehensive disaster relief plans. Any State establishing an approved disaster plan would be eligible for Federal grants up to 50 percent of the losses sustained in major disasters; State governments and individual owners would each assume 25 percent of the remaining cost. The President could authorize grants up to \$250,000 for the purpose of assisting a State in preparing a comprehensive disaster relief plan, which would have to include flood-plain zoning controls. Payments could be made by State administering agencies for losses up to \$30,000 in the case of homes and \$100,000 for business concerns, but no grant could be made for any damage for which private insurance is available and collectible. The maximum Federal share under the grant program, therefore, would be \$15,000 for homes and \$50,000 for businesses, which would have to be matched with a maximum of either \$7,500 or \$25,000 by the State and the homeowner or business owner.

A third important section would expand Federal authority to provide emergency shelter for disaster victims. Where places of residence have been made uninhabitable by a major disaster, the President would be authorized to provide suitable shelter for either owners or tenants who were unable to do so for themselves. For this purpose the President could either purchase or lease housing, including mobile homes, which could be rented in turn to disaster sufferers. Emergency housing of this type could be rented for as long as necessary, and for 1 year the level of charges for it could be adjusted according to financial ability of the renters. A maximum charge of 25 percent of a family's monthly income could be levied for such emergency accommodations.

Again, hearings and other evidence indicate that present Federal authority is not sufficiently broad and unrestricted to handle adequately the staggering housing problems which frequently result from major disasters. This section would make certain that delays and deficiencies now encountered in getting these sufferers prompt and suitable accommodations would not be attributable to any gaps in statutory authority.

Fourth, the bill proposes a new program to help reimburse severe losses suffered by farmers as a result of major disasters. Agricultural producers have not in the past received aid commensurate with the damages which have been caused to their lands and herds by such unavoidable tragedies as tornadoes, floods, blizzards, and earthquakes. Eloquent testimony has highlighted the problems faced by farmers in putting their land back into production or restoring their livestock in the wake of a disaster which has destroyed fences, strewn fields with rubble and debris, ruined crops, washed away topsoil, or brought death to herds. Up to \$10,000 would be authorized in grants equal to two-thirds of the cost of restoring lands to cultivation or replenishing livestock herds. The producer would have to bear one-third of the cost up to \$15,000 as well as all over that amount.

Hearings disclosed that at present Federal disaster relief agencies are not authorized to render assistance in the removal of pollution-causing debris from inland lakes. There have been occasions in which health and safety hazards resulted from obstructions and contaminating material blown into waters by tornadoes and hurricanes or carried downstream by floods. In order to provide some measure of help in these cases, the bill would authorize the Office of Emergency Planning to make grants to a State or local government in order to help clear such dangerous debris from lakes.

Another section has been added to the bill which would help States suppress grass and forest fires, either on State-owned or privately owned lands, which threaten to become major disasters. Senator JORDAN of Idaho, who proposed this section of the bill, has pointed out that a small conflagration, which might begin either on private or public property, could quickly become a major fire threatening large areas because of the

lack of sufficient manpower and equipment to quell it at the start. Such a holocaust, which pays no attention to jurisdictional or ownership boundary lines, can in a short time devour huge quantities of timber and grassland.

Although the U.S. Forest Service employs a sizable number of well-trained, able firefighters and possesses ample, modern equipment, this is often not true in the case of tracts owned privately or even by State and local governments. To meet this need the bill would authorize grants or loans to States which would assist them in combating forest and grass fires, irrespective of land title, in order to help prevent and control the type of disastrous conflagration which swept the Northwest in the summer and fall of 1967.

Another deficiency in the present law is the lack of any assistance for the cost of removing debris deposited on privately owned nonfarm property as the result of a major disaster. Senator YARBOROUGH brought to my attention last year the plight of several landowners who could not secure governmental help in clearing their property of large quantities of material driven there in a hurricane, and he suggested an amendment which is now section 9 of the bill.

In some cases wrecked boats or other large objects were left on the lawns of homeowners who had no means of recourse to collect damages. Costs of such debris removal can be very high, and I concur in the view that it is proper for them to be shared with the general public.

The bill does not provide for any fixed authorization amount for a very simple reason: no one is able to predict the number or severity of disasters which may strike in any one year. Open ended authorization will permit ample leeway for Congress to appropriate sufficient funds from time to time to carry out the specific provisions of the act as required by developments. It is important to remember, of course, that only major disasters declared by the President after a specific request for help has been received from a State Governor would be eligible for assistance.

No accurate estimates can be made of possible costs if the bill were to be enacted. Losses from major disasters have varied considerably from year to year, and there is no way to chart what the future will hold. Moreover, data are not available which would permit an analysis reflecting what the additional cost would have been if the bill had been in force during past years. There do not appear to be any meaningful statistics on uninsured losses incurred by private property owners which might have been assisted under terms of the bill. A key factor in this connection is that not all losses would have been eligible for compensation; to the contrary, only those which were not insurable and for which no other benefits had been received could be counted.

It should be stressed also that authorization of a flood insurance program last year in no way reduces the immediate need for this bill. Present indications are that it may be some time before

property owners will be able to secure adequate insurance protection for water damage. In any event, the proposed disaster relief bill would be entirely supplementary and complementary to any such reimbursement. The bill specifically provides that no disaster assistance would be available under the grant program for any loss where insurance is available and collectible. In the meantime there will be continuing need for assistance to those suffering from floods.

There is no danger of duplicating benefits or of payments to those who have other kinds of protection, since the bill specifically prohibits grants for any losses where insurance is available and collectible. Likewise, the Disaster Relief Act of 1966 contained language in section 10 which directs the head of each Federal department or agency administering any disaster relief program to assure that no person, entity, or concern receives any aid for a loss if assistance has been provided under any other program. Until flood insurance becomes generally available, or in those areas or circumstances under which it cannot be obtained, the bill would provide means whereby such losses could be shared in part with the public. Again it should be stressed that help would not be given for the occasional flooded basement, broken window or damaged roof; only in areas of widespread disaster in which great havoc has been caused and massive assistance is needed would the terms of the bill apply.

Some criticism has been aimed in the past at the grant section of the bill because it would provide direct government assistance for private losses. Perhaps it should be recalled that this would not be the first time that the National Government has appropriated funds to reimburse or help citizens. Direct or indirect payments to individuals or companies are not unknown to law. To mention but a few, Congress has made substantial appropriations in the past to compensate for losses, to bolster prices, to encourage land improvements, to divert acreage from production, to subsidize land, air and water transportation, to finance individual higher education, to reimburse hospital and medical costs, and to provide decent housing. To a family whose home has been destroyed it is just as important to provide help in restoring that home as it is to provide assistance for education, health care, or any of the other many programs financed in part through Federal funds.

It seems to me that the important issue is whether the National and State Governments should be willing to assume a portion of the losses suffered by innocent families which have been subjected to the traumatic experience of catastrophic property damages. Private charity can and does lend much help, especially for immediate personal and temporary needs, but it cannot muster sufficient financial strength in a short time to offset the tremendous losses to private property in an extensive disaster area. This is especially true for long-term, major expenses, such as the cost of repairing or rebuilding homes and businesses.

The financial burden of property losses in disasters will eventually fall on one or more persons, families or companies. It may be shared in part by the individual owner, by friends and relatives, by the bank which holds a mortgage, by the insurance company—if there is such protection available—by charitable organizations, as well as by other private or public institutions. Employing public funds to assist those who have incurred sizable losses in major disasters in one sense is something like a system of enforced public insurance. That is, all members of society would help absorb individual losses through small contributions in general taxes rather than through payment of premiums to an insurance company.

Mr. President, the frequency with which destructive floods, tornadoes, hurricanes, earthquakes, and wildfires have in recent years devastated large areas and made thousands homeless graphically illustrates the need for a comprehensive, systematic approach to disaster relief. It is impossible to foretell when or where disasters will strike or the extent of the damage that will be done, yet there can be no doubt that they will continue to occur as they have in the past. Various sections of the Nation, some more than others, and persons in all walks of life and with different means, always suffer in the aftermath of such tragedies.

Nearly 100 major disaster declarations have been made by the President in the last half dozen years and more than \$100 million in Federal funds have been extended for direct relief, but much of this aid has gone to restore public facilities. Three very serious major disasters have been declared already this year, and the threat of extensive flooding is so great that the Army Corps of Engineers has obligated more than \$2 million for emergency flood preparations.

This Nation has always been generous in coming to the rescue of persons all over the world who have been subjected to serious unexpected misfortunes. No matter what the cause or the place, when thousands have been made homeless, injured or threatened with famine in foreign countries, our people and Government have always responded promptly and fully to appeals for assistance. Yet we have failed to establish a permanent, all-encompassing program which would help restore the property and livelihood of our own citizens who have had their homes or businesses demolished by similar cataclysms.

The purpose of this bill is not to provide a Federal handout; rather, it is to help unfortunate victims, dealt cruel blows by entirely unexpected and unpredictable natural forces, to recover at least some degree of their former economic status and living conditions. Those who involuntarily undergo the awful experience and full fury of a natural disaster may never be able to restore their possessions completely or return untouched to their former way of life, but the American tradition of extending a helping hand to our compatriots and others in time of need is very strong.

Mr. President, I reiterate my plea for

prompt and serious consideration of this measure. In time of disaster it is proper for our people to look for help, not only from their neighbors, private organizations, and their own communities, but also from their National Government. Let us complete the job which other Congresses have well begun; let us prepare now for future disasters by adopting adequate legislation to minimize the devastating effects these catastrophes have on the lives and economic well-being of our citizens.

I ask unanimous consent that the bill, together with a brief summary of, and comment on its provisions, be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD.

The bill (S. 1685) to provide additional assistance for areas suffering a major disaster, introduced by Mr. BAYH (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 1685

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Disaster Relief Act of 1969".

DEFINITIONS

SEC. 2. As used in this Act, the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855-1855g).

FEDERAL LOAN ADJUSTMENTS

SEC. 3. (a) In the administration of the disaster loan program under section 7(b) of the Small Business Act, any application for a loan thereunder in an amount of \$30,000 or less in the case of a homeowner, or \$100,000 or less in the case of a business concern, may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the required financial assistance is otherwise available from private sources.

(b) In the administration of subtitle III of the Consolidated Farmers Home Administration Act of 1961, relating to emergency loans, any application for a loan thereunder in an amount of \$30,000 or less may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the Secretary of Agriculture finds that the required financial assistance can be met by private, cooperative, or other responsible sources (including loans the Secretary of Agriculture is authorized to make or insure under any other provision of law).

GRANTS TO STATES FOR ASSISTANCE TO HOMEOWNERS AND BUSINESSES

SEC. 4. (a) The President is authorized in accordance with the provisions of this section to provide assistance to the States in developing and carrying out comprehensive and practicable programs for assisting homeowners and business concerns suffering property losses as the result of a major disaster. For the purposes of this section, the term "State" includes the District of Columbia, the

Commonwealth of Puerto Rico, the Territory of Guam, and American Samoa.

(b) From the sums appropriated pursuant to subsection (1) the President is authorized—

(1) to make grants to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing a program referred to in subsection (a): *Provided*, That the total grants made to any State under this paragraph shall not exceed \$250,000; and

(2) to make grants to any State, upon the basis of an approved State plan, to pay not to exceed 50 per centum of the cost of carrying out such a program.

(c) Any State desiring to participate in the grant program under paragraph (2) of the preceding subsection shall designate or create an agency which is specially qualified to administer such a disaster relief program, and shall, through such agency, submit a State plan which shall—

(1) set forth a comprehensive and detailed State program for assistance to homeowners and business concerns suffering property losses as a result of a major disaster;

(2) specify that the homeowner or business concern will assume 25 per centum of the property loss sustained by it as a result of such a disaster, and the State will agree to pay 25 per centum of such loss;

(3) provide that no homeowner or business concern shall be eligible to participate in such a State program unless the damage to the property of such owner or concern resulting from such a disaster exceeds 5 per centum of the value of such property prior to such a disaster, or \$100, whichever is the greater;

(4) specify that the maximum amount of loss to be shared jointly by the homeowner or business concern, the State, and the Federal Government under such a program shall be \$30,000 in the case of a homeowner, and \$100,000 in the case of a business concern;

(5) provide a means of appraisal to establish the fair market value of the property of such owner or concern damaged or destroyed as a result of such a disaster;

(6) provide assurances that equitable treatment will be accorded all eligible property owners;

(7) contain satisfactory evidence that the State will adequately supervise such program;

(8) provide such fiscal control and fund accounting procedures as the President deems necessary; and

(9) set forth such further information as the President may by regulation require.

(d) The President shall approve any State plan which complies with the provisions of subsection (c) of this section.

(e) No grant may be made under this section—

(1) for any loss for which insurance is available and collectible in such State at reasonable rates;

(2) for any loss in a State which does not have approved flood plain zoning controls or other similar preventive measures in force; and

(3) to any public agency or organization for the loss of any property owned by such agency or organization.

(f) The President shall prescribe such rules and regulations as he deems necessary for the effective administration of this section, and to prevent the waste or dissipation of Federal funds.

(g) Each State receiving assistance under this section shall, through its designated State agency, make such reports as the President may require, and each such agency shall, upon request of the President, make available its books and records for audit and examination.

(h) The President may exercise the powers conferred upon him by this section either directly or through such Federal agency as he may designate.

(i) Such sums as may be necessary to carry on the purposes of this section are hereby authorized to be appropriated.

SHELTER FOR DISASTER VICTIMS

SEC. 5. (a) The President is authorized to provide dwelling accommodations for any individual or family whenever he determines—

(1) that such individual or family occupied a house (as an owner or tenant) which was destroyed, or damaged to such an extent that it is uninhabitable, as the result of a major disaster; and

(2) that such action is necessary to avoid severe hardship on the part of such individual family; and

(3) that such owner or tenant cannot otherwise provide suitable dwelling accommodations for himself and/or his family.

(b) Such dwelling accommodations, including mobile homes, as may be necessary to meet the need, shall be provided through acquisition, acquisition and rehabilitation, or lease. Dwelling accommodations in such housing shall be made available to any such individual or family for such period as may be necessary to enable the individual or family to find other decent, safe, and sanitary housing which is within his or its ability to finance. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be comprised or adjusted for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) In the performance of, and with respect to, the powers and duties conferred upon him by this section, the President may—

(1) prescribe such rules and regulations as he deems necessary to carry out the purposes of this section;

(2) exercise such powers and duties either directly or through such Federal agency or agencies as he may designate;

(3) sell or exchange at public or private sale, or lease, any real property acquired or constructed under this section;

(4) obtain insurance against loss in connection with any such real property;

(5) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any such real property; and

(6) include in any contract or instrument made pursuant to this section, such conditions and provisions as he deems necessary to assure that the purposes of this section will be achieved.

(d) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

ASSISTANCE TO FARMERS IN MAJOR DISASTER AREAS

SEC. 6. (a) The Secretary of Agriculture is authorized to make grants to farmers whose farmlands or livestock have been damaged as the result of a major disaster. Such grants shall be made (1) for the purpose of assisting such farmers to prepare such lands for cultivation and to restore such lands or livestock to normal productive capacity, and (2) only in the case of lands on the farm normally used in the production of an agricultural crop. No grant shall be made hereunder to assist in restoring lands or livestock to production unless the Secretary determines that the cost of preparing such lands for production has been increased as a direct result of such major disaster.

(b) The amount of the grant authorized under this section in the case of any farmer

shall not exceed an amount determined by the Secretary to be equal to two-thirds of the total cost of preparing the damaged lands for cultivation and restoring them to normal productive capacity, and in no event shall the amount of any such grant in the case of any farmer exceed \$10,000.

(c) The Secretary is authorized to impose such reasonable terms and conditions on the making of such grants as he determines necessary to carry out effectively the purposes of this section.

(d) Such sums as necessary to carry out the provisions of this section are hereby authorized to be appropriated.

SEC. 7. (a) The Office of Emergency Planning is authorized to make grants to any State or political subdivisions thereof for the purpose of lake clearance in cases where a major disaster has resulted in contamination of any lake by debris which has created conditions hazardous to health and safety.

(b) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

SEC. 8. (a) The Office of Emergency Planning is authorized to make grants and loans to any State to assist such State in the suppression of a fire or fires on State or privately owned forest or grass lands which threatens destruction of such proportions as to constitute a major disaster.

(b) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

SEC. 9. (a) The Director of the Office of Emergency Planning is authorized, upon application, to make payments to any person in reimbursement of expenses, not otherwise compensated for, which were incurred by such person in connection with the removal of debris deposited on privately-owned lands as the result of a major disaster. As used in this section, the term "person" includes an individual, corporation, association, firm, organization or local public body.

(b) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

EFFECTIVE DATE

SEC. 10. This Act and the amendments made by this Act shall apply with respect to any major disaster occurring after December 31, 1968.

The summary, presented by Mr. BAYH, is as follows:

PROPOSED DISASTER RELIEF ACT OF 1969—BRIEF SUMMARY OF AND COMMENT ON MAJOR PROVISIONS

SEC. 1. *Citation*: The Act would be cited as the "Disaster Relief Act of 1969."

SEC. 2. *Definitions*: Retains the standard definition of a major disaster as one which is declared to be such by the President under the Disaster Act of 1950 (42 U.S.C. 1855-1855g). All other provisions of the act would be effective only in those instances where a major disaster has been determined and declared by the President.

SEC. 3. *Federal Loan Adjustments*: Disaster loans for homeowners up to \$30,000 or for business concerns up to \$100,000 under the Small Business Act, and disaster loans up to \$30,000 under the Consolidated Farmers Home Administration Act of 1961, could be made without regard to whether or not the required financial assistance might be provided by private sources.

The purpose of this is to guarantee equal opportunity for all disaster sufferers who apply for disaster loans or readjustments to be treated on the same basis. The 1966 Disaster Act authorizes readjustment of loans for extended periods at minimum interest rates for owners of property severely damaged in major disasters. During the hearings considerable evidence was presented which indicated, however, that previously loans had been denied in some worthwhile cases on the ground that private financing, although at

higher rates and much less favorable terms, had been available. Section 3 would eliminate this kind of discrimination and should have been included with the other loan adjustment provisions.

Sec. 4. Grants to States for Assistance to Homeowners and Businesses: A new cost-sharing program would be established to enable homeowners and business concerns sustaining major disaster property losses to seek direct federal assistance. No state could participate in the program unless it first developed a comprehensive disaster relief plan and designated a state agency to administer aid to disaster victims. Grants up to \$250,000 could be authorized by the President for the purpose of assisting a state in the preparation of such plans.

In states which had adopted approved disaster relief plans, the federal government could share up to 50% and the state government up to 25% of property losses in major disasters, with a maximum loss limit of \$30,000 in the case of homes and \$100,000 for business concerns. The property owner would have to bear at least 25% of the loss, and no grant could be made for any damage for which private insurance is available and collectible at reasonable rates. Likewise, no payment could be made for any loss in a state which failed to adopt flood-plain zoning controls.

Sec. 5. Shelter for Disaster Victims: The President would be authorized to provide necessary shelter for the owners or tenants of places of residence made uninhabitable by a major disaster and who are unable to provide suitable accommodations for themselves and/or their families. Housing could be acquired or leased, which in turn would be rented to disaster victims for such periods as may be necessary. Rentals for this emergency shelter, including mobile homes, could be adjusted for as long as one year according to the financial ability of the occupants, but in no case would they be required to pay more than 25% of the family's monthly income for such accommodations.

Sec. 6. Assistance to Farmers in Major Disaster Areas: A new grant system would be established for farmers who sustain extensive losses in major disaster areas. The Secretary of Agriculture would be authorized to make grants equal to two-thirds of the cost of restoring lands to cultivation or replenishing livestock herds, with the maximum amount paid to any farmer limited to \$10,000. Reasonable terms and conditions could be imposed by the Secretary in making such grants, but no payment could be made to a farmer unless the Secretary determined that the cost of preparing lands for production had been increased as a direct result of a major disaster.

Sec. 7. Lake Clearance: Grants to States by the Office of Emergency Planning would be authorized for the purpose of enabling them to remove from lakes in disaster areas debris which would contaminate such lakes and which would create conditions hazardous to health and safety.

Sec. 8. Grass and Forest Fires: The Office of Emergency Planning would be authorized to make both grants and loans to any State to assist in the suppression of fires on either public or private property which threaten to become major disasters.

Sec. 9. Debris Removal from Private Property: The Office of Emergency Planning would be authorized to make payments as reimbursement of expenses incurred for the removal of debris deposited on privately-owned lands as the result of a major disaster.

Sec. 10. Effective Date: The Act would apply to all major disasters occurring after December 31, 1968.

S. 1686—INTRODUCTION OF A BILL RELATING TO APPOINTMENTS TO THE U.S. PARK POLICE

Mr. BIBLE. Mr. President, I introduce, for proper referral, a bill relating to age limits in connection with appointments to the U.S. Park Police.

Last week during the National Park Service appropriation hearings, it was pointed out that of the 363 positions authorized for this service 80 vacancies are available for qualified applicants.

One of the reasons, of course, is the restrictions of the Expenditure Control Act of 1968. The second and more restrictive reason is the requirement that applications proceed through regular civil service examinations contrary to the requirements imposed in recruiting for the Metropolitan Police force and other local law enforcement agencies. These agencies have already established age limits for recruits as follows: Alexandria, Prince Georges County, and the District of Columbia have set the age at 29 years. Arlington County at 30 years and Fairfax County and Montgomery County at 31 years. The White House Police are recruited from the Metropolitan Police and the U.S. Park Police.

It would appear to me that if we are to have a U.S. Park Police capable of doing the job it is required to do, a maximum recruiting age similar to the other law enforcement agencies in the area is absolutely necessary.

I would point out, Mr. President, that a similar bill passed the Senate in 1963 and was approved by the House Interior and Insular Affairs Committee, but did not clear that body.

Since adequate law enforcement is more important than ever, I urge early and favorable consideration of this measure.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1686) relating to age limits in connection with appointments to the U.S. Park Police, introduced by Mr. BIBLE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 1687—INTRODUCTION OF A BILL TO BE KNOWN AS THE DRUG ABUSE EDUCATION ACT OF 1969

Mr. BENNETT. Mr. President, my distinguished colleague in the House, Laurence J. Burton, has introduced a bill to authorize the U.S. Commissioner of Education to set up a program in the elementary and secondary schools to educate our young people on the dangers and uses of drugs. Like our crime rate, we have in drugs a problem that is already reaching critical proportions. Unless we move now to meet the problem head on, the quality of life in this country will be further seriously damaged by illicit drug use.

It is the responsibility and burden of all Americans to meet the challenge head

on. I can not emphasize strongly enough that it is primarily a family obligation. I believe every American parent should acquaint himself with the dangers of illicit drug use and impress upon their children the consequences that may befall a teenager who experiments with them. However, not all of the problems can be met in the home, and a unique opportunity exists for our schools to make a valuable contribution in this field. Because drug abuse is a national problem and because many of the narcotic drugs flow in interstate commerce, it is reasonable that the Federal Government now provide new machinery for combating this problem.

Consequently, I am introducing the Drug Abuse Education Act of 1969, which will authorize the U.S. Commissioner of Education to make grants to our public schools and other institutions for the purpose of setting up and conducting educational programs regarding drug use.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1687) to authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs and for other related educational purposes, introduced by Mr. BENNETT, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 1688—INTRODUCTION OF A BILL TO ESTABLISH THE DINOSAUR TRAIL NATIONAL MONUMENT NEAR GLEN ROSE, TEX.

Mr. YARBOROUGH. Mr. President, today I introduce, for appropriate reference, a bill to establish the Dinosaur Trail National Monument near Glen Rose, Tex.

This bill would authorize a national monument to protect the 135-million-year-old dinosaur tracks which have been preserved in the limestone bed of the Paluxy River, southwest of Fort Worth. These footprints can be clearly seen in the natural rock that forms the bed of the beautiful little river, and are believed to be the most numerous and best-preserved tracks in the world.

During the 90th Congress, my colleagues Congressmen BOB POAGE, of Waco, and JIM WRIGHT, of Fort Worth, sponsored House bills to create this national monument. I introduced a companion Senate bill, S. 1113, to protect this unique natural phenomenon. The citizens of Glen Rose and Somervell County also favored the preservation of these tracks as a national monument.

Mr. President, no action was taken on this bill during the last Congress. However, on March 25, 1969, the Department of the Interior announced that the Texas dinosaur site on the Paluxy River has been declared eligible for inclusion in the

National Registry of Natural Landmarks by Secretary of the Interior Walter J. Hickel. It is commendable that the Park Service has recognized the significance of this area, but I do not think that recognition as a national landmark is enough.

About 30 dinosaur tracks are said to be visible today, left by dinosaurs in mud which has hardened into limestone. More tracks are likely to be uncovered. Previously, some of the tracks were quarried and are on display at the American Museum in Austin, Tex. All of these tracks might be subject to removal unless a national monument is created to preserve the tracks as they were originally created by the feet of the dinosaurs.

The Interior Department points out in their press release of March 25, 1969:

Registration as a National Landmark does not involve change in land ownership and the National Park Service does not administer the sites or provide financial assistance.

It is for this reason that registration as a national landmark does not provide the necessary protection for this area. Though such recognition is indeed a significant and important step, it is just not enough to insure the preservation of these ancient tracks.

Mr. President, I ask unanimous consent that the text of the Department of the Interior news release of March 25, 1969, entitled "Texas Dinosaur Site To Be Landmark" be printed in the RECORD at the conclusion of my remarks. This release expresses the concern of the Interior Department that the dinosaur site on the Paluxy River be preserved.

Mr. President, I also ask unanimous consent that the text of my bill to establish the Dinosaur Trail National Monument near Glen Rose, Tex., be printed in full at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and news release will be printed in the RECORD.

The bill (S. 1688) to authorize the establishment of the Dinosaur Trail National Monument in the State of Texas, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1688

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for the benefit and enjoyment of present and future generations significant scientific features, the Secretary of the Interior may designate as the Dinosaur Trail National Monument such lands and interests in lands near Glen Rose, Texas, and the Paluxy River as in his discretion are needed for establishment of such monument.

Sec. 2. The Secretary of the Interior may acquire lands or interests therein within the Dinosaur Trail National Monument by donation, purchase with donated or appropriated funds, or exchange. When acquiring property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the national monument, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal,

or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

Sec. 3. The Secretary of the Interior shall administer, protect, and develop the Dinosaur Trail National Monument in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 10 U.S.C. 1 et seq.), as amended and supplemented.

Sec. 4. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The news release, presented by Mr. YARBOROUGH, is as follows:

TEXAS DINOSAUR SITE TO BE LANDMARK

Dinosaur tracks made in central Texas approximately 100 million years ago were declared eligible today for inclusion in the National Registry of Natural Landmarks by Secretary of the Interior Walter J. Hickel.

The huge footprints have been preserved in the limestone bed of the Paluxy River, near Glen Rose, southwest of Fort Worth.

The Registry of Natural Landmarks, begun in 1964, is maintained by the National Park Service to identify and recognize significant areas of natural value for future generations.

The Glen Rose site, soon to be developed by the Texas Department of Parks and Wildlife, provides fossil evidence of the development of life on earth dating to the Cretaceous period as measured in geological time.

Then it was that central Texas was lapped by waters of a shallow, warm sea at the close of "the age of reptiles." While dinosaur track impressions and fossils have been found in other parts of Texas, the National Park Service deems the Glen Rose site is nationally significant in that it proves to paleontologists that the huge reptiles walked upright instead of crawling.

Paleontologists call the trace fossils "ichnites," literally footprints in stone. As the mud became limestone, the footprints preserved a drama of that far-away time in the earth's development. In the same rock is another trackway identified as made by a smaller, flesh-eating dinosaur apparently tracking the great but defenseless herbivorous reptile whose deep prints may be seen today.

Registration as a Natural Landmark does not involve change in land ownership and the National Park Service does not administer the sites or provide financial assistance. At the Glen Rose site, the State of Texas is planning a recreation area to include camping, hiking and swimming in the Paluxy River.

S. 1691—INTRODUCTION OF A BILL TO REMOVE THE LIMITATION ON THE NUMBER OF CIVILIAN EMPLOYEES IN THE DIVISION OF INDIAN HEALTH

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, a bill first presented to the Senate in 1968 as an amendment to Public Law 90-364. The amendment was approved by voice vote of the Senate, but was dropped in conference.

I have proposed in this bill the exemption of the Division of Indian Health, within HEW, from the freeze provided for in Public Law 90-364, insofar as personnel requirements and vacancies are concerned.

Health services which are furnished to the Indians are being greatly diminished by reason of the freeze, and in the very near future will be diminished to a critically low point. Without going into great detail, I would like to mention a few ex-

amples of the problems which have arisen because of the freeze.

One major problem is the critical shortage of nurses which has been intensified by the freeze. Approximately 100 nursing service personnel have been lost in the last year. A few examples of shortages are:

First. The Oklahoma City area reports reveal that Clinton Hospital is operating with only three of five authorized nurse positions filled and Lawton Hospital, in my hometown, is operating with only 13 of 18 positions filled;

Second. The Aberdeen area reports reveal that the new hospital at Belcourt, N. Dak., has five of 13 registered nurse positions vacant;

Third. The Anchorage Native Medical Center has 12 of 71 positions vacant while the Tanana Native Hospital has two of six positions vacant;

Fourth. The PHS Indian Hospital at Mescalero, N. Mex., has two of six positions vacant;

Fifth. The Navajo area reports that the Gallup Indian Medical Center has 18 of 46 registered nurse positions vacant and the Crownpoint Indian Hospital has four of seven vacant.

These shortages are but a few examples, with comparable examples in most Indian hospitals in the Nation.

Staff shortages are becoming critical in other categories of health service. The laboratory standard of the Indian hospitals throughout the Nation is below the level required by the Laboratory Improvement Act of 1967. Personnel needed for the control of such communicable diseases as tuberculosis, measles, and trachoma cannot be hired by reason of the freeze.

Great advancement has been made in the past few years in maternal and child health and family planning programs, as well as mental health programs and programs designed to eliminate nutritional deficiencies; however, due to the freeze on personnel, these essential programs are being severely restricted.

I ask unanimous consent to have printed in the RECORD a statement outlining the current effects on the Indian Health Service of employment limitations resulting from implementation of Public Law 90-364.

It appears that if the freeze on personnel is not removed, the advancements we have made in the past few years in Indian health services will be lost and medical care for the Indian in this Nation will reach a deplorable state. I therefore urge that favorable consideration be given this bill.

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

The bill (S. 1691) to remove the limitation on the number of civilian employees in the Division of Indian Health, within the Department of Health, Education, and Welfare, introduced by Mr. HARRIS (for himself and Mr. HART), was received, read twice by its title, and referred to the Committee on Finance.

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

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION, INDIAN HEALTH SERVICE
EFFECT OF EMPLOYMENT RESTRICTIONS
General

The first notification of the employment freeze was received on July 5, 1968 and established the following guidelines:

(a) Non-permanent employment was frozen until July 1967 levels are reached.

(b) Full-time permanent employment was frozen except for commissioned officers whose orders were out on or before June 30, 1968 for entry on duty July 1, 1968 or later. Extreme hardship cases were reviewed on an individual basis.

On July 10, 1968, the absolute nature of the employment freeze was confirmed by a memorandum from DHEW stating that no agency could fill any permanent position at any time during July until the prescribed July 31 ceiling is reached. (The ceiling was furnished HSMHA but not to Indian Health Service).

On August 5, 1968 advice was received that appointments could be made, effective August 11, 1968, to 50 percent of all vacancies in permanent full-time positions occurring on or after August 1, 1968 in direct patient care activities. At this point in time all Indian Health Service activities except the Washington Headquarters were considered Patient Care Activities. Any proposed employment for Headquarters, Indian Health Service required the prior approval of the Executive Officer, HSMHA. Monthly ceilings on other than full-time employment were issued by HSMHA.

On October 10, 1968 authority was received to fill 70% of vacancies occurring in patient care activities as defined above, which resulted from resignation, retirement, removal or death. Authority was also granted to fill on a one for one basis vacancies occurring as a result of transfers outside of HSMHA to another governmental agency.

On January 8, 1969 DHEW, HSMHA established a ceiling of 185 vacancies in direct patient care which may be filled on a one for one basis provided that the September 30, 1968 employment levels are not exceeded. However, on September 30, 1968 the Indian Health Service had accumulated 224 vacancies which could not be filled because of the freeze. In addition, the definition of what constitutes direct patient care positions specifically excluded the following categories of personnel: Public Health Educators, Community Health Professionals, Chauffeur-Interpreters, Sanitary Engineers and Sanitarians, and Sanitary Aides. Many positions previously considered to be in direct support of patient care activities are also excluded such as ward clerks, housekeeping, laundry and maintenance personnel.

The Departmental definition of Direct Patient Care activities, therefore, is more restrictive than that maintained by the Indian Health Service which considered that all field activities of the Service constitute Direct Patient Care and only the Washington Headquarters constitutes an overhead activity.

Attached is a tabulation reflecting the monthly accumulation of vacancies during the period July, 1968 through January, 1969.

Since June 30, 1968—the employment level target of PL 90-364—many new programs have been added or expanded including family planning, trachoma control, sanitation facilities construction for new Indian housing, field health clinics, and mental health services. Full-time medical officers are now serving 11 health centers which previously received only occasional medical service. These 11 new clinics serve Indians in Alaska, Kansas, New Mexico, North Dakota, Oklahoma, South Dakota and Washington. Program emphasis has been placed on preventive health services and on making comprehensive health services accessible and acceptable to the Indian people.

From FY 66 to FY 68 there was a 1.8% increase in admissions. Based on workload data for the first quarter of FY 1969 this trend would appear to be continuing and the resultant FY 69 workload is projected at a 1.7% increase over FY 68 and 3.5% over FY 66. Personnel in FY 68 increased over FY 66 by 2.3%. FY 69 personnel projections based on first quarter employment reflect a 2.5% decrease over FY 68.

Inpatient GM&S workloads reflected a 3.4% decline from FY 66 to FY 68 and FY 69 workloads reflect a decrease of 9.5% over FY 68 workload data. Although inpatient days and ADPL have shown slight decreases in projections for FY 69, admissions have continued to rise and the average admissions per hospital employee have risen from 23.7 in FY 66 to 25.2 in FY 69, which compares with a national average of 16.31 to 1 in community hospitals.

Average daily patient load reflects the approximately 11% reduction in average length of stay from FY 68 to FY 69. There are several apparent reasons for the reduced patient stay and average ADPL in terms of the increased workloads reflected in the outpatient data from FY 66 to FY 68. Patients are being seen in greater numbers in outpatient facilities, conditions are being diagnosed in early stages and treatment days in hospitals reduced as a result.

Operation of hospitals, health centers and health stations

The attrition process is affecting every form of activity—medical, para-medical, hospital administration, food service, maintenance—all types of personnel required to enable the Division's direct patient care activities to continue to provide health services of the quality and quantity required by the Indian people. The authority to fill 70% of permanent full-time vacancies has provided little relief. Because of the acute shortage of nursing staff—a staff which was marginal in number at best before the imposition of employment restrictions—54 of the 76 appointments made under the 50% and 70% formulas have been nursing staff. In spite of the priority given to nursing, approximately 100 nursing service personnel have been lost during the first quarter of this fiscal year. This loss includes nearly 70 registered nurses.

The critical shortage of nurses affects all areas. The Aberdeen Area reports that the new hospital at Belcourt, North Dakota, has five of 13 registered nurse positions vacant. The Anchorage Native Medical Center has 12 of 71 positions vacant, while the Tanana Native Hospital has 2 of 6 positions vacant. The PHS Indian Hospital at Mescalero, New Mexico, also has 2 of 6 positions vacant. The Navajo Area reports that the Gallup Indian Medical Center has 18 of 46 registered nurse positions vacant and the Crownpoint Indian Hospital has 4 of 7 vacant.

Another example of the critical staff shortage is found in medical and X-ray technicians. The Division has been attempting to bring the laboratory standard of its facilities up to the level required by the Laboratory Improvement Act of 1967. Progress toward providing the same quality of laboratory services for Indian patients as is accepted for the general U.S. population has been halted and reversed. From June 30 to September 30, 1968, the number of technicians serving the Division's 51 hospitals, 63 health centers, and over 300 health stations has decreased from 164 to 154—a loss of ten technicians in spite of the fact that 6 of the 76 permitted appointments have been technicians.

The 30-bed annex of the Phoenix Indian Hospital has been closed. The patients involved will receive care at the main hospital or in contract medical care facilities and in many cases not at all because of space and financial restrictions. Other hospitals, including the Gallup and Anchorage Medical

Centers, have had to restrict patient services and specialty care.

The vacancy situation in support personnel is also becoming increasingly critical. The Alaska Area reports that only one laundry man is available on a full-time basis to process 18,000 pounds of laundry a week. The hospital at Kotzebue is authorized 16 maintenance positions, of which six are vacant, including that of a plumber. Maintenance projects which are essential if the installation is not to deteriorate cannot be accomplished before the freeze-up.

At all installations the concern for medical and nursing care is mounting daily and the stark fact is that at many of our hospitals current and foreseeable staffing levels will not be able to provide an adequate or safe level of patient care.

As part of the Division's continuing attempt to raise the health level of its beneficiaries and to assure their involvement in the Indian health program, the Division established a School of Practical Nursing at Albuquerque, New Mexico. On September 17, 1968, seventeen Indian girls graduated from that school after completing a one-year nationally accredited program in practical nursing. Before they entered training, the Division made a commitment for employment of these girls following their graduation and licensure. Although the Division of Indian Health has the vacancies and urgent need for all of them, the current freeze precludes their employment.

Field health activities

Current projections of outpatient data indicated a marked reduction in the trend towards increasing workloads established by the 17.5% increase in services rendered in hospital clinics in FY 68 over those rendered in FY 66. FY 69 projections indicate only a slight increase of 1% in hospital outpatient clinic workloads. The significant trend is reflected in the marked reversal in a trend established in field clinic outpatient services. In FY 68 these services represented a 12.1% increase over FY 66. The projections for FY 69 indicate a reduction of 17.3% in field clinic outpatient workloads. The current personnel limitations which face the Division have caused a realignment in staff from field health activities to provide support for hospital inpatient and outpatient clinic activities to maintain minimum care of acute GM&S illness.

Although both the Hospital Outpatient Clinics and the Field Medical Clinics each provide both preventive and therapeutic services on an outpatient basis, only 16% of the services provided at the hospital are preventive, while 37% of the services provided at Field Medical Clinics are preventive.

Finally, although 63% of field clinic visits are therapeutic, one must remember that field clinics have been established in the more isolated Indian villages precisely because the inhabitants of these villages are prevented by distance or terrain from regular visits to hospital clinics. In these villages, every therapeutic visit can also be considered a preventive visit, since early treatment prevents progression and complication of the disease.

The following are specific examples of the major program activities which will be curtailed by this dramatic decrease in field medical services:

Communicable disease control

It has been shown that about 2% of contacts of tuberculosis cases develop the disease within 5 years. In FY 68, 540 active new cases of tuberculosis were diagnosed. These cases will have from 5 to 25 contacts per case for a total of 2700-13,500 contacts who require immediate and continued follow-up. If follow-up cannot be provided, at least 54 cases of active tuberculosis can be expected to develop among these contacts. Reduction in the tuberculosis control pro-

gram will inevitably result in higher tuberculosis morbidity and an increasing reservoir of active cases to spread the disease.

Measles is one of the most communicable of the infectious diseases. It is also a very serious disease among Indian and Alaska Native children due to the frequency and severity of its complications, notably pneumonia and encephalitis. By providing an aggressive measles immunization program, the Indian Health Service has been able to reduce the number of cases by two-thirds in the past five years. This progress will be lost as unimmunized infants enter the population at risk.

Trachoma is the leading cause of blindness among Indians. Approximately 30% of school age Indian children had the disease prior to the intensive trachoma control program initiated in FY 1967. The prevalence of the disease has been reduced through this intensive program to 7% in this age group. Past experience has shown that trachoma incidence rapidly increases in the absence of an intensive control program. Progress in controlling this serious eye disease will be lost as field health activities are cut back.

Maternal and child health and family planning

Preventive health programs in maternal and child health have received high priority. Good prenatal care and comprehensive health services for Indian infants are essential if their excessive morbidity and mortality are to be reduced. Evidence is also mounting that adequate prenatal care is related to a lowered incidence of mental retardation.

Success of the Indian Health Service MCH program can be seen in the 25% increase from FY 66 to FY 68 in Indian mothers receiving prenatal care, in the 20% decrease in complications of pregnancy, 10% decrease in prematurity rates (1965-1967) and the decrease in mortality from 50.3 infant deaths per 1,000 live births in 1960 to 34.5 in 1967.

Family planning is accepted as an essential to responsible parenthood and to the maximum growth and development of children. The percent of women of child-bearing age who have participated in family planning has increased from 9.2 in FY 66 to 28.5 in FY 68. During the same period births in Indian Health Service hospitals have decreased by 6.5 percent.

These activities are being severely restricted as the loss of IHS staff continues under the present personnel restrictions.

Mental health

The Indian people are not only subjected to most of the stresses of modern living but have the additional burden of cultural conflict. These factors have precipitated a diversity of social and personality conflicts and mental illnesses that result in high rates of suicides and accidents, excessive use of alcohol, family disorganization, child neglect, school dropouts and unemployment. The IHS community mental health programs are designed to combat these mental health problems through comprehensive programs stressing prevention. The success of this approach is shown in the reductions in the number of patients who must be sent away from their home community to a mental institution.

NUMBER OF ADMISSIONS TO STATE MENTAL HOSPITAL

Area service unit	Fiscal year 1966	Fiscal year 1967	Percent decrease
Navajo area.....	11	30	73
Bethel service unit.....	13	8	38
Kotzebue service unit.....	22	8	64

While these are small numbers upon which to base precise long-term predictions, it seems reasonable to conclude that continued efforts to improve mental health will result

in a decrease of hospitalization in State Mental Hospitals for acute mental illness in those areas where we initiate a mental health program.

As a result of the present personnel restrictions, two areas (Portland and Billings), which were to have the initial phase of a mental health program, have been forced to postpone their mental health program at least until next fiscal year.

In one area (Aberdeen), the psychiatrist has left to join the faculty of Yale Medical School and cannot be replaced. Progress in this Area thus has been halted.

In four areas, needed professional mental health workers have not been hired. The loss of psychologists and support staff diminishes the impact of programs.

Public health nursing

Public Health Nurses are the major providers of home health services to Indian families. Their role is critical in maintaining continuity of care between the health care institutions and the home, in case finding, health teaching in the home, and in the preventive health programs identified above. The projected result of the present personnel restrictions will be a minimum reduction in services provided in homes, schools, and clinics of 7% in FY 69 as compared to FY 68.

This, however, only represents a minimal loss in services to be anticipated as a result of the "freeze." What is more likely to happen is that, as the loss of clinical nursing personnel continues and the demands for care of the sick increase, it will become necessary to draw additional public health nursing personnel away from the preventive program. Care of the sick and injured must have the highest priority and public health nursing personnel will of necessity be utilized to provide care. As this occurs, the reduction in preventive services will be even greater than indicated.

Nutrition

The poor nutritional status of the Indian and Alaskan Native has recently received national publicity and resultant Congressional concern. Nutritional deficiencies in this population have long been recognized by the Indian Health Service which has focused special efforts on the needs of nutritionally vulnerable groups—the infant and preschool child and woman in the child-bearing age. IHS nutritionists have been extending their skills through providing consultation and training to all health personnel and education to the Indians themselves.

New projects are now being introduced to support further improvement of the nutritional health of the Indian. These include the food stamp program; an increase in the variety and quantity of USDA commodity foods; nutritional studies; and the involvement of OEO workers, community health representatives and other non-professional aides in nutrition services.

Indian Health Service nutritionists are essential to the implementation and success of these endeavors. Yet one of the 13 nutritionists on duty June 30, 1968 has left the program and another vacancy is anticipated. Rather than increasing nutrition services to the anticipated FY 69 staffing of not less than 20, there will actually be a decrease of two positions. Two areas, including the Navajo reservation where inadequate nutrition is widespread, remain without any professional nutrition staff. Twenty-four percent of the Indian population received needed nutritional services in FY 66 and twenty-three percent in FY 68. Twenty percent are receiving services presently. With a staff increase to 20 nutritionists, 33% of the population would be provided these services.

Unless nutrition services for the Indian and Alaska Native, and consequently their nutritional health, can be strengthened, the morbidity and mortality from malnutrition itself, and from infectious and chronic dis-

eases and other nutrition related health problems will remain high.

EFFECT OF DECREASE IN PREVENTIVE DENTAL SERVICES

The currently anticipated reduction in dental services due to the personnel restrictions include 5,000 topical fluoride (preventive) treatments in addition to 24,000 curative and other services. Topical fluoride treatments would prevent 40% of the tooth decay in the 5,000 individuals treated. This increase in decay will necessitate an increase in restorative care which cannot be provided with a reduction in manpower. These teeth must ultimately be extracted because dental decay caused an irreversible loss of dental tissue and eventual involvement of the pulp with pain and infection following. To maintain an adequate masticatory function and cosmetic effect it then becomes necessary to replace the extracted teeth with artificial appliances.

A Cost-Benefit-Analysis shows that the cost to construct a prosthetic appliance to replace a missing tooth is approximately 13 times greater than to fill it. The end result of loss of teeth is gross disfigurement which can never be completely corrected even by an artificial appliance.

It should be noted that one dental assistant will add approximately 33% to the services provided by a dentist. Two dental assistants will increase his capacity to provide care by more than 60%.

Therefore, a decrease in staff would greatly increase the backlog of need to a point from which the Indian Health Service has progressed several years ago. This fact is further complicated by the increase in the Indian and Alaska native population. It could take many years to return to the current level of dental health.

HEALTH EDUCATION

At present, 56% of the Service Units are provided with full time health education services. About 41% of all patients in all medical care facilities are provided organized educational services designed to maximize effectiveness of treatment, prevent recurrence and to prevent spread of diseases.

About 52% of the population at risk (community) receive organized education and information for motivation to reduce the risk. During FY 69 health education services were anticipated to provide organized programs for 65% of all service units, health education experience for 68% of all patients seen in IHS facilities for selected disease and injury problems, and preventive health education services to 70% of the population at risk from selected disease and injury conditions through organized community-based health education experience.

The personnel restrictions of PL 90-364 will permit no increase in IHS health education services this fiscal year and any loss of health education staff will further increase the disparity between need and services provided. By greatly intensifying efforts with present staff—this will probably hold the line at present level of operations.

The optimum level of operation is to provide full time health education services in all Service Units, provide all patients in all medical care facilities with organized health education to prevent recurrence and spread of disease, and to provide at least 80% of the target population (whole community) with intensified efforts in health education, information and learning experiences for motivation to reduce the risk from diseases and injury.

OFFICE OF ENVIRONMENTAL HEALTH WORKLOADS AND STAFFING SUMMARY

Sanitation facilities construction activities

Workloads in the Sanitation Facilities Construction activity are based on the level of appropriation and whether the funds are to construct facilities to serve existing homes

or to serve new housing constructed under one of the Federal or tribal housing programs. A comparison of the workload and

staffing requirements for construction of the facilities within an 18-month to 2-year period after the appropriation follows:

WORKLOADS AND STAFFING—SANITATION FACILITIES CONSTRUCTION ACTIVITY

(Dollar amounts in millions)

Fiscal year	Workloads			Staffing		
	Number of project	Number of homes	Amount	Needs	Authorized	Deficiency
1966.....	67	6,500	\$6.2	68	68	0
1968.....	125	7,400	10.5	111	106	5
1969.....	174	10,830	17.1	188	125	63

The table indicates that the SFC activity is 63 positions below the minimum staffing required to implement effectively the authorized construction activity on a timely basis. To accomplish the authorized program other methods (especially contractual) have been sought out and used. These methods are costing substantially more than the cost if our own staff were carrying out the work. These increased costs have resulted in reductions in the original number of homes to be served.

Any reduction in the on-duty staff that will result from personnel leaving the program, coupled with an inability to replace them, will further reduce the number of homes that can be served, or will delay construction beyond the normal 18-month to 2-year time to complete the authorized pro-

gram. Should either of these developments take place, the Indian and Alaska Native tribes affected will most assuredly react strongly.

Environmental Health Services activities

Workloads in the Environmental Health Services activities are based on minimal services criteria for Indian and Alaska Native families and communities. The criteria include the necessity to provide technical assistance to Indian and Alaska Native families following the installation of basic sanitation facilities. These special continuing services are of utmost significance for the long term operation of installed facilities.

Workloads and staffing for these services are presented in the following table:

WORKLOADS AND STAFFING—ENVIRONMENTAL HEALTH SERVICES ACTIVITY

Fiscal year	Family and community services rendered	Family and community services required	Authorized ¹	Needed	Defici
1966.....	51,500	107,000	154	354	200
1968.....	83,100	130,000	192	380	188
1969.....	87,000	140,000	207	380	173

¹ Budget positions including prorata.

The staffing deficiencies in the authorized program cause serious delays in the provision of essential technical assistance to Indian and Alaska Native families and to community officials.* An example of these essential services is the provision of technical assistance to Indian families and communities on water supply and waste disposal facilities installed under PL 86-121. To the average urban or rural American, these facilities would generally be considered simple but to the typical Indian who has never had a water faucet, toilet, automatic water system, septic tank, etc., available to him before finds these installations very sophisticated and complex. From 1966 through the completion of facilities authorized in 1969 there will be nearly 25,000 homes receiving these complicated, little understood mechanical facilities. Experience dictates that the failure to provide adequate technical assistance to the recipients of the facilities can result in about 30% of the facilities having one or more inoperative components at any point in time. If timely assistance is not provided, these conditions rapidly lead to a complete breakdown and a subsequent need for major repairs or replacement of the facility. Therefore, any increase in the gap between needed and authorized staffing as a result of the inability to fill vacancies as they occur will further reduce the capability

to deliver services to meet the essential needs of these disadvantaged people and contribute to the time required to accomplish the Indian Health Services' goal.

INDIAN HEALTH SERVICE PERSONNEL CHANGES—INDIAN HEALTH SERVICES APPROPRIATION

Month	Gross vacancies	Accessions	Net vacancies
July 1968.....	238	115	123
August 1968.....	115	46	69
September 1968.....	84	52	32
October 1968.....	86	43	43
November 1968.....	49	34	15
December 1968.....	20	17	3
January 1969.....	61	54	7
Total.....	653	361	29

S. 1692—INTRODUCTION OF CAMPAIGN FINANCE ACT

Mr. PEARSON. Mr. President, I introduce, for appropriate reference, a bill entitled "The Campaign Finance Act of 1969" which I first submitted 2 years ago to reform and revitalize the present system of financing campaigns for Federal office.

In the many months since this proposal was first brought forward 2 years ago the need for its enactment has been made still more urgent. The cost of being nominated and elected to high political office has always been great, but it is growing so rapidly in both absolute and relative terms that it is beginning to endanger the democratic beliefs upon

which our Republic is based. Indeed, many feel the point has already been reached where a candidate must be either rich himself or have rich friends if he is to successfully seek political office, particularly when the costs of campaigning for these offices are often 100 times the salary the winner receives.

Mr. President, the reported campaign finance figures in recent years lend conclusive weight to this disturbing forecast. In 1964, for example, the 107 Republican and Democratic committees operating at the national level reported spending \$34.8 million, more than twice the \$17.2 million disbursed in 1956 and 39 percent more than the \$25 million spent in 1960. And in the 4 years since this enormous increase was noted, spending at the national level doubled once again in 1968 to roughly \$70 million. Clearly something must be done to broaden the base of political contributions if these tremendous costs are to be met in a healthy manner.

Perhaps the most shocking fact of all is that high as these figures are, they represent only a small portion of total political spending for these election years. They cover only expenditures by national level committees which filed reports with the Clerk of the House of Representatives. They do not reflect State and local expenditures on behalf of national party tickets, nor do they contain the amounts spent in senatorial and congressional elections. Furthermore, these figures also exclude expenditures made in connection with primary or nomination campaigns which can be every bit as expensive as a general election. Money spent by nonpartisan groups in support of voter registration drives and other political activities is similarly ignored.

In 1964, the last Presidential year for which complete figures have been compiled and analyzed, it is estimated that the total cost of all political races—National, State, and local was really around \$200 million. In 1960, this figure was between \$165 and \$175 million. In 1956, the total was \$155 million, and in 1952, it was \$140 million. Thus, campaign expenses are steadily growing at the rate of \$5 or \$6 million a year.

Mr. President, these high and rapidly multiplying costs of running for public office have created serious dangers to our system of choosing our highest political officials. Because men must often be wealthy to consider seeking public office, many individuals of great ability but limited means never even try or if they do, are often defeated by better financed candidates. The cost to the American public of this lost talent cannot be measured.

Perhaps the most serious problem, however, created by the rising financial demands of public life is the need for nonwealthy candidates to rely upon a few rich individuals and pressure groups for their campaign funds. This reliance is unhealthy, for it reduces the importance of citizen participation in campaigns and limits the political independence of candidates.

Large donations, per se, are not unhealthy. Big contributors, be they indi-

* Services include all technical and consultative activities such as follow-up surveys of completed facilities, bacteriological sampling, food sanitation surveys, comprehensive surveys of institutions, individual homes and communities, rabies clinics, insect control actions and meetings with families and community leaders to promote good sanitary practices.

viduals or interest groups, often want no more than to donate to the democratic system under which they live. Others are merely using their contributions as a way to insure a full hearing for their views. Unfortunately, however, some expect direct favors for their donations and it is the need to rely on this type of contributor that often severely endangers the integrity of hard-pressed candidates of limited wealth. Even if their principles somehow remain uncompromised, the suspicion of collusion remains in the public mind and respect for our political system is lessened thereby.

Mr. President, this dangerous financial marriage of convenience means that we must move quickly to insure that the massive amounts of money needed by our political parties come from as wide a variety of sources as possible. Only in this way can we insure that our traditional political principles will be successfully maintained. Let us act, therefore, to broaden the contributions base and thus expand the power and influence of the individual citizen over our election system. Let us do more to bring even larger numbers of average citizens into the campaign process. And let us act carefully to frame our efforts in such a way as to assure the right of easy entry into the political arena of new and independent candidates and groups.

The Federal Government has a proper and, indeed, necessary role to play in achieving these goals. The Campaign Finance Act of 1969 is designed to enable the Government to meet this obligation by using Federal tax incentives to stimulate small- and medium-sized donations. Thus, the bill provides a 50-percent credit against Federal income tax payments for gifts up to \$20 to candidates for Federal office and to State and National party central committees. An individual giving the maximum \$20 would be able to subtract \$10 from his final tax payment. A contributor would not be allowed to abuse this benefit by giving a number of \$20 contributions to a variety of candidates and committees, receiving a partial tax credit for each such contribution. Only one such credit is permitted in any given year. A husband and wife filing a joint return would be permitted to claim a 50-percent credit for up to \$40 in contributions.

In addition, the bill for a tax deduction of contributions up to a maximum of \$500 a year per tax return. This measure is designed to complement the small gift tax credit by encouraging medium-sized donations. These donations are needed, of course, but any tax incentive designed to stimulate such gifts must be kept within reasonable limits if we are going to be able to maintain some controls over the size of campaign contributions. The \$500 ceiling proposed in this legislation would help provide that control.

Mr. President, both the partial tax credit and tax deduction incentives are needed. Though a contributor may not take advantage of both during the same year, he may freely choose whichever incentive yields the greatest personal benefit. Thus, by offering such a choice, the two incentive measures proposed

here will stimulate a much broader spectrum of the body politic than would exclusive reliance on either one.

Many individuals have asked why the Federal Government should offer a material reward of any kind for an act of citizenship that should be readily forthcoming on a purely voluntary basis. There is much merit in such a question and the view it expresses. That is why, for example, I oppose any form of direct subsidy from the Federal treasury. Such a subsidy would completely break the link between the contributor—in the case, the taxpayer—and the candidate. This link is important, not only for philosophical reasons, but also because it is a useful way to forge a feeling of identity between the giver and the recipient that is likely to lead to still greater campaign involvement at all levels by the giver. And one of the greatest needs in American politics today is more participation in the process by the average citizen. But clearly some type of incentive is needed. Good citizenship should indeed be its own reward, but if we are to broaden the currently low level of general public participation in financing campaigns for Federal office, then obviously some stimulus must be provided. Obviously, the Government has as much reason to provide for the election of unobligated candidates as it has to encourage fundraising through the present system of tax deductions for contributions to health, educational, welfare, and religious programs. If corruption exists, in part it is due to a lack of citizen support for political candidates. The twin benefits proposed in the legislation introduced today would help encourage this needed citizen support and, equally important, it would do it in such a way as to preserve that precious link between contributor and candidate that lies at the heart of our democratic election process.

Mr. President, these incentives are limited by this legislation to candidates seeking Federal office. Much as I sympathize with the grave financial problems of candidates who seek State and local office, the fact is that the tax incentives provided by this bill are derived from the Federal Government and should apply only to Federal candidates if the proper political division of our republic is to be maintained. If local contributions for local candidates are to be encouraged, then it is the State, not the Federal tax laws which should be modified.

At every level political parties have not been as successful in raising funds, in part because they lack the social respectability of the more acceptable charity drives. The reason for this, unfortunately, is that political donations are often viewed with a journalistic eye and politics is considered a tainted profession that is the exclusive province of the very wealthy and the special interests.

The difficulty with this attitude, Mr. President, despite the fact that it is sometimes justified is that it often brings about the very situation it decries. Dynasticism and disrespect are not the elements upon which to build a sound democracy. Public affairs should be the concern of

every citizen and all should participate fully. Any attitude which hinders or discourages the development of this ideal is to be deplored. If our political system is to function equitably and efficiently, political office must not only be regarded as respectable, but it must also be considered in the highest tradition of public service and good citizenship.

The Campaign Finance Act allows the Federal Government to give official sanction to the practice of political giving by offering tax benefits for contributions. Political donations may thus gain a measure of respectability they now lack. In addition, if these measures were coupled with an educational campaign, they would go far toward eliminating the cynical view of public life which now denies the campaign contributions the acceptability enjoyed by charitable and educational donations.

The cost of general elections is considerable. But, a fact often overlooked is that the influence of money in primaries is even greater. These expenditures, which do not have to be reported under Federal law, can be tremendous—especially in our larger States. For example, it has been estimated that senatorial primary costs in California and New York alone can reach \$1 million to \$2 million.

As Alexander Heard, chancellor of Vanderbilt University once remarked:

Money probably has its greatest impact in the choice of public officials in the shadowland of our politics where it is decided who will be a candidate for a party nomination and who will not. The effect of money in politics is probably more certain in determining who the candidates will be than in determining the outcome of the elections.

Thus, Mr. President, if we are to insure that our highest public offices are to be open to all men of ability and not just to men of means, candidates in primaries or for nomination as well as nominees must be permitted to draw upon the broad base of financial support which hopefully will be created by the tax benefits contained in this bill.

In 1952, approximately 3 million persons gave money to some party or candidate. In 1956, the figure was 8 million; in 1960, 10 million; and in 1964, roughly 12 million people made political contributions. The complete 1968 figures are not yet available.

Projections indicate that between 25 and 33 percent of the 57.3 million American households would contribute if the tax incentive were effectively publicized and full cooperation achieved. Thus, between 14 and 19 million contributions total a maximum of \$280 to \$380 million would be available for campaign use. Of this, the Government in effect—by virtue of the tax incentives—would pay half, or \$140 to \$190 million.

Mr. President, it is true these estimates are based on current figures and that claims for tax benefits will probably increase as the public becomes more familiar with the program. Nonetheless, it is unlikely that contributions will increase as dramatically as maximum projections would indicate, for many, when polled, who say they will contribute, often do not do so when confronted by a party solicitor.

Thus, the costs to the Federal Government of these incentives will not be prohibitive. Indeed, in terms of the benefits these tax measures will bring, the cost will be quite reasonable.

Mr. President, while these benefits will be considerable, greater public campaign support must not be encouraged without also establishing adequate safeguards against its misuse. We must be careful to provide an incentive for political participation, but not an opportunity for illegal gain.

Tax credits may be easily abused by unscrupulous individuals. Thus, some system of verification must be established if we are to avoid creating virtually unlimited possibilities for corruption. This verification can take various forms and the exact procedure can be determined after a thorough review of the alternatives.

Stimulating contributions is one way of solving the current campaign finance crisis. Others exist, of course, among them being programs designed to actually reduce the costs that are now imposed on candidates, particularly by the publically-regulated broadcast industry. I will deal with some of these alternatives in subsequent legislation.

But still another area of campaign finance activity is in need of reform, Mr. President. I am speaking, of course, about the hopelessly inadequate system we now employ for controlling and reporting political contributions and expenses. Merely to funnel large sums of money into the present political structure through any type of Federal incentive could prove self-defeating unless accompanied by meaningful reforms of our control and reporting system, which is 44 years old and wracked with inconsistencies and unenforceable provisions.

In general, our campaign finance laws are more honored in the breach than in the observance. Indeed, they have become so ineffective that the integrity of our political system itself is often thrown into question. The fact remains that the Federal Corrupt Practices Act and section 609 of title 18 of the United States Code simply have failed to control campaign financing.

For example, experience has shown that the present limitation of \$3 million imposed by section 609 of title 18 of the United States Code on the annual expenditures of an interstate political committee in no way limits national campaign spending. It merely leads to a proliferation of such committees, for the law imposes no limit on the number of committees which may receive funds up to the \$3 million ceiling.

For example, in 1960, there were 70 national level committees in operation. By 1964, this figure had increased to 107.

In addition, Mr. President, committees which operate exclusively within one State are not subject to any Federal reporting regulations at all. Thus, there is a wide discrepancy between reported campaign expenditures and total disbursements.

The Federal Corrupt Practices Act limits a candidate for U.S. Senator to \$25,000 in campaign expenses and a candidate for U.S. Representative to \$5,000. These figures are patently ridiculous

and are easily circumvented by establishing a number of ostensibly independent committees to support the candidate's cause.

Similarly, an individual is legally prohibited from giving more than \$5,000 to any one committee in a given year. Yet, he may make as many donations as there are committees supporting the candidate.

Mr. President, this bill would establish uniform reporting requirements for all such committees while removing any artificial limits on spending by individuals and committees alike. Past experience would indicate that merely tightening spending limitations would have little or no effect on actual disbursements and would prove to be administratively burdensome.

As the President's Commission on Campaign Costs said in its 1962 report on financing presidential campaigns:

Full and effective disclosure is the best way to control excessive contributions, on the one hand, and unlimited expenditures on the other. Publicity has a cleansing and policing power far more powerful than that of limitations.

Under the provisions of the bill, every committee which received contributions of \$100 or more would be required to report them to a Registry of Election Finance in the General Accounting Office. All committee expenditures of \$100 or more would also have to be reported to the Registry. In addition, candidates, whether successful or not, would be required to make full disclosure of their campaign gifts to the Registry.

Mr. President, not only would penalties be levied against anyone who failed to comply with these provisions, but the Registry would be required to issue periodic reports summarizing the information it received, thus making it available for public consumption.

Moreover, while there would be no limit on the amount of money an individual could contribute to a committee or candidate, any person who donated more than \$2,500 would have to file a report on his contributions with the registry.

In addition, this bill would prevent the selling of campaign souvenirs at more than \$5 each. Thus, campaign magazines could not longer be used as ill-disguised devices for eliciting large amounts of money camouflaged as advertising from groups and corporations which otherwise would not be able to contribute.

Last year the Senate passed an election reform bill designed to meet some of these problems. It did not go as far as I would like and was not as comprehensive as the proposal I submit today, but at least it represented a start. Unfortunately, this bill failed to clear the other body and thus we must start from the beginning again. The combined tax incentive, reporting, and control program offered by the Campaign Finance Act just introduced will, I hope, provide the basis for the thoroughgoing reforms that the system obviously needs and which the American people have a right to demand.

Mr. President, no man, no matter how humble his means, should be denied the opportunity to hold elective office. Today, this is not the case. The exact na-

ture of the reform needed is a matter of great controversy. Nonetheless, through the swirl of pros and cons, one fact is clear. As Erwin Canham of the Christian Science Monitor phrased it:

Around the neck of every American candidate hangs the terrible burden of raising money. It is a tin cup that weighs a ton.

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

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection the bill will be printed in the RECORD.

The bill (S. 1692) to provide for an income tax credit or deduction for certain political contributions, to revise the laws relating to corrupt election practices, and for other purposes, introduced by Mr. PEARSON, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1692

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Campaign Finance Act of 1967".

TABLE OF CONTENTS

TITLE I—TAX TREATMENT OF POLITICAL CONTRIBUTIONS

- Sec. 101. Tax credit.
- Sec. 102. Deduction from gross income.
- Sec. 103. Effective date.

TITLE II—AMENDMENTS TO CRIMINAL CODE

- Sec. 201. Definitions.
- Sec. 202. Political purchases.
- Sec. 203. Repeal.
- Sec. 204. Contributions by contractors.
- Sec. 205. Conforming amendment.

TITLE III—CORRUPT FEDERAL ELECTION PRACTICES

- Sec. 301. Definitions.
- Sec. 302. Registry of election finance.
- Sec. 303. Organization of political committees.
- Sec. 304. Registration and statements of political committees.
- Sec. 305. Reports by political committees.
- Sec. 306. Reports by contributors.
- Sec. 307. Reports by candidates.
- Sec. 308. Requirements and regulations.
- Sec. 309. Duties of the Comptroller General.
- Sec. 310. Advisory Board.
- Sec. 311. Penalty.
- Sec. 312. Saving provision.
- Sec. 313. Repeal.

TITLE I—TAX TREATMENT OF POLITICAL CONTRIBUTIONS

TAX CREDIT

SEC. 101 (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by renumbering section 40 as section 41, and by inserting after section 39 the following new section:

"SEC. 40. POLITICAL CONTRIBUTIONS.

"(a) GENERAL RULES.—In the case of an individual, there shall be allowed, as a credit against the tax imposed by this chapter for the taxable year, an amount equal to one-half of the political contributions (as defined in subsection (c)) payment of which is made by the taxpayer within the taxable year.

"(b) LIMITATIONS.—

"(1) AMOUNT.—The credit allowed by subsection (a) shall not exceed \$10 for any taxable year, except that in the case of a husband and wife who file a joint return under section 6013 for the taxable year, the credit shall not exceed an aggregate of \$20.

"(2) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by this chapter for the taxable year reduced by the sum of the credits allowable under section 33 (relating to foreign tax credits), section 35 (relating to partially tax-exempt interest), section 37 (relating to retirement income), and section 38 (relating to investment in certain depreciable property).

"(3) VERIFICATION.—The credit allowed by subsection (a) shall be allowed, with respect to any political contribution, only if such political contribution is verified in such manner as the Secretary or his delegate shall prescribe by regulations.

"(c) DEFINITIONS.—For purposes of this section and section 218—

"(1) POLITICAL CONTRIBUTION.—The term 'political contribution' means a contribution or gift to—

"(A) the national committee of a qualified political party;

"(B) the senatorial or congressional campaign committee of a qualified political party, not to exceed one committee for each House of the Congress, as designated by the national committee of such party;

"(C) the State committee of a qualified political party as designated by the national committee of such party;

"(D) a local committee of a qualified political party as designated by the State political committee of such party; or

"(E) an individual who is a candidate for President or Vice President of the United States or Senator or Representative in or Resident Commissioner to the Congress of the United States in any general, special, or primary election in any State, or in any national, State, or local convention of a qualified political party, for use by such individual to further his candidacy for such office.

"(2) QUALIFIED POLITICAL PARTY.—The term 'qualified political party' means—

"(A) in the case of contributions made during the taxable year of the taxpayer in which the electors of President and Vice President are chosen, a political party presenting candidates or electors for such offices on the official election ballot of ten or more States, or

"(B) in the case of contributions made during any other taxable year of the taxpayer, a political party which met the qualifications described in subparagraph (A) of this paragraph in the last preceding election of a President and Vice President.

"(3) STATE.—The term 'State' includes the Commonwealth of Puerto Rico, any territory or possession of the United States, and the District of Columbia.

"(d) ELECTION TO TAKE DEDUCTION IN LIEU OF CREDIT.—This section shall not apply in the case of any taxpayer who, for the taxable year, elects to take the deduction provided by section 218 (relating to deductions for political contributions). Such election shall be made in such manner and at such time as the Secretary or his delegate shall prescribe by regulations.

"(e) CROSS REFERENCES.—

"For disallowance of credits to estates and trusts, see section 642(a)(3).

"(b) The table of sections for such subpart A is amended by striking out the last item and inserting in lieu thereof

"Sec. 40. Political contributions.

"Sec. 41. Overpayments of tax."

"(c) Section 642(a) of the Internal Revenue Code of 1954 (relating to credits against tax for estates and trusts) is amended by adding at the end thereof the following new paragraph:

"(3) POLITICAL CONTRIBUTIONS.—An estate or trust shall not be allowed the credit against tax for political contributions provided by section 40."

DEDUCTION FROM GROSS INCOME

SEC. 102 (a) Part VII of subchapter B of chapter I of the Internal Revenue Code of

1954 (relating to additional itemized deductions for individuals) is amended by renumbering section 218 as section 219 and by inserting after section 217 the following new section:

"SEC. 218. POLITICAL CONTRIBUTIONS.

"(a) ALLOWANCE OF DEDUCTION.—In the case of an individual, there shall be allowed as a deduction any political contribution (as defined in section 40) payment of which is made by the taxpayer within the taxable year.

"(b) LIMITATIONS.—

"(1) AMOUNT.—The deduction under subsection (a) shall not exceed \$500 for any taxable year.

"(2) VERIFICATION.—The deduction under subsection (a) shall be allowed, with respect to any political contribution, only if such political contribution is verified in such manner as the Secretary or his delegate shall prescribe by regulations.

"(c) ELECTION TO TAKE CREDIT IN LIEU OF DEDUCTION.—This section shall not apply in the case of any taxpayer who, for the taxable year, elects to take the credit against tax provided by section 40 (relating to credit against tax for political contributions). Such election shall be made in such manner and at such time as the Secretary or his delegate shall prescribe by regulations.

"(d) CROSS REFERENCE.—

"For disallowance of deduction to estates and trusts, see section 642(1)."

"(b) The table of sections for such part VII is amended by striking out the last item and inserting in lieu thereof

"Sec. 218. Political contributions.

"Sec. 219. Cross references."

"(c) Section 642 for the Internal Revenue Code of 1954 (relating to special rules for credits and deductions for estates and trusts) is amended by redesignating subsection (i) as subsection (j), and by inserting after subsection (h) the following new subsection:

"(1) POLITICAL CONTRIBUTIONS.—An estate or trust shall not allowed the deduction for political contributions provided by section 218."

EFFECTIVE DATE

SEC. 103. The amendments made by this title shall apply only to taxable years beginning after December 31, 1967.

TITLE II—AMENDMENTS TO CRIMINAL CODE

DEFINITIONS

SEC. 201. Section 591 of title 18 of the United States Code is amended to read as follows:

"§ 591. Definitions

"When used in sections 597, 599, 602, 608, and 610 of this title—

"(a) The term 'election' means (1) a primary or run-off primary election, or a convention, or a caucus of a political party, held to nominate a candidate, and (2) a general or special election.

"(b) The term 'candidate' means—

"(1) an individual who has taken the action necessary under the law of a State to qualify him for nomination for election, or for election, to the office of Senator or Representative in, or Resident Commissioner to, the Congress of the United States, or, if the State has no such law, an individual who has received contributions or made expenditures, or who has knowledge that any other person has received contributions or made expenditures, with a view to bringing about such individual's nomination for election, or election, to such office; or

"(2) an individual who has received contributions or made expenditures, or who has knowledge that any other person has received contributions or made expenditures, with a view to bringing about such individual's nomination for election, or election, to the office of President or Vice President.

"(c) The term 'political committee' includes any national, senatorial, congression-

al, State, or local committee, association, or organization or any branch or subsidiary of such a committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence in any manner whatsoever the result of an election of a candidate or candidates, and which receives contributions or makes expenditures in the aggregate of \$100 or more.

"(d) The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, or any transfer of funds between committees, and includes a contract, promise, or agreement to make a contribution, whether or not legally enforceable and includes a donation of services of a person employed by the donor if the value of such services exceeds \$100.

"(e) The term 'qualified contributor' means any person other than a person who is prohibited by any statute of the United States from making contributions.

"(f) The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money, or anything of value, or transfer of funds between committees, and includes a contract, promise, or agreement to make an expenditure, whether or not legally enforceable.

"(g) The term 'person' includes an individual, partnership, committee, association, corporation, and any organization or group of such persons.

"(h) The term 'State' includes the Commonwealth of Puerto Rico, any territory or possession of the United States, and the District of Columbia."

POLITICAL PURCHASES

SEC. 202. Section 608 of title 18 of the United States Code is amended to read as follows:

"§ 608. Limitations on political purchases

"(a) Whoever, being a candidate, political committee, or national political committee, sells to anyone other than a candidate, political committee, national political committee, or qualified contributor, any goods, commodities, advertising, or articles of any kind or any services, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

"(b) Whoever, other than a candidate, political committee, national political committee, or qualified contributor, buys from a candidate, political committee, or national political committee any goods, commodities, advertising, or articles of any kind or any services, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

"(c) Subsections (a) and (b) shall not interfere with the usual and known business, trade, or profession of any candidate.

"(d) In all cases of violations of this section by a partnership, committee, association, corporation, or other organization or group of persons, the officers, directors, or managing heads thereof who knowingly and willfully participate in such violation shall be punished as herein provided."

REPEAL

SEC. 203. Section 609 of title 18 of the United States Code is repealed.

CONTRIBUTIONS BY CONTRACTORS

SEC. 204. Section 611 of title 18 of the United States Code is amended to read as follows:

"§ 611. Contributions by corporations, firms, or individuals contracting with the United States

"Whoever, including a corporation, enters into any contract with the United States or any department or agency thereof, either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, or selling any land or building to the United States or any department or agency thereof, if payment for the perform-

ance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, during the period of negotiation for, or performance under such contract or furnishing of material, supplies, equipment, land, or buildings, directly or indirectly makes any contribution of money or any other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

"Whoever knowingly solicits any such contribution from any such person, for any such purpose during any such period—

"Shall be fined not more than \$5,000 or imprisoned not more than five years, or both."

CONFORMING AMENDMENT

SEC. 205. So much of the sectional analysis at the beginning of chapter 29 of title 18 of the United States Code as relates to sections 609 and 611 is amended to read:

"609. Repealed.

"611. Contributions by corporations, firms, or individuals contracting with the United States."

TITLE III—CORRUPT FEDERAL ELECTION PRACTICES

DEFINITIONS

SEC. 301. As used in this title—

(a) The term "election" means (1) a primary or runoff primary election, or a convention, or a caucus of a political party, held to nominate a candidate, and (2) a general or special election.

(b) The term "candidate" means—

(1) an individual who has taken the action necessary under the law of a State to qualify him for nomination for election, or for election, to the office of Senator or Representative in, or Resident Commissioner to, the Congress of the United States, or, if the State has no such law, an individual who has received contributions or made expenditures, or who has knowledge that any other person has received contributions or made expenditures, with a view to bringing about such individual's nomination for election, or election, to such office; or

(2) an individual who has received contributions or made expenditures, or who has knowledge that any other person has received contributions or made expenditures, with a view to bringing about such individual's nomination for election, or election, to the office of President or Vice President.

(c) The term "political committee" includes any National, State, senatorial, congressional, or local committee, association, or organization or any branch or subsidiary of such a committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence in any manner whatsoever the result of an election of a candidate or candidates, and which receives contributions or makes expenditures in the aggregate of \$100 or more.

(d) The term "contribution" includes a gift, subscription, loan, advance, or deposit of money, or anything of value, or any transfer of funds between committees, and includes a contract, promise, or agreement to make a contribution, whether or not legally enforceable and includes a donation of services of a person employed by the donor if the value of such services exceeds \$100.

(e) The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift of money, or anything of value, or transfer of funds between committees, and includes a contract, promise, or agreement to make an expenditure, whether or not legally enforceable.

(f) The term "person" includes an individual, partnership, committee, association, corporation, and any organization or group of such persons.

(g) The term "State" includes the Commonwealth of Puerto Rico, any territory or possession of the United States, and the District of Columbia.

REGISTRY OF ELECTION FINANCE

SEC. 302. (a) There is created in the General Accounting Office a Registry of Election Finance, hereafter referred to as the "Registry."

(b) The Registry shall be headed by a Registrar of Election Finance, hereafter referred to as the "Registrar", who shall be appointed by the Comptroller General of the United States without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and may be removed by him at will.

(c) The Registrar shall perform such duties as may be delegated or assigned to him by regulations or orders of the Comptroller General. The Comptroller General may designate an employee of the General Accounting Office to act as Registrar during the absence or incapacity of, or during a vacancy in the office of the Registrar.

(d) All officers and employees of the General Accounting Office serving in the Registry other than the Registrar, shall be appointed under the provisions of title 5, United States Code, governing appointments in the competitive service and shall be compensated in conformity with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(e) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following:

"(78) Registrar of Election, Finance, General Accounting Office."

ORGANIZATION OF POLITICAL COMMITTEES

SEC. 303. (a) Every political committee shall have a chairman and a treasurer. No contribution and no expenditure for the purpose of influencing a nomination or an election shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(b) Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the amount, the name and address of the person making such contribution, and the date on which received.

(c) All funds of a political committee shall be kept separate from other funds.

(d) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

(1) all contributions made to or for such committee;

(2) the name and address of every person making any contribution, and the date and amount thereof;

(3) all expenditures made by or on behalf of such committee; and

(4) the name and address of every person to whom any expenditure is made, and the date and amount thereof.

(e) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee of \$100 or more in amount and for any such expenditure in a less amount, if the aggregate of expenditures to the same person in any year exceeds \$100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the Comptroller General in accordance with published regulations.

REGISTRATION AND STATEMENTS OF POLITICAL COMMITTEES

SEC. 304. (a) Each political committee which anticipates receiving contributions or making expenditures in the aggregate of \$100 or more in any calendar year for the purpose of influencing or attempting to influence in any manner whatsoever the nomination or election of a candidate or candidates shall, within ten days after its organization, file with the Registry a statement of organization. Each such political committee in existence at the date of enactment hereof shall file a statement of organization with the Registry at such time as prescribed by the Comptroller General.

(b) The statement or organization shall include—

(1) the name and address of the political committee;

(2) the names, addresses, and relationships of affiliated or connected organizations;

(3) the area, scope, or jurisdiction of the political committee;

(4) the name, address, and position of the custodian of books and accounts;

(5) the name, address, and position of other principal officers, including officers and members of the finance committee, if any;

(6) the name, office sought, and party affiliation of each candidate whom the political committee is supporting; or, if the political committee is supporting the entire ticket of any party, the name of the party;

(7) a statement whether the organization is a continuing one;

(8) what disposition of residual funds will be made in the event of dissolution;

(9) a listing of all banks, safety deposit boxes, or other repositories used;

(10) a statement whether the political committee is required by law to file reports with State or local officer, and if so, the names, addresses, and positions of such persons; and

(11) such other information as shall be required by the Comptroller General by published regulation.

(c) Any change in information previously submitted in a statement of organization shall be reported to the Registry within a ten-day period following the change.

(d) Any political committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures shall so notify the Registry.

REPORTS BY POLITICAL COMMITTEES

SEC. 305. (a) At the times specified below, the treasurer of a political committee shall file with the Registry, on forms prescribed by the Comptroller General, a report containing the information required by subsection (b):

(1) Between the 10th and 20th days of June and September in each year;

(2) On the fifteenth day and on the fifth day, next preceding the date on which is held an election with respect to which such political committee has made expenditures; and

(3) On the 1st day of January of each year. Such statements shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement during such year, only the amount need be carried forward. The statement filed on the 1st day of January shall cover the preceding calendar year. Where no contributions or expenditures have been accepted or made within a calendar year, the treasurer of a political committee need not file a statement with respect to such year.

(b) Each report under this section shall disclose, complete as of the day next preceding the date of filing—

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the name and address of each person who has made one or more contributions to

or for such committee (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events), in the aggregate amount or value, within the calendar year, of \$100 or more, together with the amount and date of such contributions;

(3) the total sum of individual contributions (as defined in section 301(d)) made to or for such committee during the reporting period and not reported under paragraph (2);

(4) the name and address of each political committee or candidate from which the reporting committee received, or to which that committee made, any transfer of funds, together with the amounts and dates of all such transfers;

(5) each loan to or from any person, together with the names and addresses of the lender and endorser, if any, and the date and amount of such loan;

(6) the total amount of proceeds from (A) the sale of tickets to each dinner, luncheon, rally, and other fundraising event; (B) mass collections made at each such event; and (C) sales of items such as campaign pins, buttons, hats, ties, literature, and similar materials;

(7) each contribution, rebate, refund, or other receipt not otherwise listed under paragraphs (2) through (6);

(8) the total sum of all receipts by or for such committee during the reporting period;

(9) the name and address of each person to whom an expenditure or expenditures have been made by such committee within the calendar year in the aggregate amount or value of \$100 or more, and the amount, date, and purpose of each such expenditure;

(10) the name and address of each person to whom an expenditure for personal services, salaries, and reimbursed expenses of \$100 or more has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure;

(11) the total sum of expenditures made by such committee during the calendar year; and

(12) such other information as shall be required by the Comptroller General by published regulation.

(c) No contribution or expenditure need be reported under this section which is made solely for the purpose of influencing the election of a person or persons seeking State or local office and from which no benefit will accrue to any candidate as herein defined.

(d) Debts or unpaid bills in the single amount or value of \$100 or more which are incurred during a campaign for election, by or on behalf of the candidate, and which remain unpaid at the end of forty-five days following the date of the election, shall be listed separately on the first postelection report and shall be kept current on all subsequent reports until the debt is retired. There shall also be listed the total amount of debts and unpaid bills of less than \$100.

(e) A national, senatorial, congressional, State, or county committee of a national political party, of which there shall not be designated more than one for each party for each such political unit, need not file separate reports for candidates supported, but may file the information required by this section at one time with respect to its entire activities for the period covered by the report.

REPORTS BY CONTRIBUTORS

SEC. 306. Every person (other than a political committee) who, singly or together with the members of his immediate family, makes contributions to a political committee, or makes other contributions or expenditures for the purpose of influencing the nomination or election of a candidate, aggregating in all more than \$2,500 within a calendar year, shall file with the Registry, at such times and in such form as shall be prescribed by

the Comptroller General, a report of such contributions and expenditures. For the purposes of this section, the term "members of his immediate family" includes his spouse and a child, parent, grandparent, brother, or sister of the candidate and any of their spouses.

REPORTS BY CANDIDATES

SEC. 307. (a) Every candidate, during the period he receives or expends funds on behalf of his candidacy, shall file with the Registry, on a form to be prescribed by the Comptroller General, reports of his receipts and expenditures made for the purpose of influencing his election. Such reports shall be filed on the same date as are specified for political committees to file. Such reports shall contain a correct and itemized detailed report of contributions received and expenditures made by him in aid or support of his activities as a candidate, or for the purpose of influencing his election, in the same manner as required of the treasurer of a political committee by section 305, and shall include amounts expended from his own funds and amounts received or expended by his immediate family (as defined in section 306).

(b) The reports required to be filed by subsection (a) shall be cumulative, but where there has been no change in an item reported in a previous report, only the amount need be carried forward.

REQUIREMENTS AND REGULATIONS

SEC. 308. (a) A report or statement required by this title to be filed by a treasurer of a political committee, by a candidate, or by any other person, shall be verified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths.

(b) A copy of a report or statement shall be preserved by the person filing it for a period of time to be designated by the Comptroller General in a published regulation.

(c) The Comptroller General shall prescribe and publish such regulations as he shall determine to be required to carry into effect the provisions of this Act.

DUTIES OF THE COMPTROLLER GENERAL

SEC. 309. It shall be the duty of the Comptroller General—

(1) to develop prescribed forms for the making of the reports and statements required by this title;

(2) to prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and statements required by this title;

(3) to develop a filing, coding, and cross-indexing system consonant with the purposes by this title;

(4) to make the reports and statements filed with him available for public inspection and copying during regular office hours, and to make copying facilities available;

(5) to preserve such reports and statements for a period of ten years from date of receipt;

(6) to prepare and publish, within ten working days after the 20th day of June and September, and after the 1st of January, of each year, and within three calendar days after the due dates of the preelection reports, summaries of the respective reports received; such summaries shall contain, in addition to such other information as the Comptroller General may determine, compilations disclosing the total receipts and expenditures appearing in each report by categories of amounts as he shall determine, and shall also include the name and address, and amount of contribution of each person listed alphabetically, shown to have contributed the sum of \$100 or more; and such summaries shall be grouped according to candidates and parties;

(7) to prepare and publish an annual report including compilations of (A) total reported contributions and expenditures for

all candidates, political committees, and other persons during the year; (B) total amounts expended according to such categories as the Comptroller General shall determine and broken down into candidate, party, and nonparty expenditures; (C) total amounts contributed according to such categories of amounts as the Comptroller General shall determine; and (D) aggregate amounts contributed by any contributor shown to have contributed the sum of \$100 or more during any calendar year;

(8) to prepare and publish from time to time special reports comparing the various totals and categories of contributions and expenditures made with respect to preceding elections;

(9) to prepare and publish such other reports as he may deem appropriate;

(10) to assure wide dissemination of summaries and reports;

(11) to make from time to time audits and field investigations with respect to reports and statements filed under the provisions of this title, and with respect to alleged failures to file any report or statement required under the provisions of this title;

(12) to report suspected violations of law to the appropriate law enforcement authorities; and

(13) to prescribe rules and regulations to carry out the provisions of this title.

ADVISORY BOARD

SEC. 310. (a) There is hereby established a bipartisan advisory board to be known as the Advisory Board of the Registry of Election Finance, hereafter referred to as the "Board". The Board shall be composed of twelve members at least half of whom shall not be in the employ of the United States. The President and the Comptroller General shall each nominate two members; the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives shall each nominate two members, one of whom shall be a Member of Congress. The Comptroller General shall receive such nominations and shall appoint the members of the Board. The Board shall select a Chairman from among its members. A member of the Board shall serve for a term of two years and may serve for more than one term. If for any reason a member of the Board shall fail to serve a complete term, his successor shall be nominated by the official who nominated such member and the successor shall be appointed by the Comptroller General to serve the unexpired term.

(b) The Board herein established shall be constituted not later than ninety days following the appointment of the Registrar.

(c) The Board shall advise and make recommendations to the Comptroller General and to the Congress with respect to (1) the means for effectively publicizing the information submitted in the reports and statements required by this title, (2) any need for legislation, and (3) such other matters as the Comptroller General or the Board may determine.

(d) Members of the Board, while attending meetings or conferences of the Board or otherwise serving at the request of the Comptroller General, shall be entitled to receive compensation at a rate to be fixed by him but not exceeding \$75 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

PENALTY

SEC. 311. (a) Except as provided by subsection (b), whoever violates any provision of this title shall be fined not more than \$1,000, or imprisoned not more than one year, or both.

(b) Whoever willfully violates any provision of this title shall be fined not more than \$10,000 and imprisoned not more than two years.

SAVING PROVISION

SEC. 312. This title shall not be construed to annul the laws of any State relating to the nomination or election of candidates, unless directly inconsistent with the provisions of this part, or to exempt any candidate from complying with such State laws.

REPEAL

SEC. 313. The Federal Corrupt Practices Act of 1925 (2 U.S.C. 241 et seq.) is repealed.

S. 1693—INTRODUCTION OF A BILL TO ESTABLISH A NATIONAL COMMISSION ON FEDERAL TAX SHARING

Mr. NELSON. Mr. President, during the 89th and 90th Congresses close to 200 pieces of legislation were introduced to provide a system of Federal-State tax sharing.

In January 1969 President Nixon's task force on urban affairs recommended a system of tax sharing, as did the National Commission on Urban Problems, appointed in 1967 by President Johnson and chaired by former Senator Douglas.

Tax sharing between the Federal and State governments is clearly an important issue today and will become more important in the future.

Throughout the United States, Democratic and Republican legislators and leaders are vigorously supporting plans to solve State and local fiscal problems by sharing Federal revenues.

A multiplicity of proposals already have been made, and many more are on the way. A monumental partisan contest is underway to see which political party gets the credit for helping the States and cities the most.

There are serious reasons for this national phenomenon. The needs of State and local governments are growing faster than their revenues. At the same time, the field of the Federal income tax is growing more rapidly.

It would be unrealistic to believe that a tax sharing bill will be enacted during the 91st Congress. Federal-State tax sharing is incredibly complicated and it would be irresponsible for the Congress to rush a plan through without exhaustive consideration. The enormous expenditures for the Vietnam war have not been stopped and the end is not in sight. We are told that the administration will favor retention of the tax surcharge beyond June 30 to maintain the Nation's fiscal balance, while it undertakes an open-ended spending commitment to a new missile program. This, then, is obviously not the year in which a new, innovative tax sharing plan will become law.

Our responsibility today is to determine what we can do in 1969 to begin deliberations so that a tax sharing plan can be enacted in the near future, when the current fiscal crisis has abated.

I believe the answer is to create a National Commission on Tax Sharing to work out the details of such a plan and report back to Congress in 1971.

THE STATES' PROBLEM

When I was Governor of Wisconsin from 1959 to 1963, I was constantly aware

of the fact that State and local governments have increasing difficulty in raising necessary revenues.

I recognize the need for some kind of sharing of tax dollars between the huge and powerful Federal Government, with its growing revenue sources, and the State units of government.

It is almost impossible in many instances for the legislatures, city councils, and county boards to raise taxes to pay for vital State services, especially in the fields of education, health, and welfare.

Too often, Governors, State legislatures, mayors, and city councils, facing the choice of a tax increase or a cut in vital programs, must sadly choose the latter. Local and State governments sometimes are unable to discharge their responsibilities.

What is the answer to this problem? I do not believe any one person knows precisely—nor does any one group of economists, nor any one political party, nor does any group of Federal or State officials.

The riddle of the financing of State and local governments has no simple answer.

But this does not mean that we should not look at the problem of revenue sharing. It convinces me, however, that no plan we will see or hear about in the opening months of this Congress will be the ultimate plan we will want to approve.

BASIC CONCEPTS OF TAX SHARING

Generally, all proponents of revenue sharing favor some kind of plan which returns money to the States after it has been collected by the Federal Government.

Block grants were first used in 1836 during the Jackson administration and represented even then a radical departure from the conventional method of disbursing Federal aid. The disbursement of \$28 million to the States under the terms of the Surplus Distributions Act of 1836 represents the only instance in U.S. history when Federal funds have been granted to the States without conditions governing the use of the funds.

There are a few instances now where some Federal funds are returned directly to a few States for education and road aids. These are derived to begin with from those same States in the form of sale of public lands and the sharing of grazing receipts.

Since 1836, therefore, this country has made no move to enact any other method of tax sharing as we are now defining the term.

In 1960, Walter Heller, then chairman of the department of economics of the University of Minnesota, proposed that rising Federal revenues be distributed to State and local governments with little or no strings attached.

This recommendation did not get serious attention until the spring of 1964, but other pressing matters of fiscal nature prevented this proposal from receiving congressional consideration. The tax reduction bill of that year was one important roadblock, and also because the Federal budget had been running chronic deficits since 1960. Heller based his plan on the supposition that the budget would

have surpluses for the next 2 years and would, therefore, make the proposal possible.

The Democratic platform of 1964 also stated that its candidates would further "development of fiscal policies which could provide revenue sources to hard-pressed State and local governments to assist them with their responsibilities."

The Republican candidate for President in 1964 also embraced this idea by recommending that a portion of Federal income taxes be returned to the States and that these governments be given a larger share of revenues derived from inheritance taxes.

In a statement issued on October 28, 1964, President Johnson declared the intention of the administration to carry out the pledge of the Democratic Party. He proposed that the Federal Government should make available to State and local governments "some part of our great and growing Federal tax revenues—over and above existing aids."

President Johnson then appointed a task force composed of individuals from government and business and headed by the distinguished Joseph A. Pechman, director of economics at Brookings Institution, to study the possibility of setting aside a fixed percentage of Federal revenues each year in a trust fund for distribution to State and local governments.

TWO BASIC CONSIDERATIONS ARE INVOLVED

First, when this plan was suggested in 1964, the rapid growth of the gross national product and the closing down of military bases prompted thoughts of budgetary surplus by the end of fiscal year 1966. It was feared that a surplus before full employment of manpower and resources had been achieved would cause "fiscal drag." This in turn would retard the then current high rate of business expansion.

The second factor, and still the most important one, is that State and local governments are badly in need of new revenue sources for their ever-growing needs in schools, colleges, health services, and welfare problems.

State and local expenditures are still growing at an expanded rate. During the 10-year period from 1957-67 State and local governmental expenditures rose from \$47.6 to \$106.7 billion; a rise of \$59.1 billion. Over 54 percent of this increase was expended on programs of health, education, and welfare. State and local revenues rose from \$38.2 to \$91.6 billion during the same period; a rise of \$53.4 billion. While Federal tax revenues increased during that period by 65 percent, State and local tax revenues rose by 113 percent. Property tax increases equaled 41 percent of the combined State and local increases and almost all of the local increases. This places a tremendous burden on the moderate income property owner.

Mr. Pechman, of the Brookings Institution, forecasts that State and local expenditures will rise at a current level of 7 percent a year and will total \$103 billion in 1970. At the same time revenues will rise according to the increase of the GNP at a rate of 5 percent a year, and will only total \$83 billion in 1970, a deficit of \$15 billion.

Most States have tax systems which place heavy emphasis on sales taxes, fees, and property taxes rather than progressive income taxes. Naturally, local governments find it difficult to support rising costs of necessary programs.

Nearly one-third of State and local revenue is derived from real property taxes. Almost one-half is raised through sales taxes and fees. Income taxes provide only a little more than 7 percent of the total.

Therefore, even if a difference between revenues and expenditures of some \$20 to \$30 billion a year could be raised from this existing State and local revenue system, the largest amount of the money would have to be derived from the highly regressive sales taxes and property taxes. Besides the fact that this penalizes the obvious group of poor and older citizens, this would also discourage homeownership and accelerate the trend of deterioration of property in our already troubled cities.

Nearly 80 percent of this money will be spent for health, education, and welfare—areas in which States not only have maintained but should maintain the principal responsibility.

Where is this money going to come from? These expenses can hardly be deferred.

EXAMPLE OF STATE TAXATION SYSTEM

Since I am most familiar with my own State of Wisconsin, let me bring the facts closer to home by citing some examples from figures compiled by the nonpartisan Wisconsin Taxpayers' Alliance. These figures will be updated by the alliance within the next few days, and I will place them in the Record then. This group states that Wisconsin State and local tax collections in the last decade have grown much faster than the Federal collections—in 1954 State and local collections equaled 30 percent of all taxes collected. By 1964 they had grown to 39 percent of all taxes collected. This appears to be the average for other States as well.

Total States and local taxes raised in Wisconsin increased from \$265 million in 1944 to \$1,246 million in 1964. This represents an increase of 500 percent. The Federal tax collections for the same period increased from \$822 million to \$1,959 million or slightly more than twice.

Meanwhile, the percentage of money expended by the State of Wisconsin on education for the 5-year period ending 1964 rose from 22 to 26 percent of all money spent. Every 2 years the State must provide for approximately 100,000 more pupils than in the previous 2 years. Each biennium must provide for college classroom space equal to the entire pre-World War II enrollment at the University of Wisconsin.

Wisconsin, of necessity, had to resort to almost every possibility in order to raise the necessary revenues; the broadly based and progressive income tax, corporate and personal, a 3-percent sales tax, high property taxes in local communities, borrowing by local units to finance capital expenditures, gasoline taxes, sportsmen's licenses, tuition, and license fees.

But after all these taxes are raised, the State only keeps about 11 percent with which to finance its operations. Eighty-three percent of the taxes collected by the State—about \$1 billion total collected—were spent by the local units of government. Six percent went into the highway fund by law, leaving the State to spend the final 11 percent for all the functions of the State and government.

UTILIZATION OF REVENUES

If Federal tax revenues continue to grow as expected, these courses of action would be open to the Congress:

First. Expansion of the Federal budget to use the full increase in revenue;

Second. Tax reduction;

Third. Retirement of national debt;

Fourth. Expansion of Federal spending through grants-in-aid for specific programs. This latter method has been used more and more in increasing amounts.

In 1934, 18 grant-in-aid programs were in existence to send money back to State and local governments for specific purposes. By 1964, there were 68 programs for State and local governments plus 60 more programs for disbursements of funds to individuals and institutions. As of last year some 140—depending on how you count them—programs existed in the grant-in-aid field.

In terms of dollars expended, \$126 million was spent for Federal grants-in-aid in 1934 and this had risen to \$10,060 million in 1964—a rise of eightyfold. Average expenditure per program for Federal grants-in-aid increased in the same period of time from \$7 to \$148 million. In 1965 the figure was \$10.9 billion. By 1966, according to the Bureau of the Budget, \$13.3 billion was being spent through grants-in-aid programs. I expect to have more figures within the next few days.

Naturally, along with the increase in the programs more and more strings have been attached and a growth in the Federal bureaucracy has been the direct result. This may or may not have resulted in some weakening of the State and local governments.

EFFICIENCY OF STATE GOVERNMENTS

State governments are vitally important to our system of government today in the late 1960's. Their function has evolved into one of greater responsibility than ever before, especially in the fields of education, hospitalization of the sick and mentally incapacitated, law enforcement, the control of traffic and safety, the system of highways, regulation of utilities, insurance, and conservation of our natural resources.

We should lend more emphasis, not less, to the role of the State governments. They should be made stronger, not weaker. The State unit is the most efficient unit and the most rational form of a government dealing with regional problems of any other in existence today. They should be given increasing responsibilities and nurtured so they grow in an orderly and logical fashion.

Nevertheless, State governments have many difficulties. They must modernize and reorganize their outmoded way of administering their responsibilities. In

many cases they are still in the horse-and-buggy stage, still trying to serve an industrial society with a system that was designed to function in an agrarian economy.

The modern State government must develop, therefore, intensive plans and guidelines which will chart their future course through the expansion of our private enterprise economy, bearing in mind, that the local governments must be made a partner in this development.

State governments should evaluate their present situation and develop comprehensive plans, projecting needs for the next half century in State facilities, recreation, land use, the State's economy, intercity and mass transportation, population growth and migration, and recreation resources and needs.

To do these things, both in the planning and in the implementation stages, States need money. And that is what all of these tax-sharing plans are designed to do—to get back to the State and local units of government, money which will enable them to do all of these things and more.

RECENT PROPOSALS FOR TAX SHARING

The newspapers have been filled with ideas coming from all sides, many of them with great merit, at first glance.

The best known, of course, is the Heller-Pechman plan, which basically is a return of 2 percent of the Federal income tax base, returned to the States on a per capita basis. In 1966, this would have involved the sum of \$5.6 billion based on total taxable income returned with no strings attached. I recently read that Mr. Pechman said that there was no reason why the States should not be compelled to turn over a fixed portion of such income to the cities. I believe Mr. Heller on the other hand, feels that reapportionment of the State legislatures in time would mitigate the possible problems of rural legislatures refusing to share funds with urban centers.

HENRY S. REUSS, Representative from Wisconsin, has also embraced the idea of revenue sharing with his own plan, but he gets a good deal more specific and does attach a few strings. He would like to provide \$15 billion over a 3-year period to States which would take steps to modernize State and local governments. He would also like to see regional coordinating committees for each of four regions set up. His plan, as I understand it, would allocate money on the basis of population with no State receiving less than \$500,000. The formula also apportions funds according to total population per State with up to 20 percent of the total set aside for supplements to States with low per capita income, or a high incidence of poverty, dependency, or urbanization.

The Senator from New York (Mr. JAVITS) also introduced a plan some time ago in this House, which was designed to establish in the Federal Treasury an amount equal to 1 percent per year of all total individual income taxes. In 1965 this would have amounted to \$2.65 billion. Roughly, this was to be shared by means of a formula which tied the total population of the State to its revenue-raising efforts in comparison to the rest of the States. About 85 to 90 percent of

the total fund would be divided up in that manner. In addition, about 10 to 15 percent of the total fund would be distributed in an income redistribution formula. Simply stated, the State which is lowest on the list of the 50 in terms of per capita national average income would receive more than the State next higher on the list and so on, until the more affluent States would receive none. Here again a string was attached, however, because all money returned would have to be spent for health, education, or welfare programs, State payments in lieu of property taxes, debt service, or disaster relief.

The plan which the Secretary of Defense, former Congressman Laird of Wisconsin, suggested when in the House was that of merely returning a flat percentage of Federal taxes collected from each State to that State with no strings attached. He cited precedence in the Wisconsin plan for tax sharing. In Wisconsin all income taxes collected by the State are shared to the extent that 50 percent goes back to the community from which it was collected, 10 percent to the county, and 40 percent is retained by the State. Former Representative Laird does suggest that some kind of equalization formula applied throughout the country would insure that poorer States would receive a greater percentage of the funds they collect because of their greater need for assistance.

In addition, this plan is designed to partially supplant rather than to supplement some Federal grants-in-aid programs.

Senator GOODELL, of New York, introduced tax-sharing legislation while a Member of the House of Representatives, and has introduced such legislation this year in the Senate. His plan would return a fixed percentage of Federal revenues to the States. In fiscal years 1970 and 1971, it would be 3 percent, in fiscal year 1972, 4 percent, and 5 percent in fiscal year 1973. In the first year of operation, it is estimated that \$2.42 billion would be made available for the States.

ARGUMENTS FOR THESE PROPOSALS

In an expanding economy based on 1965 tax rates Federal revenues increased on the average by about \$6 billion per year. Economists fear that additional taxes would siphon off too much money from the private sector of the economy. A Federal surplus would thus result before full employment of manpower and resources is achieved. Such a surplus has the effect of retarding economic growth, and in time, the forces of recession set in. It is believed that enactment of a sharing proposal would avert this so-called fiscal drag which such surpluses may exert upon the national economy. Naturally, 1969-70 expenditures for defense and Vietnam will preclude this possibility.

Tax reduction measures would also counteract the restrictive effects a budget-surplus would produce. Tax reduction bills usually take too long to get through Congress, however, and recessions can take effect faster than legislation. By making excess revenues available to State and local governments automatically, action would get underway immediately to offset the the contractive effect of such surplus.

It is apparent that the largest area of unmet needs lies in the services provided by State and local governments.

State and local governments have been increasing their outlays much more rapidly than the Federal Government during the past several years in attempts to meet mounting obligations.

Representative HENRY REUSS suggests that State and local governments may not use these Federal funds wisely if they are granted, nor will they increase their own taxes and expenditures for necessary programs. Past experience, I feel, proves that this would not be the case. A large proportion of total State and local outlays over the past years have been used for educational, health, and welfare purposes—an indication that they are cognizant of the needs of their people in these areas and are attempting to meet them.

The argument is made that grants made to State and local governments should be on a "no strings attached" basis, that these groups should be allowed to operate without tight supervision and restrictions—free from Federal control. The argument continues that the spread of "growing bureaucracy" will be halted. State and local governments will then be in a stronger financial position, and a better fiscal balance can be achieved between all three levels of government.

Other arguments for the scheme encompass the idea that unconditional grants will free Federal Government from much redtape and overhead currently necessitated under Federal programs. Present aid programs are becoming so numerous, diverse, and complex that it is difficult for the less sophisticated, governmental bodies to take advantage of them. It has been pointed out that more Federal listings appear in some phone books than do State listings.

During fiscal year 1963 the Treasury Department itemized some 66 programs of direct aid to State and local governments. These do not include numerous other programs of assistance disbursed directly to individuals and institutions within the States. During the recent past, direct payments to State and local governments have almost tripled—from \$3.8 billion in fiscal year 1956, to \$10.9 billion in fiscal year 1965. In 1965 alone, Congress added some 10 to 30 programs, depending upon how one considers a separate program. Despite the talk of "creative federalism" and "local responsibility" every one of those dollars has a string attached—and sometimes even hawsers and cables.

Making additional revenues available, it is argued, would enable Federal officials to devote more time and energy to more pressing problems of national defense, international relations, and so forth. Loosening restrictive Federal controls would relieve Congress of overseeing the programs. The Congress would also be freed from constant pressuring of lobby groups seeking special projects or benefits for their particular districts.

And, there are arguments which say that unconditional grants will be a boon to low-income cities and States. Stringent matching requirements currently imposed on numerous programs make

it difficult for some units to take advantage of some grants-in-aid, or if they do, some of their own programs must suffer. If as some spokesmen recommend, Federal revenues are shared on the basis of population, rather than on the amount of Federal taxes paid, poorer States might be the principal beneficiaries.

ARGUMENTS AGAINST THE PROPOSALS

In 1965, the plan Heller proposed presumed continued prosperity and Federal budget surpluses. Even though we still do have prosperity, much of which is based on a war economy, the surplus is nowhere in sight right now. Between 1961 and 1965 there was a full expansion of economic activity but a full utilization of industrial capacity and full employment was not attained. Budget surpluses have always been the exception rather than the rule in the past 30 years—only seven times as a matter of fact. Thus, with budget surplus an uncertainty the local government would have a difficult time in trying to determine their projected Federal share. Such uncertainties would certainly preclude them from projecting intelligent budgets. This would be an unfair hardship. And once they receive a tax share, it would be difficult or impossible to cut back or cut out the program in years of budget deficit. It would not be fair to make these distributions, therefore, based on surpluses. Indeed Congress can control its own deficits and surpluses based on the amount of spending it wants to engage in. Thus, the Heller argument for sharing, based on the Federal budget surplus, poses some serious problems.

Critics of tax sharing fear that without Federal supervision and control, the local governments will not use the funds properly. These local units may be tempted to reduce their own taxes and curtail vital programs. This has been evidenced in some sections of the country which are gearing up their economy through low local taxes, designed to attract industry and meanwhile waiting for Federal programs to help them with basic programs such as sewer and water, industrial parks, and the like.

There is apprehension that rural dominated legislatures will make allocations of funds which will not be in the best interest of the majority of the citizens. County leaders are fearful that money may never trickle down to the local level from the State level. Similarly, civil rights leaders fear that funds will be spent to support segregated schools, housing, and other facilities. Failure of the Federal Government to control the actual distribution of funds below the State level undoubtedly will cause bitter controversy among State, county, and city leaders as to just how these funds will be spent.

It is also possible that local level governments will be even more dependent upon Washington instead of becoming stronger and more self-reliant. It is also feared that Federal power will be enlarged rather than diminished by giving further aid to these governing bodies.

Rather than doling out public funds, some feel that any surplus funds should be used to reduce the national debt.

There is also strong opinion by other high Federal officials that the funds can be better spent on Federal programs such as mass transit, cancer research, welfare programs, and so forth, and that these programs should not be sacrificed for the sake of aiding State and local governments.

The main controversy, in any case, will revolve around just how much Federal control and supervision shall be exercised over the disbursement of these funds.

TAX SHARING RAISES MANY QUESTIONS

Why not simply cut taxes and let the State and local governments raise their own taxes as necessary to produce the same amount of new revenue?

Even though most plans do not advocate that Federal string, how can we be sure that asking for modernization is not really a string after all—or that the greater share going to less prosperous States is not a qualification at the outset?

Once such a program is begun, how can it ever be changed? Since each Federal legislator is affected, will this not become a giant "boondoggle" and "pork barrel"? Would not it become as unworkable and as ungainly as some of the giant grant-in-aid programs we now have?

How can we say that the Federal programs which may suffer cuts as the result of the return of money to the States are less valuable than those which the States will spend money on?

And how will the States ever know how much is going to be allocated to them during each succeeding year of Congress? How will they ever know how to budget wisely?

Is it not possible that putting States on the Federal payroll instead of letting them raise their own revenues for their own needs might weaken States even further rather than strengthening them and might this not shift even more power to Washington?

Some officials admit to a fear of tax sharing on other grounds. Many existing Federal programs are open end, that is, the cost to the U.S. Government is limited only by the ability and the willingness of the States to come up with matching funds. What would happen if the States used their tax-sharing money to match Federal grants under old programs? At least one Federal official believes that the States could bleed the Federal Treasury with its own money.

CONGRESS NOT THE PLACE TO DRAFT THE BEST PLAN

The complexities involved in tax sharing are so great, and the disparities in the plans already offered are so broad, that it is obvious that we need a thorough examination of this subject by a blue-ribbon commission. The Congress and its own committees will still have to give a thorough review of the commission's recommendations, but at least we will have the benefit of extensive considerations and we will have a broadly acceptable proposal to use as a starting point for congressional action.

I happen to disagree with those people who suggest that we should automatically plow back 1, 2, or 5 percent of the personal income taxes to the States, with or without strings, by whatever formula

they have devised thus far. This is too great a departure from the usual method of expenditure to start on a program of this sort quickly. All the ramifications should be studied in a year-long recital of fact and opinion. With the state of our economy now being controlled to a great extent by the Vietnam war, this is no time to begin this program. We can afford to buy the time now.

Furthermore, I am not prepared to automatically agree that a program of this kind should supplant rather than supplement the Federal aid programs.

I think that both the urgency for haste and the arguments for gradually replacing the grants-in-aid program may be politically motivated, designed to embarrass rather than to be constructive. I urge a "go slow" attitude at this time.

Mr. President, I am sending to the desk a measure which will provide for a Commission to study the possibilities of sharing Federal revenues with the States and local governments. This Commission is designed to examine the entire issue by a cross section of the country's leading authorities; including economic leaders of the Congress, the Executive, business, labor, academicians, and the general public. In addition, a Federal inter-agency committee is authorized which will provide information, liaison, cooperation and coordination for the Commission. The bill further provides for an executive group which will provide continuity, staff, and technicians to administer and conduct the day-to-day operations of the Commission. The cost is limited to \$1 million and it is to report back by January 1, 1971.

I urge again that now is not the time to rush.

The war in Vietnam almost certainly precludes the possibility of enacting any kind of a revenue-sharing plan in this session, at least.

There are many plans being formulated, all based on different premises, all designed to accomplish different goals, and all involving different sums of money.

The complex nature of the concept, and the somewhat radical departure from our previous way of doing business calls for a comprehensive study.

If an equitable tax-sharing plan can be developed that strengthens the States and does not expand the Federal bureaucracy, then we should do it. But any such new program requires the extensive and expert study which only a blue-ribbon commission can give.

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

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1693) to establish a National Commission on Federal Tax Sharing, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1693

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

(a) that in recent years there has been an ever-increasing growth in the needs for State and local governmental services in areas of traditional State-local responsibility;

(b) that the rising demands for spending by State and local governments have strained their ability to meet all their revenue needs;

(c) and there are now being suggested several legislative proposals under which the Federal Government would assist the States and local governments in meeting their financial problems by sharing with them certain portions of the Federal tax revenues;

(d) that the problem of the financing of State and local governments is of great complexity and the proposals for its solution represent a radical departure from accepted methods of providing Federal financial assistance;

(e) that there is an urgent need for a thorough study and appraisal of all questions raised by revenue sharing proposals in order to enable the Congress to determine which of the available proposals or possible alternatives are best designed to provide financial assistance to the State and local governments and meet the needs of their citizens for essential public services; and

(f) that such a study and appraisal can best be carried out by a high level commission comprised of public and private members representative of a cross-section of the economy and the citizenry of our Nation.

SEC. 2. In order to carry out the objectives of this Act, there is hereby established the National Commission on Federal Tax Sharing, hereinafter referred to as the "Commission".

SEC. 3. (a) The Commission shall be composed of twenty-seven members as follows:

(1) The Secretary of the Treasury, or his designee;

(2) The Director of the Bureau of the Budget, or his designee;

(3) The Chairman of the Council of Economic Advisers, or his designee;

(4) The chairman of the Committee on Finance of the Senate, or his designee;

(5) The chairman of the Ways and Means Committee of the House of Representatives, or his designee;

(6) The chairman of the Joint Economic Committee of the Congress, or his designee;

(7) Fifteen members to be appointed by the President, by and with the advice and consent of the Senate, from among persons outside the Government, of whom three shall be drawn from labor, three shall be drawn from management, three shall be drawn from farmers' organizations, three shall be drawn from the academic profession, and three shall be drawn from among other private persons with a competency in the areas of study of the Commission;

(8) Three members to be appointed by the President from a panel of at least six persons designated by the United States conference of Governors from among its members; and

(9) Three members to be appointed by the President among a panel of at least six persons designated by the National League of Cities from among the mayors of our Nation.

(b) The President shall designate a Chairman of the Commission.

(c) Fourteen members of the Commission shall constitute a quorum.

(d) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 3. The Commission shall conduct a comprehensive and impartial study and appraisal of all proposals to establish a system for the sharing of a portion of the Federal tax revenues with the States and local governments, including, but not limited to, making a determination of the following:

(a) The total amount of Federal revenues which might be available annually for sharing with the States and local governments.

(b) The portion of such revenues which should be allotted to each State and the extent to which each State should be required to distribute any of such revenues received by it to its local governments.

(c) The best manner of achieving an equitable allotment of any shared revenues among the States while helping to equalize the public services available to citizens in the different States.

(d) The extent of Federal control and supervision which should be exercised over the disbursement of any shared revenues to the States and local governments and the uses to which such revenues may be applied.

(e) The effect which the operation of any such system of revenue sharing might have upon the viability of the States as members of our Federal system.

(f) The extent to which any such system for the disbursing of Federal revenues should supplement or supplant alternative methods for the utilization of such revenues, such as specific grant-in-aid programs, direct Federal spending programs, tax reduction, and retirement of national debt.

(g) Any ramifications which might accompany the establishment of such a revenue sharing system not otherwise considered pursuant to a determination of the preceding questions.

SEC. 4. The Commission may transmit to the President and the Congress such interim reports as it deems advisable concerning its findings and recommendations and shall transmit a final report to the President and the Congress not later than January 1, 1971. Such final report shall contain a detailed statement of the findings and conclusions of the Commission together with its recommendations for such legislation as it deems appropriate. The Commission shall cease to exist thirty days after transmitting its final report.

SEC. 5. (a) A member of the Commission who is a Member of Congress, in the executive branch of the Government, a governor of a State, or a mayor shall serve without compensation in addition to that received in his regular public employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of duties vested in the Commission.

(b) A member of the Commission who is from private life shall receive compensation at the rate of \$100 per diem while engaged in the actual performance of duties vested in the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of such duties.

SEC. 6. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. In addition, the Commission may procure temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810), but at rates not to exceed \$75 per diem for individuals.

(b) The President is authorized to appoint, by and with the consent of the Senate, an executive secretary to oversee the work of the staff of the Commission under the general direction of the Commission. The executive secretary may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates.

SEC. 7. The Department of the Treasury shall provide for the Commission necessary administrative services (including those related to budgeting, accounting, financial re-

porting, personnel, and procurement) for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Commission and the Secretary of the Treasury.

SEC. 8. (a) The Commission is authorized to negotiate and enter into contracts with private firms, institutions, and individuals to carry out such studies and to prepare such reports as the Commission determines to be necessary to the discharge of its duties.

(b) The Commission is authorized to secure directly from any executive department, agency, or independent instrumentality of the Government any information it deems necessary to carry out its functions under this Act; and each such department, agency, and instrumentality is authorized and directed to cooperate with the Commission and, to the extent permitted by law, to furnish such information to the Commission, upon request made by the Chairman.

SEC. 9. The Commission, or any subcommittee or panel thereof as authorized by the Commission, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places as the Commission or such subcommittee or panel may deem advisable.

SEC. 10. There is hereby established an interagency committee to be known as the Advisory Committee on Tax Sharing, consisting of the heads of any departments, agencies, and independent instrumentalities of the Federal Government (or their designees) concerned with or interested in any areas of study considered by the Commission, to advise the Commission and to maintain effective liaison with the resources of such departments, agencies, and instrumentalities. Such Committee shall elect a Chairman from among its members.

SEC. 11. There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums, not to exceed \$1,000,000, as may be necessary to carry out the provisions of this Act.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. BYRD of West Virginia. Mr. President, at the request of the distinguished Senator from Wisconsin (Mr. NELSON), I ask unanimous consent that at its next printing, the name of the Senator from Missouri (Mr. EAGLETON) be added as a cosponsor of the bill (S. 1612) the generic labeling bill.

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

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Wisconsin (Mr. NELSON), I ask unanimous consent that, at its next printing, the name of the Senator from New Jersey (Mr. WILLIAMS) and the Senator from Maine (Mr. MUSKIE) be added as cosponsors of the bill (S. 860) to create a Cabinet-level Department of Consumer Affairs.

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

Mr. KENNEDY. Mr. President, on behalf of the Senator from Washington (Mr. MAGNUSON) I ask unanimous consent that, at its next printing, the name of the Senator from New Mexico (Mr. ANDERSON) be added as a cosponsor of the bill (S. 1589) the Hospital Emergency Assistance Act.

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

Mr. KENNEDY. Mr. President, on be-

half of the Senator from Minnesota (Mr. MONDALE) I ask unanimous consent that, at its next printing, the names of the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Michigan (Mr. HART), the Senator from Washington (Mr. JACKSON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Wyoming (Mr. MCGEE), the Senator from Montana (Mr. METCALF), the Senator from Utah (Mr. MOSS), the Senator from Maine (Mr. MUSKIE), the Senator from Rhode Island (Mr. PELL), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Texas (Mr. YARBOROUGH), and the Senator from Ohio (Mr. YOUNG), be added as cosponsors of the bill (S. 1291) to provide an expanded legal services program within the Office of Economic Opportunity.

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

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Connecticut (Mr. RIBICOFF) be added as cosponsors of the bill (S. 1090) to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965, as amended, and for other purposes.

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

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at its next printing, the name of the junior Senator from Connecticut (Mr. RIBICOFF) be added as a cosponsor of the bill (S. 1), the Uniform Relocation Assistance and Land Acquisition Policies Act of 1969.

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

ADDITIONAL COSPONSOR OF RESOLUTION

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Connecticut (Mr. RIBICOFF) be added as a cosponsor of the resolution (S. Res. 78) to establish a Select Committee on Technology and the Human Environment.

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

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Wyoming (Mr. MCGEE), the Senator from Utah (Mr. BENNETT), the Senators from Nevada (Mr. BIBLE and Mr. CANNON), the Senator from Oregon (Mr. HATFIELD), the Senator from North Dakota (Mr. YOUNG), and the Senator from Arizona (Mr. GOLDWATER) be added as cosponsors of the bill (S. 28) the Water Rights Act of 1969.

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

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Massachusetts (Mr. KENNEDY) be added as a cosponsor of the bill (S. 1446) dealing with natural resources.

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

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Utah (Mr. Moss) be added as a cosponsor of the bill (S. 309) to provide for improved employee-management relations in the postal service.

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

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New York (Mr. GOODELL) and the Senator from Florida (Mr. GURNEY) be added as cosponsors of the bill (S. 335) to prevent the importation of endangered species of fish or wildlife into the United States; and, to prohibit the interstate shipment of any domestic species taken contrary to State law.

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

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that at its next printing, the names of the Senator from Wisconsin (Mr. NELSON), the Senator from New York (Mr. JAVITS), the Senator from Montana (Mr. MANSFIELD), the Senator from Massachusetts (Mr. BROOKE), the Senator from Illinois (Mr. DIRKSEN), the Senator from Alaska (Mr. STEVENS), the Senator from Hawaii (Mr. FONG), the Senator from Utah (Mr. MOSS), and the Senator from Montana (Mr. METCALF) be added as cosponsors of the bill (S. 1519) to establish a National Commission on Libraries and Information Science.

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

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Kentucky (Mr. COOK), the Senator from Kansas (Mr. DOLE), the Senator from Nebraska (Mr. HRUSKA), the Senator from Iowa (Mr. MILLER), and the Senator from California (Mr. MURPHY) be added as cosponsors of the bill (S. 1478) to establish a commission to study the antitrust laws.

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

Mr. METCALF. Mr. President, I ask unanimous consent that, at its next printing, the name of the distinguished junior Senator from Alaska (Mr. GRAVEL) be added as a cosponsor of the bill (S. 607) the Utility Consumers Counsel Act of 1969.

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

Mr. CANNON. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Idaho (Mr. CHURCH), the Senator from West Virginia (Mr. RANDOLPH), and the Senator from New Jersey (Mr. WILLIAMS) be added as cosponsors of the bill (S. 819) to exempt senior citizens from paying national parks and forests entrance, admission, or user fees.

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

Mr. SCOTT. Mr. President, on behalf of the Senator from Texas (Mr. TOWER), I ask unanimous consent that, at its next printing, the names of the following Senators be added as cosponsors of the bill (S. 364) to equalize the retirement pay

of members of uniformed services of ALLEN, Mr. ALLOTT, Mr. BAKER, Mr. BENNETT, Mr. COOK, Mr. COOPER, Mr. COTTON, Mr. CRANSTON, Mr. CURTIS, Mr. DODD, Mr. DOLE, Mr. DOMINICK, Mr. EASTLAND, Mr. FANNIN, Mr. FONG, Mr. GOLDWATER, Mr. equal rank and years of service: Mr. HOLLINGS, Mr. INOUE, Mr. MAGNUSON, Mr. MATHIAS, Mr. MCCARTHY, Mr. McGOVERN, Mr. MOSS, Mr. MURPHY, Mr. PEARSON, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, Mr. SCOTT, Mr. SPARKMAN, Mr. THURMOND, and Mr. YARBOROUGH.

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

Mr. HRUSKA. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. STEVENS) be added as a cosponsor of the bill (S. 1623), the Criminal Activities Profits Act.

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

Mr. BENNETT. Mr. President, I ask unanimous consent that, at its next printing, the name of the distinguished Senator from Oklahoma (Mr. HARRIS) be added as a cosponsor of the bill (S. 845), the ammunition redefinition bill.

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

Mr. BENNETT. Mr. President, I ask unanimous consent that, at its next printing, the name of the distinguished Senator from Colorado (Mr. ALLOTT) be added as a cosponsor of the bill (S. 1613) to rename Glen Canyon Dam the Dwight D. Eisenhower Dam.

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

Mr. BAYH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Texas (Mr. YARBOROUGH) be added as a cosponsor of the joint resolution (S.J. Res. 1), the direct popular vote for President amendment.

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

SENATE RESOLUTION 171—RESOLUTION TO PROVIDE FOR THE FURTHER PRINTING OF THE ANNUAL REPORT OF THE SPECIAL COMMITTEE ON AGING

Mr. WILLIAMS of New Jersey submitted the following resolution (S. Res. 171); which was referred to the Committee on Rules and Administration:

S. Res. 171

Resolved, that there be printed for the use of the Senate Special Committee on Aging two thousand nine hundred additional copies of its report to the Senate, "Developments in Aging—1968," pursuant to Senate Resolution 223.

SENATE RESOLUTION 172—RESOLUTION TO PROVIDE FOR THE EMIGRATION OF IRAQI JEWS

Mr. WILLIAMS of New Jersey (for himself, Mr. CASE, Mr. CRANSTON, Mr. GOODELL, Mr. HARRIS, Mr. HART, Mr. JAVITS, Mr. MATHIAS, Mr. MONDALE, Mr. MURPHY, Mr. NELSON, Mr. PROXMIER, Mr. RIBICOFF, Mr. SAXBE, Mr. SCHWEIKER, Mr. SCOTT, Mr. TYDINGS, Mr. YOUNG of Ohio, and Mr. GRIFFIN) submitted the follow-

ing resolution (S. Res. 172); which was referred to the Committee on Foreign Relations:

S. Res. 172

Whereas there are approximately 2,500 Jewish people living in Iraq, many of whose families have resided in that land for generations dating back to the Babylonian era;

Whereas Iraq is engaged in a campaign of harassment, intimidation and persecution to the point of depriving them of a means of livelihood and of their civil rights and liberties;

Whereas many of these Jewish people now find it necessary and desirable to leave Iraq;

Whereas several nations, including the United States, offer opportunity for asylum and refuge to any of these persecuted people who may be permitted to emigrate from Iraq; and

Whereas it has been the traditional and historic policy of the United States to be actively concerned with those subject to persecution in foreign lands: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President of the United States undertake negotiations, alone or in concert with other heads of state to secure and facilitate the emigration to acceptable lands of refuge of the Jewish remnant in Iraq.

Mr. SCOTT. Mr. President, I have today joined in sponsoring the resolution urging assistance to the Jews of Iraq so that they may escape from the nightmare existence which they are now experiencing. The 2,500 Jews remaining in Iraq are all that is left of a once proud and flourishing community dating back to ancient Baghdad. No Jews have been permitted to leave Iraq since 1963, and during this time they have become the scapegoats of a military regime.

Since June 1967 they have been living under virtual house arrest, under constant surveillance and harassment. They have been fired from their jobs and forbidden to sell their property. Their telephones have been taken away from them, and their mail censored.

The infamous spy trial and public hanging of 14 defendants, including nine Jews, which took place in Baghdad in January shocked the world. This action by the Iraqi military regime caused worldwide condemnation. The condemnation has not influenced the regime in power. They continue the systematic persecution of the Jews of Iraq.

The resolution we submit today urges that the President of the United States undertake negotiations, alone or in concert with other heads of state, to secure and facilitate the emigration to acceptable lands of refuge of the Jewish remnant in Iraq.

The U.S. immigration laws will permit them to come here, and they will be welcomed. Many other countries will also open their doors, if these unfortunate people are permitted to leave Iraq.

Mr. NELSON. Mr. President, the persecution and harassment of Jews living in Arab countries, coupled with the flurry of anti-Semitism in other areas of the world, causes men of conscience to be greatly concerned.

The brutal and barbaric actions of the Iraq Government toward its Jewish citizens, along with the repressive atmosphere prevalent in Egypt, Syria, and Libya, deserve the condemnation of the civilized world.

This prejudice and bigotry have promoted irrationality and prevented a truly lasting settlement to the political problems of the Middle East. While the history of man is checkered with these illogical hatreds, it seems to me that modern man must make progress toward solving these primitive biases.

The persecution of innocent people must cease and the intolerable conditions ought not to be permitted by the Arab governments. Meaningful steps must be taken by responsible government officials to still the shrill cries of hatred that trumpet throughout many Arab lands.

Today I am cosponsoring a resolution calling for an end to the intimidation of Jews in Iraq, and the spirit of it applies equally to other nations of the world. This Senate resolution specifically urges that Jewish citizens be free to emigrate from their native land if they wish to do so.

The deprivation of basic human rights and civil liberties is senseless and cannot be allowed to exist free of dissent.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Louis O. Aleksich, of Montana, to be U.S. marshal for the district of Montana for the term of 4 years, vice George A. Bukovatz.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Tuesday, April 1, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARINGS ON OMNIBUS JUDGESHIP BILL

Mr. TYDINGS. Mr. President, the Subcommittee on Improvements in Judicial Machinery will begin hearings on S. 952, the omnibus judgeship bill, and related bills, including, S. 474, S. 567, S. 585, S. 852, S. 898, S. 1036, and S. 1216, on April 15 and 16, at 10 a.m. in room 6226, New Senate Office Building.

All persons wishing to be heard on these bills or on the need for additional Federal judgeships and related matters should contact immediately the subcommittee in room 6306, New Senate Office Building.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

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

Harold O. Bullis, of North Dakota, to be U.S. attorney for the district of North Dakota for the term of 4 years, vice John O. Garaas.

George W. F. Cook, of Vermont, to be U.S. attorney for the district of Vermont for the term of 4 years, vice Joseph F. Radigan.

James L. Treece, of Colorado, to be U.S. attorney for the district of Colorado for the term of 4 years, vice Lawrence M. Henry.

Benjamin F. Holman, of the District of Columbia, to be Director, Community Relations Service, for the term of 4 years, vice Roger W. Wilkins.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, April 1, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING

Mr. JACKSON. Mr. President, I would like to announce for the information of the Senate and the public that the Senate Committee on Interior and Insular Affairs will hold an open hearing on the nomination of Mr. Harrison Loesch, of Montrose, Colo., to be Assistant Secretary of the Interior for Public Land Management. The hearing will be held on Monday, March 31, 1969, at 10 a.m. in the committee room, 3110 New Senate Office Building.

Any Member of the Senate who is interested is invited to attend and participate in the hearing.

Mr. President, I ask unanimous consent that a biographical sketch of Mr. Loesch be printed in the RECORD at this point.

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

DATA: HARRISON LOESCH

Family: Born Chicago, Illinois, March 10, 1916, to Joseph B. Loesch and Constance Harrison Loesch; married to Louise Mills, June 19, 1940; children, one son, Jeffrey H. Loesch, born June 14, 1946.

Education: Montrose Colorado school; B.A., Colorado College, 1936; Denver University Law School, 1936-1937; LL.B. Yale University, 1939.

Military service: Enlisted Pvt. AUS, 3-1942; OCS, Field Intelligence training, commission 10-1942, assigned 314th T.C. Gp., 9th A.F., North Africa (1943), Sicily, England, France, Germany. Distinguished Unit Citation, Air Medal (Cluster). Discharged, major, 10-1945.

Bar admissions: Admitted to Bar, Colorado, 1939; United States District Court; United States Court of Appeals, 10th Circuit.

Professional associations: Moynihan & Huges, Associate, 1939-1942; Strang & Loesch, 1945-1956; Loesch & Kreidler, 1956-1961; Loesch, Kreidler & Durham, 1961 to date.

Bar association memberships: Seventh Judicial District (President 1956); Colorado (Board of Governors 1950-1952; 1960-1963; President 1961-1962); American.

Organizations: Rotary, Elks, University Club of Denver, VFW, American Legion, Boy Scouts of America.

Politics: Republican.

Religion: Protestant (Preference, Episcopal).

Public land law experience: As a Colorado lawyer, I have had extensive representative experience with the Bureau of Land Management and all phases of the Taylor Grazing

Act including process, procedure, administrative appeals and litigation covering rights and duties of permittees, exchanges, sales of isolated tracts, withdrawals, grazing districts, and homestead entries.

During the uranium boom of the 1950's, I became experienced in the AEC procedures involving exploratory permits, leases and claims on withdrawn lands, as well as the ordinary process concerning mining claims on open public lands. These latter are of course the same as lode mining matters which had already been a substantial part of my practice.

In connection with the establishment and enlargement of the Black Canyon National Monument, I have dealt with the hierarchy of the National Park Service on trades, purchases, re-surveys and other administrative procedures, and have been instrumental in effecting compromises which benefited both the public and the land owners.

Of late years, I have handled the procedures provided for granting title to small residential tracts to long-time occupants of invalid (or invalidated) mining or mill-site claims.

I claim expertise in Colorado water law, and have handled all phases of individual and ditch company appropriation procedures, development, and litigation. I have dealt with the Bureau of Reclamation, the Uncompahgre Project Association, and the Tri-County Water Conservancy District on administrative accommodations for development of municipal and rural domestic supply for the entire area. Water matters have become of particular moment with progress of Colorado River development upstream from Glen Canyon, and have intimate connection with the use and disposition of public lands in the entire 5-state area, so acquaintance with Bureau of Reclamation rules, regulations and procedures is pertinent.

I have handled negotiations for access roads to public lands and have participated in litigation concerning them. I have some knowledge of the procedures involved in obtaining licenses for transmission line rights of way across public lands, and the rules and regulations involved in the process of building access roads to private lands.

This experience has afforded me a reasonable knowledge of the organization, structure and function of the Bureau of Land Management, the Bureau of Reclamation, the Rural Electrification Administration, the Forest Service, the Geological Survey, the Land Office, the Bureau of Mines, and the state organizations which interact with and supplement them.

NOTICE OF HEARINGS

Mr. JACKSON. Mr. President, for the information of Members of the Senate and the public, the Senate Interior and Insular Affairs Committee has scheduled the following hearings before the full committee through April 30:

March 27, full committee: 10 a.m., executive, room 3112. Briefing and information hearing on operations under Outer Continental Shelf Lands Act.

March 31: Nomination hearing of Harrison Loesch, Assistant Secretary for Public Lands.

April 15 and 16, full committee: 10 a.m., open, room 3110. S. 1075 and other measures to establish a national environmental policy.

April 22, full committee: 10 a.m., open, room 3110. S. 1076, Youth Conservation Corps bill.

April 29 and 30, full committee: 10 a.m., open, room 3110. Alaska native land claims.

At the April 15 and 16 hearings on S. 1075 and other measures to establish a national environmental policy, the committee will hear testimony from representatives of the administration and from the general public.

At the April 22 hearing on S. 1076, a bill to establish a Youth Conservation Corps, testimony will be received from representatives from the administration and the general public.

At the April 29 and 30 hearings on Alaska Native land claims, testimony will be received from the representatives of the administration, the State of Alaska, the Alaska natives, and the general public. At the present time, there are no bills pending before the committee on this subject. Last February I requested the Department of the Interior to draft legislation designed to implement recommendations for a proposed legislative settlement which were made by the Federal Field Committee for Development Planning in Alaska. When this drafting service is completed, the measure will be introduced for the committee's consideration together with other bills which may be introduced prior to the hearing.

RICHARD BREVARD RUSSELL

Mr. BYRD of West Virginia. Mr. President, earlier this month, I stated to the Senate my great pleasure whenever I see tribute paid to the extraordinary capabilities of Senator RICHARD RUSSELL, one of the Senate's true true giants of all times.

It has been good to note the remarks of Senators on both sides of the aisle in tribute to him this week, and I want to add my own words to the expressions of warm wishes for more carefree days ahead for the able senior Senator from Georgia.

The news of his illness is hurtful to me, as it surely is to all who know him. I wish that it lay within my power to perform some deed that would take away this trouble which has come to him.

This legislative body and this Nation have real need of his wisdom, his tremendous capacities for dedicated service, his proven abilities for leadership and conciliation, and his talent for making his associates want to stand tall in relation to his own great personal stature.

Indeed, when I think of the current wide usage of the term "charisma," I feel surprise that many years ago it was not applied to RICHARD BREVARD RUSSELL. Webster's dictionary describes the term as "a quality of extraordinary spiritual power attributed to a person capable of eliciting popular support in the direction of human affairs."

Can there be any doubt in anyone's mind, who has seen and heard the Members of the Senate speaking on the floor this week and in the years gone by, that the words spoken are testimony to a man—RICHARD BREVARD RUSSELL—who through his own great quality of spirit leads others to rise beyond and above themselves to serve the best interests of this Republic?

I believe that deep measure of charisma would have redounded to even

greater benefit for this Nation had the turn of the wheel of political fortune placed him in the White House, giving to all Americans a greater exposure to his influence and added opportunity to achieve new levels.

THE SLEEPING BEAR DUNES NATIONAL LAKESHORE

Mr. HART. Mr. President, I have introduced this year a bill to establish the Sleeping Bear Dunes National Lakeshore in Michigan.

The purpose of this legislation is to perpetuate for the benefit and enjoyment of people now and in future generations, the special beauty and values of the Sleeping Bear Dunes landscape.

The 61,000 acres which we have carefully designated for this national lakeshore encompass an expensive diversity of scenic beauty. Crowning it all are the great dunes, themselves. Yet, our objective is not only to preserve the dunes, but also the setting of forested hills and natural lakeshore in which they are found.

Again, today, I stress the urgency of this project. This nationally significant landscape stands poised on the edge of decision. This Congress must decide. We can act now to pass S. 1023 and the identical House bill, H.R. 4287, establishing the Sleeping Bear Dunes National Lakeshore, to adequately protect and appropriately plan for the development of this landscape. If we do not, this special landscape cannot long withstand the threats of cottage subdivision, commercial development, and honky-tonk encroachment. These destructive forces have gathered pressure in recent years. Now, they are closing in for the kill.

Mr. President, never before in the 10 years that I have been actively working for this project have I felt this heavy weight of utter urgency. This is the year the die will be cast.

I am delighted, therefore, to call to the attention of my colleagues the editorial support of the New York Times for the Sleeping Bear Dunes National Lakeshore.

Mr. President, I ask unanimous consent that the editorial, "Of Men and Dunes," from the Sunday New York Times for March 16, 1969, be included at this point in the RECORD.

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

OF MEN AND DUNES

Natural sand dunes, the unending masterwork of wind and water, are among nature's more fascinating and useful creations. To the human eye, their clean lines and fantastic and changing shapes are a delight. To shore birds and migratory birds, they nurture and protect life itself. Birds nest in the beachgrasses and depend for food on the salt ponds and fresh-water pools behind the dunes. To the sea and the lakes, dunes are nature's own barrier to the devastation effects of violent storms.

But something there is in many men that does not love a dune. The only wild, clear call that they hear at the edge of the sea is the screech of profit and the bulldozer's mournful crunch. The land speculator and the summer cottage builder, the highway contractor and the jetport planner, all these

see only a beach to be leveled and subdivided into lots and paved with blacktop and sold for dollars.

In recent years, the struggle to save surviving sections of the nation's seashores and lakeshores has made progress. From Cape Cod and Fire Island to Texas's Padre Island and California's Point Reyes, some dunes have been saved by Federal law. But more remains to be done, and old battles have sometimes to be won a second and a third time.

The dunes created by Lake Michigan provided two such battlegrounds. The Indiana Dunes, just east of Chicago at the southern end of the lake, were rescued after a long fight between conservationists led by former Senator Paul H. Douglas and steel companies which wanted to build a deep water port. But the Chicago, South Shore and South Bend Railroad is now pressing the National Park Service for permission to construct a marshalling yard within the boundaries of the lakeshore.

Before this railroad issue is even settled, there is already talk in Indiana that a new jetport may be built immediately south of the national lakeshore. If the so-called Chesterton site is selected, jets would spew oil and fumes as well as roaring noise over the dunes.

Far to the north at the western edge of the State of Michigan, the lake has created the beautiful Sleeping Bear Dunes, so named because their profile from a distance resembles a great bear curled in sleep. Ten years ago the National Park Service identified these dunes as one of the dozen shoreline areas in the nation most worth saving. Michigan's Senators introduced a bill to protect them as a national lakeshore in 1959. The years have passed but the bill has not.

Intensive private development now menaces the viability of Sleeping Bear as a national lakeshore. Meanwhile, the cost of the Government of acquiring the land has risen by one-third. The bill has been reintroduced in both houses of Congress, but hearings have been delayed until the Nixon Administration makes its position known. It is imperative that legislative action be completed this year. Congress waits, but the grasping hands of the land speculators are busy. Soon the Sleeping Bear may not be sleeping but dead.

Mr. HART. Mr. President, this welcome expression from a great national newspaper well known for its concern with conservation is another illustration of the growing support for the Sleeping Bear Dunes National Lakeshore. It is my hope now that the new administration will move with dispatch to support this legislation, and that the Congress will address itself to this matter with the sense of urgency that is required.

SENATOR GOLDWATER ADDRESSES THE ASSOCIATION OF AMERICAN FIGHTER PILOTS

Mr. TOWER. Mr. President, on Friday, March 21, my good friend and colleague, Senator BARRY GOLDWATER, addressed the Association of American Fighter Pilots in Houston, Tex. His remarks on that occasion have, I believe, an important and significant bearing on numerous matters now under consideration in the Congress of the United States.

In short, Mr. President, the Senator from Arizona deplores what he describes as a deliberate campaign being directed against the concept of military strength in the United States. Because of its timeliness and importance I ask unanimous

consent that the text of Senator GOLDWATER's speech be inserted in the RECORD.

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

REMARKS BY SENATOR BARRY GOLDWATER OF ARIZONA BEFORE THE AMERICAN FIGHTER PILOTS ASSOCIATION, HOUSTON, TEX., MARCH 21, 1969

Mr. President, Members of the American Fighter Pilots Association, as you probably all know, I returned recently to the political wars after a self-imposed sabbatical leave of four years in my native Arizona. Of course, in Washington everyone wants to know how it feels to be back. This is the question I get in the Senate, in the Senate Armed Services Committee, in the Senate Preparedness Subcommittee and all of my other old haunts around the nation's capital. And I tell them all that I feel exactly like the first Kamikaze pilot who ever made a round trip.

I also dwell to some extent on the various changes that I have noticed since my return. Maybe I don't have to tell you that the change I like the best is the one I find in the Pentagon. Not only am I delighted that the office of Secretary of Defense is no longer held by our computer-minded, one-time Ford Company official, Robert S. McNamara, but I am even more delighted that the vital post is now occupied by former Congressman Melvin Laird.

This brings me to the subject of my remarks tonight. They are directed to a defense of the nation's military establishment and a defense of this nation's military men.

I wish to be very blunt. I believe it is nothing short of disgraceful that such a defense has to be made. But the actualities of the present situation in our national affairs are such that loud and strong voices need to be raised.

If they aren't, we will soon develop a national frame of mind against anything that smacks of defense. We will be permitting an erroneous public attitude to develop which can spell nothing but trouble for the defense of the United States and the security of the free world.

This nation, no matter what your sophisticated academic and scientific spokesmen would like you to believe, must be strong and powerful. This is an absolute necessity in today's world. We are a long way from reaching a point where we do not need weapons, defense systems and the military men to operate them. It would be wonderful if, by waving a magic wand, or passing a particular piece of legislation, or adopting some specific executive program, we could make mankind forever noble. If this could be done, we wouldn't need weapons or generals or admirals or soldiers or sailors or fighter pilots. We wouldn't even need policemen—the churches could handle all our needs.

But, unfortunately, man's nature is not susceptible to quick change of this sort. He will, despite all the education that the academic community can cram into his skull, still have traces of greed, hatred and avarice in his nature. He will still be susceptible to the temptations and impulses which today lead men to fights and nations to war.

This is no mystery. It's a fact of life. Any reasonable individual will understand and accept this premise because he knows that it is true and that it is not subject to questioning. However, when you listen to some of the self-styled pacifists, peaceniks and all-out enemies of the military, you begin to wonder if we might have missed something somewhere along the line. Because their arguments are founded on wishful thinking, they would have us believe that if the United States only stopped building military weapons that that would be the answer to peace throughout the world. They would have us believe that by some magic

or miracle of ideology we could shame our enemies into following suit. The realities of power and strength and counter power and counter strength have no meaning for these people. They have developed an over-simplified and ridiculous idea that the way to promote world peace is to object to anything or anyone used in the waging of war. This is what causes protest movements against the Reserve Officers Training Corps on campuses, against service recruiters in colleges, against military draft boards, against any kind of service installations that might be used by the Army, the Navy, the Air Force, the Marine Corps or the Coast Guard in time of war.

It is this same attitude on a higher plain that causes trouble for our military men in the Defense Department. The great outcry against war has led almost automatically to a suspicion of our military brass. It's getting as though the liberal press treats any recommendation by the Joint Chiefs of Staff as a form of evil, *per se*. To this element of our national media, anything connected with the military is dangerous. They would have the American public believe that every man who ever wore an officer's uniform is interested personally in unleashing nuclear war.

The attitude which I have been describing has already led us into trouble that may take many years to correct. This suspicion of the military; this deliberate attempt to minimize the voice of the military in the development of defense policies, was a hallmark of the McNamara regime in the Pentagon. You all remember that unhappy interlude. The "whiz kids" took over. The battle cry became "cost effectiveness to the end." The voices of experienced military men, trained in service academies and tested in combat, were drowned out by the whirrings and beeping of the computers. Sound advice on hard military matters gave way to chalk talks and glib televised press conferences wherein anyone holding a pointer to a chart passed as an expert.

What happened was this. To avoid or steer clear of the possible evil of centralizing power and authority in the hands of the military, McNamara permitted over-centralization in the hands of less qualified civil servants. We traded military expertise for scientific guesses based on computer findings. We didn't achieve a proper balance between military and civil authority. We achieved an improper balance of untrained civil authority over experienced military authority.

The result of all this has been that during the past decade the pendulum of defense organization has moved too far in the direction of economy and efficiency and too far away from defense readiness and force modernization.

The bomb shortage of the early 1960's; the efforts to save money through the concept of "commonality" in the TFX (now F-111B) program with no alternative available when it failed; and the low risk procurement policies typified by the current requirement that services have all technology "in hand" before a contract is let—all these are examples of this trend.

The mistakes stemming from overemphasis on civilian decision-making in the Defense Department are too numerous to mention. To tell you the truth, I don't like to think too much about it; because when I realize what happened in the Defense Department over the last eight years, it literally scares me to death. It makes me worried for the future of my country and the future of freedom throughout the world.

I'm sure you all know the old saying that one should not put all his eggs in one basket. Nowhere is this more pertinent than in the field of defense activities. To rely solely on missiles in order to save the cost of the backup bomber force is an example of what I mean. Others involved are the building of

only conventional ships to save the cost of nuclear engines and to economize by not developing, testing, and stockpiling certain military space systems, or not to develop new and better tactical nuclear weapons on the wishful hope that our enemies won't do it if we don't.

Real and lasting economies in defense spending can only be realized, I am convinced, by optimizing military policies, strategy and tactics to most fully exploit all the products of technology. The inevitable need to develop and maintain the most advanced systems possible in order to guard against the fact that an enemy could build and use these against us means that any reliance on older systems—for whatever reason—will eventually add to the cost of defense.

Thus only by absorbing the increased costs of new advanced weapons through reduction in quantity of forces and systems that sole reliance on these will permit, can we hope to keep defense spending at a minimum and national security at a maximum.

I do not insist that the military should be in charge of everything. I do not recommend a general for the office of Secretary of Defense. I do not necessarily insist that civilian experts be replaced in the Defense establishment merely because they do not wear an admiral's stripes or a colonel's chickens. I do, however, argue strenuously and persistently that military experience and military men be given their proper voice in the determination of policies upon which our safety and the protection of our millions of citizens must ultimately depend. In many areas of defense policy I am convinced that trained military opinion is not only desirable but essential to success. There are other areas where I believe top scientific and technical knowledge should prevail. However, we have nothing to gain and a great deal to lose by adopting the fallacious belief that because a military man is trained to fight that he is automatically a proponent of warlike or war-producing attitudes and policies. I might say here that the most eloquent and ardent proponents of peace that I have ever had the pleasure of knowing were military men who had seen at first hand the horrors of war. It has long been my feeling that to become a practical and effective advocate of peace in our times requires personal experience with the alternative.

I believe that the public debate now going on concerning President Nixon's advocacy of a modified ABM system will bring out even more latent distrust, and even hatred of the military. The radical left is even now busy trying to convince the American public that the ABM system is a device cooked up by the military men in the Pentagon to siphon off billions of dollars from antipoverty projects and other social welfare programs. Great emphasis is being placed upon the opinions of scientists who all of a sudden have become great experts in the whole area of military defense. It is reminiscent of the time back in the Truman Administration when many prominent scientists were opposing development of the H bomb. You may remember some of those arguments. The scientists told us that the H bomb would be inordinately expensive that it probably would not work and that its development would alter the world balance of power. Of course we know now that they were wrong on every point. Not only did the H bomb work but it proved to be less expensive than the scientific estimates and the Russians promptly developed one of their own. If President Truman had listened to the advice of scientists like Dr. J. Robert Oppenheimer the balance of power would have been drastically altered—but in favor of the Soviet Union because while the scientists were trying to get the President to junk our H bomb program the Russians were pushing ahead at top speed.

It has often been said that if an Army general endeavored to tell the scientists about

their theories on physics he would quickly be told to "get lost." But the scientists never seem a bit reluctant to tell the generals and the admirals all about their specialized business.

This is what is happening today in the debate over the ABM system. The greatest emphasis is being placed on the arguments of the scientists and others who oppose the system. Considerably less emphasis is being placed on the arguments of those who know that we must make some headway in the area of missile defense. The Soviets are already way ahead of us, not only in the development but in the deployment of an ABM system to protect their major cities. The very least that we must do is to develop a system to protect our deterrent to war. This, to my way of thinking, is little more than the maintenance of intensive research and development in a vital defense field where the Soviets are far ahead of us. It is the absolute minimum that the President could recommend in keeping with a proper regard for the safety of this nation. In this the President and his Secretary of Defense, Mr. Laird, need our determined help and assistance. And I believe that the wishes of the American people will finally be felt and this program adopted. In the meantime I would warn you to be aware, constantly aware, of the never-ending effort to down-grade and discredit the military establishment without which our country could not long survive. It is a determined and deliberate campaign which must be fought at all times.

And rest assured that you will have no trouble identifying these attacks on the military. Most of them contain certain key words and phrases taken from the utterances of American Presidents in attempts to justify a totally unwarranted premise. For example, I predict that you will hear more and more about a word President Nixon used not so long ago with regard to our nuclear strength. The word he used was "sufficiency." He said this perhaps was a better word than "superiority" in referring to our relative nuclear strength as opposed to that of the Communist world. I am sure I don't have to tell you that the word "sufficiency" can be taken to mean whatever the person using it wants it to mean. There is no doubt in my mind that when President Nixon used the word "sufficiency" he had reference to sufficient nuclear strength to close what he himself termed a "security gap" during the Presidential campaign. And, of course, to the proponents of unilateral disarmament, the word "sufficiency" could mean almost any level of strength.

In the attacks on the military also you will find repeated reference to a phrase once used by former President Dwight D. Eisenhower. This phrase, which incidentally turned up six times in a recent speech by former Vice President Hubert H. Humphrey, is "military-industrial complex." Time and again these words of our great ex-President are quoted in an effort to convince Americans that such a complex does exist and poses some kind of an evil, mysterious threat to our continued existence.

I would remind you that when Dwight Eisenhower mentioned the possibility of unwarranted influence being acquired by such a complex, he had some other profound things to say. I want to quote one passage in particular. He said and I quote, "We face a hostile ideology—global in scope, atheistic in character, ruthless in purpose and insidious in method. Unhappily the danger it poses promises to be of indefinite duration. To meet it successfully, there is call for, not so much the emotional and transitory sacrifices of crisis, but rather those which enable us to carry forward steadily, surely, and without complaint the burdens of a prolonged and complex struggle—with liberty the stake. Only thus shall we remain, despite every provocation, on our charted course toward permanent peace and human betterment."

"A vital element in keeping the peace is our military establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction."

In closing, gentlemen, let me warn you that the anti-defense campaign in this country is accelerating rapidly. I predict that in the weeks to come you will see it reach an almost hysterical pitch among certain groups. And it will have many facets. One will be a new, all-out propaganda drive against the Nixon Administration's military effort in Vietnam.

Another facet of this drive will be an all-out campaign against every conceivable type of defense expenditure. This part of the campaign will get under way on March 28 and 29 at a Congressional conference on "The Military Budget and National Priorities." This conference, which has been arranged by a group of liberal House and Senate Democrats, is strictly a lobbying effort to drum up Congressional support for cutting defense budgets. It has no official standing with the Congress. In fact, it will temper with the jurisdiction of such duly established groups as the House and Senate Armed Services Committees and the House and Senate Appropriations Committees.

I believe it is important for everyone who has any interest in the defense of this nation to understand clearly what is going on today. This campaign is not confined to opposing military men or even a dominant military voice in preparedness matters. It is aimed directly at the concept of military strength itself. I tell you emphatically that we are seeing today a concerted and well-organized attempt to destroy the military effectiveness of America in the misguided belief that such action might somehow serve the cause of world peace.

VIRGIN ISLANDS REPRESENTATIVE

Mr. JACKSON. Mr. President, on June 28, 1968, the Governor of the U.S. Virgin Islands signed into law an act of the Virgin Islands Legislature which established in the office of the Virgin Islands Representative to Washington, and provided for the election of the first Representative at the 1968 general election. At that election, on November 5, the people of the Virgin Islands elected Mr. Ron de Lugo as their first Representative to Washington.

Many Members of this body know Mr. de Lugo well. This Congress passed the Revised Organic Act of the Virgin Islands in 1954. Since that time, Ron de Lugo has worked effectively to bring to fruition the processes of democracy which that document promised the people of the Virgin Islands.

The office of the elected Representative to Washington is another step on the long road to self-government within the context of the Federal-territorial relationship, and in the election of Ron de Lugo the people of the Virgin Islands have made an excellent decision.

Ron de Lugo is a man who brings to Washington broad experience and an intimate knowledge of the islands and of the people whom he represents.

He was born in Englewood, N.J., on August 2, 1930. Ron's father was the late Angelo de Lugo, a native of St. Thomas. His parents returned to St. Thomas where Ron lived until he enlisted in the U.S. Army in 1948. His military duty took him to Japan and included service with the Armed Forces Radio Service.

He returned to the islands in 1950 as program director of the newly opened WSTA radio station. Ron de Lugo is well known for his efforts in the revival of the famous St. Thomas Carnival in 1952. In that same year he was named "Man of the Year" by the New York Professional League. In 1954, he served as campaign manager for the Democratic Party of the Virgin Islands. In 1955, Ron joined WIVI radio on St. Croix distinguishing himself as a leader in the fight for a jet airport for St. Croix. The same year he was instrumental in organizing the Democratic Party on St. Croix.

At the age of 26, Mr. de Lugo became the youngest person to win a seat in the Legislature of the Virgin Islands in 1956 and he was also elected a delegate to the Democratic National Convention. Senator de Lugo served as minority leader in the legislature from 1958 to 1967, except for the period when he served as administrator for the island of St. Croix, from April 1961 to August 1962. He resigned a year later, responding to a draft from the Democratic Party, to return to the Legislature of the Virgin Islands.

In 1960, Ron was elected Democratic national committeeman for the Virgin Islands and was seated at the Los Angeles Democratic Convention. At 30, he was the youngest member of the national committee.

Ron de Lugo's most recent accomplishment in his career of public service was his landslide election on November 5, 1968, to this Washington office. His broad public support in the Virgin Islands is obvious from the 75 percent of the vote which he received.

Ron is married to the former Maria Morales, and they have moved to Washington with their three children: Jay, 17; Maria Christina, 10; and Angela Maria, 8.

I know that all the Members of this body join with me in welcoming Ron de Lugo to Washington, and I am sure that he will receive the consideration and the cooperation to which he is entitled as elected Representative of the people of the Virgin Islands.

THE HEADSTART PARENTS CHOIR OF KANSAS CITY, KANS.

Mr. PEARSON. Mr. President, it was recently my privilege to attend the 70th annual meeting of the Kansas Conference on Social Welfare in Wichita. At the conference a heart-warming performance was given by a unique choir made up entirely of parents of Headstart children in Kansas City, Kans.

This group does not receive any outside funds from public or private sources, yet its approximately 60 members not only trained themselves as an outstanding musical group but have made their own choir robes and dresses at costs some 90 percent below usual prices.

This kind of resourcefulness is characteristic of the parents of Headstart children at London Heights Methodist Church in Kansas City. I understand they have a motto:

If you have courage yourself, you can do it.

Not only in the wonderful cooperative effort of the choir, which I heard and enjoyed so much, but also in the spirit of neighborliness they show in solving problems of babysitting, transportation, and finances, these parents are setting for their children the kind of example that offers great hope for the future.

Furthermore, Mr. President, this admirable group of parents is an interracial one, having as one of its purposes to promote "togetherness of the races." This goal is a high and difficult challenge for all Americans, but a group of parents so determined and willing to cooperate is a source of encouragement for all Americans, black and white, as they strive to meet the challenges of racial integration.

Mr. President, this unique group is a heartening example of how a Government program such as Headstart can stimulate very positive, if unexpected, results in communities where these programs are at work.

THE ELECTORAL COLLEGE

Mr. HART. Mr. President, the senior government students of New Haven High School, New Haven, Mich., recently completed a poll. This exercise, I am sure, was very instructive to them and might be somewhat instructive to us.

New Haven is not a large community but it is a fine one and I think it could be considered a representative one.

These enterprising youngsters compiled a booklet giving pro and con arguments on our electoral system. The booklets were distributed in the community and later collected, along with the views of the readers.

The results were relayed to me in a letter from the project cochairman, Vicky L. Jackson. Her letter is clearly stated and I ask that it be printed at this point in my remarks.

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

NEW HAVEN COMMUNITY SCHOOLS,
New Haven, Mich., March 18, 1969.

SENATOR PHILIP HART: The Senior Government Classes of New Haven High School sponsored a campaign to determine how the community of New Haven felt about our present Electoral College system. The complete project took three weeks.

The students were divided into groups, which were responsible for finding out certain information concerning the Electoral College. This information was then compiled and put into booklet form.

The booklet consisted of the following sections. 1) An introduction, explaining to the public exactly what the Government Class was attempting to present. 2) Criticisms in opposition of the Electoral College. 3) Criticisms in favor of the Electoral College. 4) Exactly how the College functions. 5) An opinion sheet. The booklets were designed to give all views of the Electoral College. Then from there, the Electorate was asked to make its own decision.

A door-to-door campaign was conducted in passing out the booklets. The students then returned to the homes in a few days to pick the booklets up.

When all the booklets were turned in, the results were compiled. There was a total of four hundred booklets distributed. From these, a total of 313 was returned. From the total booklets returned; 20.4% of the people

suggested we keep the Electoral College just as it is; 56.3% of the people suggested we eliminate the College; 23.1% of the people suggested we amend the Electoral College; and .2% of the people voiced no opinion.

We, the Government Classes of New Haven High School, would like to thank the Community of New Haven for its splendid participation in our project.

Respectively submitted,
VICKY L. JACKSON,
Cochairman.

THE 51ST ANNIVERSARY OF BYELORUSSIAN INDEPENDENCE

Mr. PERCY. Mr. President, I am pleased to join my colleagues in commemorating the 51st anniversary of Byelorussian independence, which was observed on March 25. I sincerely believe that the desire of any people to assert their national identity is a cause worthy of our attention.

Fifty-one years ago, the Byelorussian people declared their independence and were able, for a few brief months, to live according to their own ideals and beliefs. During its short-lived existence, despite the great difficulties created by World War I and its chaotic aftermath in Eastern Europe, the Byelorussian Government was able to make significant advances in education, culture and social welfare.

On March 25, 1918, the Rada—Congress—of the Byelorussian National Republic proclaimed the sovereignty of Byelorussia and published a Declaration of Independence which said in part:

"A year ago, the peoples of Byelorussia, together with all the peoples of Russia, threw off the yoke of Russian tsarism which, taking no advice from the people, had plunged our land into the blaze of war that ruined most of our cities and towns. Today we, the Rada of the Byelorussian National Republic, cast off from our country the last chains of the political servitude that had been imposed by Russian tsarism upon our free and independent land. From now on, the Byelorussian National Republic is to be a free and independent power. The peoples of Byelorussia themselves, through their own Constituent Assembly, will decide upon the future relations of Byelorussia with other states.

Although these laudable objectives were to be lost beneath the inexorable westward march of the Red army, the right to rule their own destiny still lives in the hearts of many men and women who recall those fateful days.

Today all Americans join with our fellow citizens of Byelorussian ancestry in renewing our own devotion to the principles of freedom and in our prayerful hope that the day will come when the people of Byelorussia as well as peoples everywhere can join us in our full enjoyment of the blessings of liberty.

SURTAX NEEDS HAVE NO HIGHER PRIORITY THAN TAX NEEDS

Mr. MCINTYRE. Mr. President, the President of the United States has today proposed that the 10-percent surtax be continued for another year. I would like to take this opportunity to comment briefly upon the single most important income tax issue facing the American people and the Congress, the urgent, immediate need for tax reform.

This issue is as clearly raised by President Nixon's request for an extension of the surtax as are the issues of national fiscal policy and inflation to which his message refers.

A simple extension of the surtax may, it is true, be of assistance to the needs of our overall economy. But it is not fair, it is not right, to impose the entire cost of anti-inflationary measures on the low and middle income taxpayers who are not able to take advantage of the loopholes and subsidies in our tax laws.

Is it fair, for example, to provide the billion dollar oil companies with an oil depletion subsidy while refusing to provide the average American taxpayer with a pocketbook depletion subsidy? Is it fair to expect a taxpayer with a tax bill of \$600 to pay a \$60 surtax, while men with net incomes of \$100,000 paying no tax now escape the surtax completely?

I do not believe that the surtax, no matter how desperately it may be needed, can be extended this year without its being more fairly and evenly applied to all our citizens earning adequate incomes. The President said today:

We are determined to keep faith with America's wage earners.

There is only one way that the Congress can keep faith with America's wage earners, if the surtax is extended. That way is to see that the burden of the surtax is shared by all Americans through effective tax reform.

CEASING PROLIFERATION OF FEDERAL POWER

Mr. BENNETT. Mr. President, the Utah State Legislature recently passed House Joint Resolution 12 memorializing Congress to terminate the expansion of Federal control and power over State and local governments.

I think President Nixon appreciates this problem and consequently created the Office of Intergovernmental Relations. I think the resolution by the State legislature is a clear indication that the people of Utah feel capable of dealing with their own problems with a minimum of Federal interference. Of course, the problem of adequate financing of public programs is always present. I think the wise approach and eventual solution is a program of Federal tax sharing which would provide financial assistance with a reduction in political controls.

I ask that the Utah Legislature's resolution be placed in full in the RECORD.

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

H.J. RES. 12

A joint resolution memorializing Congress to cease and desist the proliferation of Federal power

Be it resolved by the Legislature of the State of Utah:

Whereas, the Congress of the United States continues to expand the proliferation of federal control over our cities, counties and states, and

Whereas, this proliferation of national government is contrary to the thinking of our founding fathers, contrary to the fundamental tenets of federalism, and

Whereas, if such proliferation does not cease, our federal system, which once mani-

tested a delicate balance between federal and state powers, will become a giant state engulfing monster;

Now, therefore, be it resolved by the 38th Legislature of the State of Utah, both houses concurring therein, that Congress be memorialized and respectfully requested to cease and desist from further encroachment on state and local powers reserved to the states under the Constitution of the United States;

Be it resolved further that Congress immediately consider systematic withdrawal of many of the non-productive and expensive federal agencies which result in unnecessary taxation imposed upon citizens of this and other states, and allow states to appraise their own social and economic needs and levy and collect taxes to provide for these indigenous problems.

Be it resolved further that the Secretary of State of Utah be, and he is hereby directed, to send copies of this resolution to the Senate and House of Representatives of the United States, to United States Representative Wilbur D. Mills, and to the Senators and Congressmen representing the State of Utah in Congress.

CRACKDOWN ON CAMPUS RIOTERS

Mr. BYRD of West Virginia. Mr. President, I have long been a strong advocate of cracking down on campus rioters, and I urge the administration to take steps to enforce existing laws which provide the machinery for barring Federal aid to students involved directly in disturbances and riots at academic institutions.

As a longtime supporter of a more forceful stand against campus rioters, and having voted for such legislation which was passed last year, I hopefully anticipate the enforcement of those laws.

While students may have the right to peacefully petition for changes and improvements, they have no right to disrupt college activities or infringe upon the rights of those who do conduct themselves in accordance with decency and a respect for orderly processes.

The public is becoming thoroughly fed up with the overpermissiveness which has allowed young revolutionaries to run wild on our college campuses.

In speaking about contempt for law and order in this Chamber on August 23, 1965, I quoted Supreme Court Justice Frankfurter who once said:

If a man can be allowed to determine for himself what is law, every man can. That means first, chaos; then, tyranny.

Since the occurrence of the Los Angeles riots which seemed to serve as a stamp of approval for wholesale rioting, a series of riots has continued to plague us from coast to coast and many of these militant activists, rioters, and agitators seem to believe that they can determine academic administration and policy by lawlessness and minority rule by force.

Justice Frankfurter went on to say: Lawlessness, if not checked, is the precursor of anarchy.

The time has come to check the lawlessness that is being witnessed on campuses across the country. And the time has come for academic administrators, parents, teachers, Federal enforcement agencies, and the majority of students who are seriously seeking an education

to join Dr. S. I. Hayakawa, acting president of San Francisco State College, and Rev. Theodore M. Hesburgh, of Notre Dame, in demanding prompt ejection from the campus, arrest for disorderly conduct, and arrest where property destruction occurs. An automatic denial of Federal funds to convicted students is long overdue.

The 1968 Education Act received my support and it indicates quite clearly that students who are receiving a loan or guarantee of a loan or grant and who have been convicted by any court of general jurisdiction of crimes involving force, trespass, or seizure of property to prevent officials and students from engaging in their duties or pursuing their studies shall not receive said funds.

It is folly for the Government to continue to finance militant activity with taxpayers' money. Student loans are administered by college authorities and it is time that some of these same authorities eliminate the rioters, rabble-rousers, and radicals—for these are three R's that do not belong in any school.

Let me read to you today, Mr. President, from a speech I delivered last week at Shepherd College, located in Shepherdstown, W. Va., at which time I addressed a number of our West Virginia honor students at this distinguished institution. I will read only that portion of my address in which I refer to a letter written by the head of a university to a friend in 1825. Describing a campus riot and how it was handled, he said in part:

The students have returned into perfect order under a salutary conviction that they had not before felt that the laws in future will be rigorously enforced, and the institution is strengthened by the firmness manifested by its authorities on the occasion. . . .

We have no further fear of anything of the kind from the present set, but as, at the next term, their numbers will be more than doubled by the accession of an additional band, as unbroken as these were, we mean to be prepared, and to ask of the legislature a power to call in the civil authority in the first instant of disorder, and to quell it on the spot by imprisonment and the same legal coercions provided against disorder generally committed by other citizens from whom, at their age, they have no right to distinction.

The author of that letter was Thomas Jefferson, the first rector of the University of Virginia. There is no doubt in my mind that Mr. Jefferson, if he were alive today—great believer in a democratic society that he was and champion of the rights of all men—would take the same decisive action against college violence and destruction.

In closing, Mr. President, let me say that this great Nation of ours has some of the finest institutions of higher learning to be found anywhere and I am certain that I stand with millions of other concerned American citizens that the time has arrived to replace Government paternalism with Government responsibility in the immediate enforcement of our existing laws.

I ask unanimous consent to insert in the RECORD the provisions of section 411 of Public Law 90-557, to which I have referred.

There being no objection, section 411 of Public Law 90-557 was ordered to be printed in the RECORD, as follows:

SEC. 411. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan or a grant to any applicant who has been convicted by any court of general jurisdiction of any crime which involves the use of or the assistance to others in the use of force, trespass or the seizure of property under control of an institution of higher education to prevent officials or students at such an institution from engaging in their duties or pursuing their studies.

KIDNEY DISEASE

Mr. MAGNUSON. Mr. President, I would like to introduce into the CONGRESSIONAL RECORD for the benefit of my colleagues an article from the Wall Street Journal dated March 10, 1969, which focuses appropriate attention in the gravity of kidney disease in our country.

Senator JACKSON and I have introduced legislation which attempts to meet the problem of kidney disease in a comprehensive fashion and hopefully offer treatment to more than 8,000 Americans who die each year because of the lack of kidney machines and trained personnel.

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

THE COST OF LIVING: SOME KIDNEY PATIENTS DIE FOR LACK OF FUNDS FOR MACHINE TREATMENT—ARTIFICIAL ORGAN WORKS WELL, BUT USE IS COSTLY—FEDERAL GRANTS, DONATIONS DWINDLE—INSURANCE DOESN'T MEET BILLS

(By Jim Hyatt)

The effort to treat sufferers from chronic kidney disease by machine, which once promised to save thousands of lives a year, is floundering for lack of financial support.

High costs have plagued the so-called artificial kidney program from the outset. Hospital bills for the twice-weekly machine blood "washings" that take over the kidneys' vital function of removing blood wastes and adjusting body chemistry now run from \$10,000 to \$20,000 annually per patient. That's the main reason only about 1,700 Americans currently receive the treatments, while an estimated 8,000 people will die this year for lack of them.

But even this far from adequate situation is deteriorating. Federal grants have been running out at the 14 hospitals designated by the U.S. Public Health Service about three years ago as demonstration centers for the process; without Government help, some of them have had to reduce the number of cases they handle.

Some private hospitals have been forced into similar cutbacks because of difficulties in attracting donations to support patients who can't pay the cost themselves. Indeed, private support of any kind has been slow in coming.

COMING OUT SECOND BEST

"The cost per capita of the treatment is an overwhelming drawback when we approach organizations for help," says Dr. Frederic B. Westervelt, director of the kidney care demonstration center at the University of Virginia School of Medicine in Charlottesville. "They say, 'Look what we can do for \$10,000 a year—we can give 20 people an artificial leg.' When they measure what they think is the greatest good for the greatest number, we come out second best."

As a result of this lack of funds, hospital committees that once spent weeks agonizing over which artificial kidney candidates would receive the life-giving treatments, called hemodialysis or simply dialysis, now find that the decision has been taken out of their

hands. "Who gets the care here now is determined purely by ability to pay—we don't like it, but that's the way it is," says Dr. Daniel Leeb of the Louisville (Ky.) General Hospital's kidney center, run by the University of Louisville School of Medicine.

Physicians' chagrin over the financial obstacles to the treatment is heightened by the highly advanced state of artificial kidney technology. The prototype of the present artificial kidney machine, which resembles a squat old-fashioned washing machine, was developed in 1943 in Holland by Dr. Willem J. Kolff, who now is a resident of the U.S. The patient is connected to the machine, and his blood is pumped through a series of tubes, coils and filters.

The key element of the device is a thin cellophane membrane immersed in a saline solution. Through the process of osmosis, wastes in the blood that otherwise would accumulate and cause death pass through the membrane into the solution. At the same time, vital chemicals normally added to the blood by healthy kidneys pass from the solution into the blood. The "cleansed" blood then is returned to the body.

A SURGICAL BREAKTHROUGH

For a number of years, the machine could be used only when a few treatments would suffice—such as in cases of acute infections—because the surgery required to connect the patient with the machine was difficult and dangerous. In 1960, however, a team of specialists from the University of Washington devised a system that made the artificial kidney available to individuals who had suffered irreparable kidney damage and needed frequent blood washings. In minor surgery, they permanently inserted small plastic tubes in an artery and vein in a patient's arm or leg. During dialysis, the machine is easily connected to the body through those tubes; when the treatment is finished, the tubes are plugged and covered with a small bandage.

Recently, some doctors have improved on this method. By increasing the flow of blood through an artery and a vein, they enlarge them to the point where they can be easily punctured with large needles for connection to the kidney machine. This makes the mechanics of dialysis about as simple as giving blood.

Dialysis is time consuming; the twice-weekly treatments take from six to 13 hours each, depending on the patient and model of machine used. But it is painless, and patients undergoing the life-long treatment can lead a nearly normal life. Clyde Shields of Seattle, who nine years ago received vein and artery implants from the University of Washington team and became the first person to start regular dialysis by machine, still is regularly employed as a mechanic. He is 49 years old.

THE ROLE OF TRANSPLANTS

Treatment by kidney machine isn't the only alternative open to victims of kidney failure. Kidney transplant operations have been performed since 1954 with a high and growing rate of success. Up to last year, three-fourths of the transplant patients who received a kidney from a blood relative had survived for at least one year after the operation (people have two kidneys but can live with just one). The one-year survival rate for a person who received a kidney from a cadaver was 45%.

The utility of this operation is limited, however. Many kidney patients might not survive a transplant operation because of poor general physical condition, and not nearly enough suitable organs are available for those who could benefit. Only about 2,000 kidney transplants have been made in the past 14 years, an average of less than 150 a year.

Moreover, transplant candidates often require dialysis. They usually must undergo the treatment while awaiting an organ, and

they must fall back on the machine if the operation fails.

Amid the general gloom over the outlook for artificial kidney treatment, some see a hopeful sign in the recent trend for more patients to receive machine dialysis at home instead of in a hospital. The savings from such a move can be substantial. The first-year bill for home dialysis, including \$3,000 to \$4,000 to purchase the artificial kidney machine itself and fees for training a family member to run it, usually total about \$10,000. After that, it costs \$3,000 to \$5,000 a year to maintain the machine and buy the various components and chemicals that must be changed after every use.

About 200 of the 1,700 Americans on machine dialysis currently are treated at home, and some kidney specialists say they have high hopes that the number will rise sharply in the next few years. In 1967, the U.S. Public Health Service moved to accelerate the trend by setting up 12 home treatment training centers around the country and promising them \$4 million over a five-year period.

But many experts in the field strongly doubt that home care will assume the majority of the treatment burden in the near future. They point out that some patients don't have a relative who can assume the job of operating the complex artificial kidney, others don't have homes where the treatments can be safely carried out and still more have strong fears about entrusting themselves to the care of a family member when a mistake could prove fatal. Moreover, even patients who intend to purchase their own artificial kidney must receive hospital dialysis for several months while a relative is being trained to run the machine.

THE FINANCIAL SQUEEZE

To date, the financial squeeze has been hardest on the hospitals picked by the Federal Government in 1965 and 1966 to demonstrate the feasibility of the widespread use of artificial kidneys. The Federal grants—which totaled \$2.5 million—paid the operational costs of the kidney centers and permitted them to admit patients who couldn't pay for their own treatments. Federal funds for medical projects go only for research or treatment-demonstration purposes, not for daily general patient care, so the centers knew the funds might not be renewed when the grants expired. But many of them felt that the Government wouldn't cut them off after having made a commitment.

Since it became clear that the grants would stop in the wake of the Government economy drive caused by the war in Vietnam, the centers have moved to pare their rolls. None have summarily cut off any patients, but when a patient receives a transplant or moves to home care, he isn't replaced.

The center at Cleveland's Mt. Sinai Hospital, for instance, now has only 17 patients on dialysis, down from 30 in 1967; its Federal grant expired Dec. 31. The unit at the University of Alabama Medical Center in Birmingham now only accepts patients likely to receive transplants fairly quickly; if new funds can't be obtained, it plans to phase out its artificial kidney program as soon as other facilities can be found for its 15 present patients.

PAY IN ADVANCE

The center at Hennepin County General Hospital in Minneapolis, whose Federal grant expired Dec. 31, now requires some prospective patients to put \$12,000—funds for at least one year's care—in an escrow account before they can begin dialysis. "A couple of people have felt they'd rather die than spend the amount of money involved," says one doctor at the hospital.

A bill now pending in Congress would commit new Federal money for artificial kidney programs, but its prospects for passage

aren't clear now. A similar bill made little headway last year.

The outlook for developing other sources of funds is even less bright. Only a half dozen states support dialysis patients, and few others show signs of following. New York has the largest state program; according to Dr. Ira Greifer, medical director for the National Kidney Foundation, Medicaid in New York helps pay dialysis bills for more than half of the state's 400 dialysis patients and the state has set up a Kidney Disease Institute to coordinate the various public and private kidney treatment projects. But state officials say that about 900 New Yorkers a year need the treatments, and their efforts help only a fraction of those who need financial help.

Ordinary types of health insurance often pay some costs of dialysis but typically fall far short of meeting the actual expenses. The average maximum major medical policy benefit of \$10,000 "just about covers the preliminary steps to start a patient on dialysis," says L. A. Orsini, an official of the Health Insurance Association, a New York-based trade group.

A few companies now offer kidney treatment policies. Western States Life Insurance Co. in Sacramento, Calif., for instance, sells a \$50,000 maximum benefit group policy for an organ transplant or dialysis. However, most private insurers have been reluctant to enter the field.

Persons covered by the Federal Medicare program for the elderly receive little aid for dialysis. Medicaid, the Federally assisted program adopted by some states to help low-income people pay medical expenses, provides more aid—\$25 for each in-hospital dialysis treatment—but still leaves substantial bills.

What's left for some kidney disease sufferers, then, is charity. While organized support for kidney care has been slow in coming, instances abound of local largess in individual cases. Last Christmas, for example, residents of Whitesville, Ky., a town of fewer than 1,000, raised \$26,000 in four days for Roscoe French, a 33-year-old carpenter for whom machine dialysis represented the only chance at life.

Even well-off victims may end up needing charity. "If you aren't indigent when you start dialysis, you soon will be," says one physician.

WE MUST MAKE A CHOICE

Mr. STEVENS. Mr. President, the March 11, 1969, issue of the Chase Manhattan Bank publication, the Petroleum Situation, contains a concise, authoritative and balanced review of the problems raised by the recent proposal to construct an oil refinery at Machiasport, Maine, to process foreign oil. This article bears out the points made by the Senator from Louisiana (Mr. LONG) in his recent speech and confirms my fears, expressed at the time of his speech, that the issues raised by the Machiasport proposal involve questions of regional protectionism, national security, and resource planning of the highest importance.

This importance was underlined, again, yesterday as Prime Minister Trudeau and President Nixon announced Canadian-American discussions to begin April 2 on reviewing the North American oil policy. Prime Minister Trudeau, in commenting on these discussions, emphasized the need for continuing exploration and development of North American oil reserves, both for national security and price stability. The discoveries at Prudhoe Bay in Alaska and such proposals as

Machiasport underline, I believe, the importance of maintaining our responsible oil quota program.

Mr. President, I ask unanimous consent that the article may be made a part of the RECORD at this point.

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

We Must Make a Choice

Probably more of the world's problems stem from the lack of effective communications than from any other cause. There is indeed much evidence of the difficulties that can arise from a breakdown of communications within the family, in business, in education, in religion, in government—and between nations.

In recent months, a highly unfortunate situation has developed—for the most part—because of both improper and insufficient communications. It is a development that has pitted one region of the United States against another. And from the earliest days of this nation the multiple and lasting dangers of that sort of conflict have been apparent.

The problem had its beginning last year with a proposal to build an oil refinery in Maine. Sometimes the announcement of a new refinery is met with vigorous objections from the area in which it is to be located. Recently, the residents of a community in another New England state—Rhode Island—

successfully resisted the construction of a refinery in their area. But, in the case of Maine, the proposed new plant was welcomed. It would provide certain economic advantages. There would be some opportunities for employment—but not many, because modern refineries are operated mainly with automatic controls. The plant would also constitute a new tax base, of course.

But the foremost reason for wanting a refinery in Maine, reportedly, was based on the belief that it would provide lower priced petroleum products. Somehow, there has developed a widespread impression that petroleum products cost much more in New England than elsewhere in the nation because the region does not have any refineries, if this were true, the consumers of New England, or any other region for that matter, would understandably have cause for complaint. But the impression is erroneous—it is based upon misinformation.

Actually, prices in New England do not differ significantly from those in most other sections of the nation. Reflecting variations in the basic elements of cost, consumer prices naturally are not precisely the same everywhere—but the differences are usually minor. Let's look at the facts. Here is a summary table that compares the price of gasoline in Boston—the leading New England market—with prices in three other major markets and also the average for all of the United States. In each case, basic elements of cost contributing to the consumer price are shown:

REGULAR GRADE GASOLINE PRICES IN 1968

[In cents per gallon]

	Boston	Philadelphia	Norfolk	Chicago	U.S. average
Crude oil cost.....	7.0	7.0	7.0	7.0	7.0
Refinery margin.....	3.6	3.6	3.6	3.6	3.6
Transportation and terminal costs.....	2.0	1.9	1.4	1.2	1.6
Jobber/dealer margin.....	10.2	9.1	10.9	12.8	10.7
State and Federal taxes.....	10.5	11.0	11.0	10.0	10.8
Consumer price.....	33.3	32.6	33.9	34.6	33.7

For all of the markets shown, the cost of crude oil is based upon the U.S. average price. And the refinery margin is based upon the average at the Gulf Coast—the scene of the nation's largest and most competitive refinery complex. Chicago, Philadelphia and Norfolk all have refineries nearby that serve part of the local market needs—but the refinery margin is essentially the same as at the Gulf Coast.

Clearly, the price of gasoline in Boston is not out of line—it is neither the highest nor the lowest, and is below the U.S. average. A comparison for other petroleum products will indicate a similar situation. Because of variations in local distribution costs, prices in other parts of New England range slightly above or below the Boston level.

Although petroleum product prices in New England are currently in line with those elsewhere in the nation, this has not always been the case. For several years within the past decade, New England prices were substantially lower than the average for the nation as a whole. A combination of factors—slower market growth, a general business recession in 1958, and oversupply—brought about depressed petroleum prices throughout the nation. But for various economic reasons, conditions were even more severe in New England. Price warfare persisted for several years until 1964, when improved economic conditions led to gradual price recovery. In 1963, the price of regular grade gasoline in Boston was 3.4 cents per gallon below the national average. But, by 1968 it had recovered to a level of only 0.4 cents under the nationwide average. Let's see what happened to the elements of cost between those years.

CONSUMER PRICE OF REGULAR GRADE GASOLINE IN BOSTON

[In cents per gallon]

	1963	1968	Change
Crude oil cost.....	6.9	7.0	+0.1
Refinery margin.....	3.8	3.6	-0.2
Transportation and terminal costs.....	1.8	2.0	+0.2
Jobber/dealer margin.....	5.0	10.2	+5.2
State and Federal taxes.....	9.5	10.5	+1.0
Consumer price.....	27.0	33.3	+6.3

Although most of the increase occurred at the jobber/dealer level, that element of cost in 1968 was nevertheless still below the average for the nation as a whole. The jobbers and dealers—small local businessmen—are badly squeezed in periods of depressed prices. And they, like all other business men, have encountered sharply rising costs in recent years. Included are the costs of government, which rose between 1963 and 1968 by more than one-third at the federal level and in New England by nearly 50 percent at state and local levels. Taxes are a cost of doing business that ultimately must be passed on to consumers—to think otherwise is illogical. Under the circumstances, the petroleum industry has performed a commendable feat indeed in holding prices down. In thirteen years—between 1955 and 1968—the average consumer price of gasoline in the nation, excluding taxes, rose by only 1.5 cents per gallon. Over the same period, state and federal excise taxes increased by more than twice as much—3.1 cents per gallon. But, relatively few consumers are aware of these

facts—because of insufficient effective communications. And there is a tendency to blame the petroleum industry for all of the increase.

From the figures presented in the foregoing tables, it should be apparent that a new refinery located in New England would be able to provide lower priced petroleum products only if it could obtain crude oil at a lower cost. And it could do that only if it obtained the oil from a foreign source. Generally speaking, crude oil from some foreign sources can be delivered to East Coast ports for 2.5 to 3.0 cents per gallon less than oil of domestic origin. It is cheaper because it can be found and produced at a lower cost. Various economic factors are involved. Oil in the United States is found in smaller reservoirs and the cost of material and labor is higher. Transportation costs are higher too. Oil transported from the Gulf Coast to New England—or any other U.S. port—must, by law, be shipped only in tankers registered in the United States. And the labor costs on these ships are much higher than on vessels of foreign registry.

If crude oil from a foreign source is available at a lower cost, why shouldn't a refinery located in New England use it rather than domestic oil? For that matter, why shouldn't refineries everywhere operate on foreign crude oil if the nation's consumers can thereby be provided with lower priced petroleum products? Why, indeed? There are reasons vital to the nation's welfare why they should not. Many good arguments can be presented for free trade between nations when the benefits derived outweigh any harmful effects. But the security of the United States is tied directly to the degree of its petroleum self-sufficiency.

It is absolutely essential to any developed nation that it have an adequate and continuous supply of primary energy. And in the United States as much as three-fourths of all the energy consumed is petroleum—oil and natural gas. It is used nearly everywhere in the home, in industry, in commerce, in agriculture, and by all the Armed Forces. For the nation's vast transportation system, oil is virtually the only form of energy used. Clearly, any prolonged shortage of oil would be devastating. And an adequate domestic supply is the only sure way of avoiding such a shortage.

Recognizing the dangers posed by rapidly rising imports of lower cost foreign crude oil, the President of the United States imposed mandatory controls in March 1959. In part, the Presidential proclamation reads as follows: "The new program is designed to insure a stable, healthy industry in the United States capable of exploring for and developing new hemisphere reserves to replace those being depleted. The basis of the new program, like that for the voluntary program, is the certified requirements of our national security which make it necessary that we preserve to the greatest extent possible a vigorous healthy petroleum industry in the United States."

To limit imports in a manner that would be entirely equitable is an impossibility. But the controls as originally established in 1959 were reasonably well conceived. They were, however, susceptible to manipulation for political reasons and were therefore difficult to administer. From the beginning there have been numerous efforts to alter or circumvent the regulations—and some have been successful. It is, of course, unrealistic to think that any change that gives an economic advantage to some individuals or companies or regions will go unchallenged. Others, understandably, will clamor for equal treatment for competitive reasons. And each change in the import regulations has to a degree undermined the original intent of the control. The extent of the erosion thus far has raised

widespread concern over the future status of the control—and some doubts that it will survive.

Surely, if import controls were removed, the action would mark the beginning of the end for domestic producers. The price of domestic crude oil would doubtless fall by 35 to 40 percent. And this would remove much of the incentive to search for new reserves. Producers would continue to produce oil and natural gas from reserves already found, but they could not afford to use their capital to find more—it would instead be shifted into other fields of economic endeavor that provide a better rate of return. Within a few years the nation's dependence upon foreign oil would soar from 21 percent now to more than 50 percent. And, as a result, the nation would be placed in a highly vulnerable position. Based upon past experience, there is positively no reason for believing that petroleum imports would be continuously available—instead, there are obvious reasons for believing otherwise. And in the event of another international war, the position of the United States would be critical. A successful military effort would require fully adequate supplies of petroleum at all times. And, because the private economy is far more dependent upon petroleum now than during World War II, it would be impossible to ration supplies to the degree they were during that conflict—to do so would lead to a breakdown of activities that necessarily must go on in support of the military effort.

Unlimited imports of foreign oil would have a severely damaging effect upon the future supply of natural gas too. Most gas reserves are found incidental to the search for crude oil, and if the financial incentive to find oil is destroyed, new gas reserves would not be discovered either. The well-head price of natural gas is much too low to warrant a separate search for gas alone. Natural gas can be imported, but only to a limited degree. For the most part, consumers would have to do without, if the supply from domestic sources was limited.

Over the past ten years, domestic producers have spent a total of 44 billion dollars in their efforts to find oil and natural gas reserves in the United States. In the next decade, they will need to spend twice that much if the nation's current level of self-sufficiency is to be maintained. These capital expenditures flow through, and favorably influence, many sectors of the nation's economy. But, under the circumstances created by unlimited imports of foreign oil, relatively little of this money would be spent in the United States. Oil and natural gas are now produced in 32 of the nation's 50 states—and all of them would feel to varying degrees the detrimental economic impact of uncontrolled imports. In addition, the nation's balance of payments would be affected adversely.

Clearly, consumers would benefit if the import controls were removed. But only to a limited degree.

SCHOOL DESEGREGATION

Mr. HART. Mr. President, it is always interesting to read newspapers from various parts of the country to see how interpretations of the same events often vary from one section to another. An event may be seen one way in Washington and still another way in Michigan, in California, or in South Carolina.

In this connection, I found an editorial which appeared on Sunday, March 16, in the State of Columbia, S.C., quite interesting. I believe that my colleagues who have been following developments in the title VI school desegregation program might also find the editorial informative,

and I ask that it be included at this point in the RECORD.

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

[From the Columbia (S.C.) State, Mar. 16, 1969]

HOPE FOR THE SOUTH

If reports from Washington are to be believed, Richard Nixon told the truth when he promised, back during the campaign, to remove the thumb-screws from Southern school boards. Desegregation is still the mandate. But the word from the White House is that Mr. Nixon will shun the advice of neo-Reconstructionists, out to take their pound of flesh in vengeance for 200 years of slavery.

Robert Finch, the new Secretary of Health, Education and Welfare indicated as much weeks ago—first in an interview with the Associated Press and later in a more expansive conversation with *U.S. News and World Report*. Now comes confirmation from the White House, where Dixie Republicans, it is said, this week had their worst fears laid to rest.

The Nixon program like all Gaul, is divided into three parts. First, the administration will take into consideration the immense social problems involved in Southern school desegregation. Second, HEW will devise new guidelines, carefully avoiding the inflexible racial quotas that marked the Johnson years. Third, those school districts that need special technical and financial help in moving toward compliance will get it.

So far, the Nixon plan is apparent in only outline form—a hint here, a vague something there, a shadow glimpsed out of the corner of the eye. It would be nice to have the text of the new guidelines or some other concrete measurement of precisely what the Nixon White House has in mind. This will have to wait, but while we're waiting a little speculation cannot hurt.

First off, can anyone imagine the Johnson administration giving the kind of assurances that have come recently from the White House aides and Secretary Finch? "The court has never really said that segregation itself is unlawful—or at least *de facto* segregation," Mr. Finch told *U.S. News*. "The court has said if you commit deliberate acts of discrimination, then you are in violation of the law." The words are unmistakably those of Mr. Finch. It simply would never have occurred to any of LBJ's lieutenants to suggest such a thing.

Then there is politics to consider. Mr. Nixon is President by virtue of his Southern support. Let there be no mistake about it. His nomination, in fact, came about because the South held firm for Nixon at a crucial moment during the convention. Not only that, but Sen. Strom Thurmond, who held the South for Nixon, did so, despite considerable risk, because he had Mr. Nixon's assurance that school pressures would ease up.

It is simply unthinkable that President Nixon would fail to honor that kind of political commitment. To turn his back against the South almost certainly would be to pass a death sentence on Senator Thurmond and perhaps destroy the Republican Party in the South for years to come. For Nixon himself, it could mean a Dixie revolt at the next GOP convention and perhaps a one-term Republican President. Anything could happen once the word got around that presidential promises were being repealed like the Confederate debt.

All these things suggest that Mr. Nixon intended to keep his word when he gave it and will do so. This is not to say that the clock can be set back to *Plessy v. Ferguson*. Those days are gone. But indications are that the days of Lyndon Johnson are gone, too, and that the Nixon days will be a vast improvement.

THE SAFEGUARD ABM SYSTEM

Mr. BENNETT. Mr. President, although the Safeguard ABM debate is far from over, I personally believe that President Nixon has made a very wise decision and I shall support him as long as the evidence clearly shows that the ABM will, in fact, work and is needed for American security.

I find it rather strange that some Members of the Congress are attempting to defeat a purely defensive system on grounds that it will not work, that it is not necessary and that it is provocative to the Soviet Union. I think there is a preponderance of evidence that it will work and I see nothing provocative in a defensive system at a time when the Soviet Union has crushed the spark of freedom in Czechoslovakia, has reached near nuclear parity with the United States and is building an offensive force which may soon eclipse the power of the United States. If we do not preserve the necessary American defensive posture, it will not be too many months or years until these same opponents of the ABM will be crying that the United States has become a second-rate nuclear power. We heard such cries during the 1960 presidential election. We saw similar arguments during the long and bitter debate over the hydrogen bomb and we are now witnessing it again.

I am convinced that cooperation with the Soviet Union is possible, but it will never work if this Nation allows itself to fall behind the Soviet Union in military power. That is essentially what the opponents of ABM are saying. They are closing their eyes to the developments surrounding Russia's missile capacity. They ignore her emergence as a world naval power and her development of nuclear weapons, larger in many respects than this Nation now has. I am convinced that the people of America are not being fooled by the political rhetoric and the hollowness of the arguments used by the ABM opponents.

The Ogden Standard-Examiner recently published a very penetrating editorial supporting President Nixon's ABM decision. I ask unanimous consent that it be incorporated in the RECORD at this point.

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

[From the Ogden (Utah) Standard-Examiner, Mar. 15, 1969]

ABM DECISION BOLSTERS MINUTEMAN

President Richard M. Nixon's decision to press for construction of a "safeguard program" of anti-ballistic missiles underlines the importance placed on the Utah-made Minuteman missiles as the "bedrock" of U.S. defenses.

The new Republican President, after lengthy conferences with military and civilian leaders, told a Friday news conference that two ABM bases will be operational by 1973 if his recommendations are followed.

One would help guard the 200-missile Minuteman silo complex, America's first, around Malmstrom Air Force Base at Great Falls in north-central Montana.

The second would protect the nation's newest Minuteman base at Grand Forks, N.D., where 150 of the latest models of the Utah-built, solid-fuel intercontinental bal-

istic missiles are war-ready in their deep silos.

The Nixon plan differs in several respects from the ABM program announced in October 1967 by the Johnson administration.

President Johnson and his then-secretary of defense, Robert McNamara, proposed putting a "thin line" of Sentinel Missiles around America's key cities.

This brought protests—ill-founded, we believe—that such placement would endanger the cities by making them prime targets as well as being subject to damage should the nuclear warheads accidentally detonate.

Some of the most vigorous protests came from Salt Lake City, one of the Sentinel sites proposed in the Johnson-McNamara program.

Mr. Nixon has taken this into consideration in ordering the initial ABM installations around the Montana and North Dakota Minuteman bases. Both are located in areas where population density is comparatively sparse.

If the Nixon plan is followed, we agree that our land-based retaliatory forces—the Minuteman missiles—will be protected against what the President termed any possible "direct attack" by the Soviet Union, as well as against any nuclear weapons launched by Red China.

The Great Falls and Grand Forks Sentinel squadrons, by their strategic locations on the northern approaches to 48 of our states, should also be capable of blunting the damage that might be caused by accidental missile launches by either Russia or China.

President Nixon's "safeguard" ABM system is, we feel, a logical compromise between an elaborate antiballistic missile network and the current, unguarded system of ICBM system of ICBM bases.

The "doves" will continue to maintain that any form of ABM network will jeopardize the possibility of long-range peace with the Soviet Union.

Russia will certainly issue statements following the same "soft" line and charging that the United States—only a few hours after the approval of our Senate of the nuclear test ban treaty—had escalated the arms race.

Such an attitude is typical of the Communists.

They already have an ABM network around their main cities and major missile bases, where the Russian version of the Minuteman is in place and readily capable of striking the heart of our nation.

So we can expect that the U.S.S.R. propaganda would favor keeping the United States ICBM network vulnerable to a missile attack.

The Reds always cry "do as we say, not as we do."

The \$6-7 billion requested by President Nixon to construct the two Sentinel bases would, we believe, be a wise investment in security for our country.

THE 51ST ANNIVERSARY OF THE PROCLAMATION OF INDEPENDENCE OF THE BYELORUSSIAN DEMOCRATIC REPUBLIC

Mr. DODD. Mr. President, yesterday, March 25, marked the 51st anniversary of the proclamation of independence of the Byelorussian Democratic Republic.

In the Soviet Union, for obvious reasons, this anniversary will not be celebrated. But it will be the object of solemn observances by the Byelorussian community in this country and other parts of the free world.

It is all too customary to think of the Soviet Union as a single monolithic state. Actually, it is a vast prison house of nations, as a study published by the Senate

Subcommittee on Internal Security many years ago pointed out.

When the Bolsheviks first came to power, Lenin promised the unconditional right of self-determination to the various minority nationalities who had been subjected by the czarist regime.

Taking this declaration at face value, the Ukrainian people, the Byelorussian people, the Georgians, and other non-Russian nationalities, moved to set up states of their own that would be independent of Bolshevik rule.

But as soon as the Bolsheviks were able to mobilize the military forces necessary to put down these independence movements, they scrapped their promise of self-determination and moved to destroy the dozen or more independent national governments that had sprung up at the time of the November revolution.

The fate of Byelorussia was characteristic of the fate that befell the other independent non-Russian republics. By way of telling this story, I ask unanimous consent to insert into the RECORD at this point the text of a statement in the form of a letter which I received from Mr. Michael Bachar, chairman of the United Byelorussian-American Commemorative Committee.

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

UNITED BYELORUSSIAN-AMERICAN
COMMEMORATIVE COMMITTEE,
Kew Gardens, N.Y., March 7, 1969.

Hon. THOMAS J. DODD,
U.S. Senate,
Washington, D.C.

DEAR SIR: The day of March 25, 1969 will mark the anniversary of great importance for American citizens of Byelorussian origin. On this day Byelorussians everywhere in the countries of the free world will celebrate the 51st anniversary of the proclamation of independence of the Byelorussian Democratic Republic.

In Byelorussia, however, this national celebration is not permitted. This year, instead, marks the 50th anniversary of the existence of the Byelorussian SSR.

The Byelorussian SSR is not a sovereign state. Soviet Russia turned Byelorussia into its own colony by military conquest. At the time of the First World War, the Tsarist Russian Empire was disintegrating. All the non-Russian nations liberated and restored themselves as free, independent and sovereign countries. The Byelorussian constituent body—the First all-Byelorussian Congress— assembled on December 17, 1917 in Minsk, the capital of Byelorussia. It was composed of 1,872 freely elected delegates from all areas of Byelorussia. Their first task was to take the necessary steps for establishing an independent Byelorussian Republic. Since participating communist delegates were of a small minority, they were unable to change the trend. Therefore, an armed force, dispatched by the Bolshevik-Russian government, overran and dispersed the Congress. Immediately following this action, however, Congress met and chose the Executive Council which, on March 23, 1918, proclaimed the independence of the Byelorussian Democratic Republic. The elected Byelorussian government acted vigorously on the diplomatic arena and organized armed forces which fought for national independence.

The Soviet Russian government, in opposition to the Byelorussian Democratic Republic, decided to create fictitious statehood for Byelorussian people. In Moscow in November 1918 the Central Committee of the Russian Communist Party (Bolsheviks) passed a resolution establishing the Byelorussian Soviet Socialist Republic. The candi-

dates for the government of BSSR were selected in Moscow and dispatched to Byelorussia. In connection with the departure of those candidates from Moscow on December 29, 1918 Stalin sent a telegram to Myasnikoff, a Russian ruler in Byelorussia, which read as follows: "The Byelorussian are departing for Smolensk today. They are carrying a manifesto. The Central Committee of the Party and Lenin is asking to have them accepted as younger brothers, who as yet may be without experience, but who are ready to give their lives for the Party and Soviet work."

In the city of Smolensk on December 30, and 31, 1918, the sixth north-western provincial conference of the Russian Communist Party (Bolsheviks) took place. This conference, consisting of Russians and internationalists, named itself after the first meeting of the Communist Party (Bolsheviks) of Byelorussia. There were participating 162 delegates with voting rights and 25 delegates with consulting right. This meeting sent a greeting to the Central Committee of the Russian Communist Party (Bolsheviks) in Moscow, which also contained this statement: "By proclaiming the establishment of the Communist Party (Bolsheviks) of Byelorussia, the conference confirms its uninterrupted ideological, tactical and organizational connection with the Russian Communist Party, which was created during many years of common activity. The conference further confirms that in the future the communists of Byelorussia will follow the leadership of the Central Committee of the Russian Communist Party (Bolsheviks) and consider it as the higher authority of the Party."

On December 31, 1918 the conference approved "the provisional revolutionary workers' and peasants' government for Byelorussia", which had been previously appointed in Moscow and which consisted of communists only. As a matter of ethnic formality two Byelorussians: Zhylunovich and Charviakou, were added to this government. The leading part of this government, however, was composed of non-Byelorussians. On January 1, 1919 this government announced a manifesto which had been prepared earlier in Moscow. This date and this act are considered the foundations for the Byelorussian SSR.

On February 2, 1919 the first assembly of Soviets of BSSR convened in Minsk. It was composed of 230 delegates, of which number 213 were communists and 17 sympathizers. The representative of the Soviet Russian government, Sverdloff, had announced the decision of the All-Russian Central Executive Committee which recognized the Byelorussian SSR. Answering this recognition, the assembly decided to maintain close federal connection between the BSSR and RSFSR.

On February 3, 1919 this assembly accepted a constitution, a national emblem and a flag for BSSR, modeled after the Russian SFSR.

Created by Soviet Russian government in this way, the BSSR is camouflaging the actual colonial status of Byelorussia. For the entire 50 years of this Soviet Russian domination, Byelorussians have been subjected to a systematic and ruthless persecution on a national level.

This rule has been marked by economic exploitation, social oppression, mass terror, political deportations, imprisonments and murders. Denial of religious freedom to all faiths openly continuous. A low standard of living, malnutrition and substandard housing are permanent features of this Soviet rule. The end result is that during this period Byelorussian nation has lost over six million of her population.

At this time Byelorussians in the BSSR do not have any possibility to defend their own national interests. Therefore, we take the liberty to ask you for support of the aims of the Byelorussian nation for liberation

from the horrors experienced during these past 50 years of Soviet Russian occupation, and for restoration of an independent Byelorussian State.

Very respectfully yours,

MICHAEL BACHAR,
Chairman.

SEWARD WILL PROSPER

Mr. STEVENS. Mr. President, Senators have heard me speak of the economic problems facing the city of Seward, Alaska, and of the enterprising efforts of the people of that city to overcome these problems.

Seward has one of the finest deep-water, ice-free ports in the world. As the southern terminus of the Alaska Railroad, it has in the past served as the principal entry point for the railbelt of Alaska. Now with the growth of the port of Anchorage and the use of roll-on, roll-off facilities at the abandoned military port of Whittier, Seward finds itself without the economic base it depended on.

Seward was an all-America city; its recovery from the disastrous 1964 earthquake, tsunami wave and fire was remarkable. Its recovery was a tribute to its desire to survive and prosper. Mr. President, Seward will survive its economic problems. It will survive, and I will do all I can to help.

Mr. President, I ask unanimous consent that the city of Seward Resolution 740 may be made a part of the RECORD.

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

THE CITY OF SEWARD RESOLUTION 740

Whereas, The City of Seward and its citizens are imperiled with economic transportation extinction due to a dramatic decline in the number of vessels using the docking facilities here, and

Whereas, The Alaska Railroad has consistently neglected its responsibility to the community as a major economic factor in the continued prosperity of the entire area, and

Whereas, it has become apparent to all citizens in the community that firm action must be initiated in order to prevent Seward's ultimate extinction as an important factor in Alaskan transportation and as a participant in the overall growth of the state, and

Whereas, the citizens of the City of Seward have exhausted their financial resources in the aftermath of the 1964 Good Friday Earthquake, never to regain these losses, now,

Therefore, be it resolved that the citizens of the City of Seward, Alaska through their elected officials propose that the following development plan for the Port of Seward, Alaska be reviewed by the members of the Alaskan Delegation to Congress and that they, Senators Stevens and Gravel and Representative Pollock, present this proposal for consideration before the United States Congress for final determination and action. Said Development Plan to be outlined as follows:

MISSION ONE

The citizens of the City of Seward, Alaska, propose that immediate consideration be given to the construction of two railslips to be located adjacent to the railroad dock. The installation of these railslips will provide needed accommodation to Trainships using the roll-on/roll-off method of loading and discharging railroad cars. In connection with the construction and operation of these twin railslips, it is also proposed that considera-

tion be given to construction of a Truck terminal and warehousing area for the use and general convenience of truck lines and their employees who will be encouraged to utilize the expanded full-service facilities.

The citizens further propose that priority attention be given to the immediate need for construction of a railslip on the east side of the Alaska Railroad Dock which, in their opinion, constitutes the most feasible location for the initial construction activity. Next it is proposed that the second trainship be constructed on the west side of the Railroad Dock in such a way as to permit simultaneous operation with the Dock itself and the twin railslip. It is proposed that action be initiated on an emergency basis, if necessary, to promote the return of economic well-being to Seward.

MISSION TWO

The citizens of Seward further propose that The Alaska Railroad freight tariffs as administered under the authority of the Interstate Commerce Commission be favorably revised to encourage shippers to utilize Seward's dock facilities. The proposal asks that consideration be extended for a 10-year period following the completion of the second railslip.

MISSION THREE

The citizens of Seward request the United States Congress to establish a Blue Ribbon Commission to investigate the feasibility and potentiality of a high speed transportation corridor linking the cities of Kenai, Soldotna and Seward by means of a highway and a railroad that would further expand the economic profile of the Kenai Peninsula.

MISSION FOUR

The citizens of Seward dedicate themselves to the tasks ahead and request this assistance in bringing Seward forward through dramatic economic improvement. The citizens, through their elected officials, petition the Congress of the United States to give this matter priority attention consistent with the needs of the Nation and to implement as soon as possible, positive steps toward fulfilling this request.

EXHIBITS

The following exhibits are attached hereto and made a part of Resolution No. 740:

Exhibit A: Aerial view of Federal Railroad Dock and proposed site for railslip-warehouse facilities.

Exhibit B: Drawing showing present layout of Alaska Railroad facilities and the proposed railslip locations. (T-S 3 shows alternate in case extra land area is required for second railslip.)

Exhibit C: Map of Seward and Harbor area.

And, be it further resolved that James R. Filip, City-Clerk Treasurer of The City of Seward, Alaska, be and is hereby directed to submit this Resolution to the Alaskan Delegation in Congress.

This Resolution shall be effective on the date of its passage and approval.

Passed and approved by The City Council of The City of Seward, Alaska, this 3rd day of March, 1969.

E. G. SKINNER,
Vice Mayor.

Attest:

JAMES R. FILIP,
City Clerk-Treasurer.

POSTHUMOUS AWARD OF MEDAL OF HONOR TO SGT. RODNEY M. DAVIS

Mr. TALMADGE. Mr. President, the Vice President today will present the Medal of Honor posthumously to Sgt. Rodney M. Davis of Macon, Ga., who made the supreme sacrifice for his country and who gave his own life in order to save the lives of his comrades in battle in Vietnam.

Sergeant Davis' wife, two small children, and other members of his family from Macon are to be present for the ceremonies and to receive the Medal of Honor. All the Nation, and indeed all the free world, is indebted to the young men of America who are fighting so gallantly in Vietnam, and we are especially proud of those valiant men who have gone above and beyond the call of duty. Such a gallant man and brave marine was Sergeant Davis, and I join the Nation in saluting his memory today.

I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD Sergeant Davis' citation, as well as a brief profile of his outstanding career in the U.S. Marine Corps.

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

The President of the United States in the name of The Congress takes pride in presenting the Medal of Honor posthumously to Sergeant Rodney M. Davis, United States Marine Corps, for service as set forth in the following citation:

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as the right guide of the Second Platoon, Company B, First Battalion, Fifth Marines, First Marine Division, in action against enemy forces in Quang Nam Province, Republic of Vietnam, on 6 September 1967. Elements of the Second Platoon were pinned down by a numerically superior force of attacking North Vietnamese Army Regulars. Remnants of the platoon were located in a trench line where Sergeant Davis was directing the fire of his men in an attempt to repel the enemy attack. Disregarding the enemy hand grenades and high volume of small arms and mortar fire, Sergeant Davis moved from man to man shouting words of encouragement to each of them while firing and throwing grenades at the onrushing enemy. When an enemy grenade landed in the trench in the midst of his men, Sergeant Davis, realizing the gravity of the situation, and in a final valiant act of complete self-sacrifice, instantly threw himself upon the grenade, absorbing with his own body the full and terrific force of the explosion. Through his extraordinary initiative and inspiring valor in the face of almost certain death, Sergeant Davis saved his comrades from injury and possible loss of life, enabled his platoon to hold its vital position, and upheld the highest traditions of the Marine Corps and the United States Naval Service. He gallantly gave his life for his country.

SGT. RODNEY M. DAVIS, USMC

Rodney Maxwell Davis was born April 7, 1942, in Macon, Georgia. He attended elementary and high schools there, and graduated from Peter G. Appling High School, May 29, 1961.

Shortly after graduation, he enlisted in the U.S. Marine Corps in his hometown, August 31, 1961; then reported for recruit training with the 1st Recruit Training Battalion, Marine Corps Recruit Depot, Parris Island, South Carolina. Upon completion of recruit training in December 1961, he was transferred to the Marine Corps Base, Camp Lejeune, North Carolina, and underwent individual Combat Training with the 2d Battalion, 1st Infantry Training Regiment, graduating the following February.

He then joined Company "K", 3d Battalion, 2d Marines, 2d Marine Division, FMF, at Camp Lejeune and served as a Rifleman until May 1964. While stationed at Camp Lejeune, he was promoted to private first class, April 1, 1962, and to lance corporal, January 1, 1964.

Lance Corporal Davis was ordered to London, England, for a three-year tour of duty

as Guard with the U.S. Marine Detachment, Naval Activities. He was promoted to corporal, January 1, 1966, and to sergeant, December 1, 1966.

Ordered to the Republic of Vietnam in August 1967, he was assigned duty as a Platoon Guide with Company "B", 1st Battalion, 5th Marines, 1st Marine Division. While serving as the right guide of the Second Platoon against enemy forces in Quang Nam Province on September 6, 1967, he was mortally wounded when he threw himself upon a hand grenade to save his comrades from injury and possible death.

His medals and decorations include: the Purple Heart; the Good Conduct Medal; the National Defense Service Medal; the Armed Forces Expeditionary Medal; the Vietnam Service Medal; the Military Merit Medal; the Gallantry Cross with Palm; and the Republic of Vietnam Campaign Medal.

Sergeant Davis is survived by his wife, Mrs. Judy P. Davis; two children: Nichola Amanda (born July 21, 1965), Samantha Jane (born August 14, 1966), of 2120-B Meriwood Drive, Macon, Ga.; his parents, Mr. and Mrs. Gordon N. Davis of 2154 Neal Avenue, Macon; three brothers, Mr. Gordon N. Davis, Jr., of 813 Whitney Avenue, Albany, Georgia, Howard H. and Robert C., of the parents' address, and one sister, Debra E., of the parents' address.

MARYLAND DAY

Mr. MATHIAS. Mr. President, yesterday we marked the 335th anniversary of the founding of Maryland on March 25, 1634.

The Free State enters its 336th year with many challenges, but with firm confidence; with difficulties, but with determination; with hazards ahead, but with a history of achievement from which to draw new guidance and strength.

As we face the tests of the future, we can gain comfort and conviction from the Marylanders of the past, the men and women who laid down firm principles in the midst of earlier turbulence, and gave the State and Nation sound leadership through critical times of change.

Charles Carroll of Carrollton was one of these Marylanders who excelled in vision and maturity. Member of the Continental Congress, first U.S. Senator from Maryland, and unrelenting champion of freedom, Charles Carroll of Carrollton was significantly the last survivor of the signers of the Declaration of Independence. It was typical of his very existence that he came to symbolize the Declaration and the ideals that it embodies.

His lifespan from 1737 to 1832 bridged the transition from the feudalism of Lord Baltimore's proprietary rule to vigorous democracy. His understanding bridged the distance from the traditional education which he received in Louis XV's France to the sturdy American ideals of national freedom and personal liberty which he advanced.

In 1774, Carroll wrote:

I will either endeavor to defend the liberties of my country, or die with them: this I am convinced is the sentiment of every true and generous American.

He recognized, long before most of his countrymen, the inevitability of American separation from the English crown, and recognized too the need to secure liberty not only for the American flag,

but under that flag for every citizen. In public and private life, he fought to banish forever the religious intolerance which had penetrated Maryland, the colony founded on toleration.

In 1776 Carroll witnessed many triumphs, for in that crucial year he served in the Maryland convention which voted for independence; went as a delegate to the Continental Congress, where he signed the Declaration of Independence; and led the State convention which, that fall, adopted Maryland's new constitution and the bill of rights which became a model for the new Nation.

Charles Carroll of Carrollton was a remarkably modest man, who continually declined honors while accepting service where he felt he could contribute most. Elected as Maryland's first U.S. Senator, he resigned that office to continue service as a Maryland State senator in 1792 when it became unlawful to hold both posts. Consistently he emphasized the strengthening of Maryland as a foundation stone in a durable Union.

The causes which Charles Carroll advocated, and the principles he advanced, are as vital now as they were in his time. Now, as then, Marylanders are responding to the threat of prejudice, to the shadow of injustices, and to the need to reshape and redesign institutions of government.

There is, however, a difference. The Maryland of 1776 had a population of only about 225,000 and by the time of Carroll's death was still under 500,000. Today, Maryland has grown so that her population is about 4 million and her human and material resources exceed those of many nations of the earth. The distinction between the Maryland of Carroll and the Maryland of 1969 is the greater obligation that our greater wealth and power impose. We must not despair of equaling the shining achievements of Charles Carroll. We owe both the past and the present, indeed, we owe Charles Carroll and his compatriots themselves, the establishment of even higher goals.

We are observing Maryland Day today both in the Free State, and in the National Capital which Charles Carroll of Carrollton was instrumental in bringing to the banks of the Potomac, to lands ceded by Maryland for the seat of Federal Government. In marking this day, we should both reflect upon the past and respond to the present—for the cause of liberty is as pressing today as ever, and our efforts and achievements can only be as great.

A SUCCESSFUL TECHNICAL COLLEGE AT LINN, MO.

Mr. SYMINGTON. Mr. President, for more than a century Linn, Mo., has had national fame as the home of a newspaper with a unique name, the "Unterrified Democrat," established soon after the Civil War and published throughout those years, until recent months, by the Zevely family.

Now, thanks to the vision and leadership of the superintendent of the Linn R-2 School District, this county seat of

Osage County, Mo., has another claim to fame in a successful 2-year school which could well be a pattern for other schools to meet this growing need in our modern technology.

As reported recently in the St. Louis Post-Dispatch, on March 18, Linn Technical College was started in 1961 under the direction of Thurman L. Willett, superintendent of that school district with a class of 36. It now has an enrollment of 450.

I ask unanimous consent that the article be inserted at this point in the RECORD.

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

MANY OF TOP U.S. FIRMS RECRUIT STUDENTS FROM LINN COLLEGE

LINN, Mo., March 17.—Some of the nation's industrial giants regularly pay tribute to a small "college" in this central Missouri town of 1050 population.

Such nationally-known firms as McDonnell Douglas Corp., Ford Motor Co., Lockheed, Chrysler, Caterpillar, Honeywell, Ralston-Purina, Radio Corporation of America and International Business Machines Corp., regularly recruit graduates of Linn Technical College.

Recently a recruiter from McDonnell Douglas, Missouri's largest employer, was sent to the college. Before leaving he signed up 15 prospects.

Linn Tech is not a college in the sense that it offers degrees. But it does offer thorough training in electronics, design drafting, automobile mechanics and machine tool technology. Next year a course in aviation technology will be added.

Linn Tech was started in 1961 with 22 day students and 14 night students. The only course available was electronics. It has since grown to an enrollment of 450—all but two from Missouri.

The school was founded by Thurman L. Willett, superintendent of the Linn R-2 School District since 1955. It is the realization of a dream Willett has had for more than 25 years.

In 1942, while Willett was superintendent of a small school district in Southeast Missouri, he took stock of a high school graduating class.

He was chagrined to realize that none would go on to higher learning. Some could not afford college; some didn't want to continue. But many would have benefited from some type of additional training.

It was then that he conceived the idea of a two-year technical training school to help prepare young persons who couldn't afford the extra schooling needed to get better paying jobs in a society that was already embarked upon technological change.

World War II, and a 10-year stint in private enterprise intervened. But in 1955, Willett received his master's degree in education from the University of Missouri. He took his new degree along when he went to take over as superintendent at Linn.

He begged, borrowed, and scrounged enough money and material to open the first electronics course in 1961. Classes were held in the basement of one of the Linn school buildings.

From that small beginning, the school has grown in stature as well as enrollment.

But the success of the school has created one of its biggest problems. As the school's reputation grows, so does the number of applicants.

Housing space in Linn is hard to find.

Two years ago, when local space ran out, Willett set up a billet in the basement of his home for 10 students. This year he has seven staying at his home. They are in addi-

tion to three preschool youngsters of his own, which make a full house.

Willett recently appeared before the Missouri House Education Committee to support a bill that would let his and other school districts sell revenue bonds to build dormitories.

Since that meeting the House passed the bill and sent it to the Senate.

Willett believes the bill is a must if Linn Tech is to survive. Although the technical school is part of the Linn R-2 district, it is operated separately. None of the taxes in R-2 are used.

"There are too many people who think we are using public school money for the tech school," Willett said. "Consequently, we have not been able to pass a single bond issue for the development of our regular schools."

Willett said the dormitory would be paid off from rentals charged the students.

He wants to build a dormitory housing about 60 students. This would relieve the crowded situation without taking away any income from local residents who have fixed up their homes to rent to students, he said.

The students clean up their own classrooms. They are paid the minimum wage of \$1.25 an hour out of matching funds from the Federal Government. The fund is administered by the students.

In its short existence the school has established one tradition. Each Friday is "dress up" day when everyone must wear a coat and tie. The instructors feel this is good training for the day when most of the graduates will be working in white collar jobs.

It also has been noticed by companies who hire Linn Tech graduates.

BYELORUSSIA

Mr. SCOTT. Mr. President, March 25 marked the 51st anniversary of the independence of Byelorussia, an independence of tragically brief duration.

During the centuries in which Byelorussia was governed by the Czars, its brave people tried time and again to free themselves from the embrace of the Russian bear; each time their efforts were crushed by force of arms.

On March 25, 1918, the Byelorussian people proclaimed their independence and a free democratic republic was born. Communist intrigue and military intervention soon strangled the new nation, and by January of 1919 Byelorussia was formally bound to the Soviet Union. The new government was not elected or approved by the Byelorussian people, and was made up largely of non-Byelorussians dispatched from Moscow.

Following the defeat of Hitler, the people of Byelorussia again tried to reestablish the independence of their homeland, but again the commissars proved themselves more imperialistic than the Czars.

For the entire 50 years of this Soviet domination, Byelorussians have been subjected to systematic and ruthless persecution on a national level. The striving and hope for national identity still lives, however, and the people of the free world join in hoping that the brief moment of freedom which Byelorussia once experienced will someday be restored.

CONGRATULATIONS TO THE COAST GUARD AIR STATION AT LOS ANGELES

Mr. MURPHY. Mr. President, I would like to take this opportunity to pay spe-

cial tribute as well as offer my sincere congratulations to 38 dedicated officers and men of the Coast Guard Air Station in Los Angeles.

In recent weeks, the Coast Guard Air Station has played a vital, life-saving role during crises in the area.

The first of these occurred on January 13 when a Scandinavian Airlines DC-8 crashed with serious loss of life off the Los Angeles coast. On January 18, a United Airlines 727 went down in the same vicinity.

In both cases, helicopters from the Coast Guard Air Station at Los Angeles International Airport were over the crash areas almost immediately. These helicopters were the first rescue units to respond, arrive on the crash scenes, locate survivors and direct surface units to the sites.

In neither case were these operations easy. During the SAS disaster, the Coast Guard operated with a ceiling of only 700 feet and visibility, in heavy rain and fog, of about 1 mile. They made 13 sorties to the scene, putting in almost 30 flight hours. Extremely hazardous flying conditions existed during the United Airlines operation, also. Visibility was often less than 1 mile, again in heavy rain, yet the helicopters flew 14 sorties lasting a total of 19.4 hours.

While the Coast Guard established its air station at the Los Angeles International Airport in 1962, to provide immediate assistance for any airline crash off the airport, no commercial air carrier had been involved in an accident requiring Coast Guard help until the SAS crash. During this period, however, the air station responded to an average of 175 calls for other types of assistance yearly.

These emergency calls, Mr. President, are extremely wide-ranging as well as being highly perilous. Only the other day one of the Coast Guard's helicopters was able to save an 80-foot commercial fishing vessel from going on the rocks by blowing it away from shore with its rotor wash. This is not an infrequent type of emergency to which these men are summoned. They have saved people stranded on nearby cliffs. They have removed many injured or sick seamen from vessels at sea. They conduct countless routine searches for overdue boats.

"The saving of life is the fruit of our efforts," Comdr. P. W. Tift, Jr., commanding officer of the air station, has told me.

This was dramatically underscored during the recent Los Angeles-Santa Barbara flood disasters. Between January 25 and 28, Commander Tift's men air evacuated 49 people isolated by flood waters. During these operations they flew 20 sorties during 26 hours. The life-saving versatility of their work included flying bales of hay to horses stranded by water northwest of Santa Barbara and in delivering vital food and medical supplies to isolated regions near Carpinteria and Malibu. All this, Mr. President, with visibility often less than 440 yards and a ceiling of a mere 200 feet.

These dedicated men, as their commander expresses it, "are always ready and strive for a high degree of professionalism in responding to calls of distress from the people of Los Angeles."

I, and all who know of their work, commend and thank them.

HAROLD E. HUGHES: EVANGELIST FROM THE PRAIRIES

Mr. TYDINGS. Mr. President, the current issue of Harper's magazine contains a profile of the distinguished junior Senator from Iowa which I commend to Senators. Larry L. King, a frequent contributor to Harper's and a writer of wit and perspicacity, sought out his subject in the town of Ida Grove, Iowa, on HAROLD E. HUGHES Recognition Day. Not surprisingly, Ida Grove was recognizing a native son with all the pride and ceremony that a town of 2,300 can muster, and congratulating itself and him on his election to the U.S. Senate. That HAROLD HUGHES had previously served his fellow townsmen and the rest of the people of Iowa for three successful and progressive terms as Governor helped to explain the intense excitement in that town on that day.

The author expected the visit to be a sentimental pilgrimage, enlivened by the clamor of rhetoric, well wishers, and favor seekers. Having witnessed other such scenes more than once, he was not prepared for HAROLD HUGHES who reserved for himself 4 hours of that public day for private thought. From that point on, the author began to discern some of the unique qualities of his subject that have won Senator HUGHES the trust of his constituents and the admiration of countless friends and associates.

The list of HAROLD HUGHES' progressive accomplishments as Governor of a traditionally conservative State is remarkable. Larry King quotes a close associate explaining how it happened:

His secret is his ability to communicate with people. . . . He's simply talked sense to them—told them the truth. . . . That kind of practical integrity is appreciated in Iowa.

That quality is appreciated by all of us. Senator HUGHES is warmly and accurately portrayed in the article to which I refer. I ask consent that it be printed in the RECORD for the pleasure and acquaintance of his colleagues.

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

HAROLD E. HUGHES: EVANGELIST FROM THE PRAIRIES

(By Larry L. King)

Turncoat Republican, Vietnam dove, advocate of international disarmament, latter-day disciple of Eugene McCarthy, ex-drunk, social do-gooder, Iowa's former Governor is now his state's Senator and may yet surprise his constituency with what he attempts to do.

The women were up and baking cookies, cupcakes, and fruit tarts long before the sun, having sent their husbands off to their shops and stock barns even earlier than usual. The children, having awakened to this day of rare promise, wandered sleepy-eyed about the warm winter kitchens of Iowa, sniffing baked goods, and asking questions: "How did a real Governor ever get borned in Ida Grove, Mamma?"

For weeks the citizens of Ida Grove, population 2,300, had been anticipating the biggest day in its history. Now, on the morning of Harold E. Hughes Recognition Day, Mayor Tony Schau, a shy country fellow who probably would prefer wrestling a bear to public speaking, and might have more luck, wor-

ried over the official proclamation he would attack—not without grave danger to the English language—at the banquet in Community Hall that night. Husky 4-H Clubbers and glow-faced little Future Homemakers promised themselves to cater the Governor's banquet with dignity and dispatch. Betty Hutchinson, who writes a column called "Pertinent Piffle" for the *Iowa County Pioneer Record*, wondered what she should ask Governor Hughes in the personal interview he had consented to; finally she decided to solicit his suggestions on how Ida Grove might best court "progress." (The Governor, possibly expecting a grilling on the state budget or the Vietnam war, would blink at the question and reply, well, he couldn't say without making a detailed study of the situation; it is up to each town to declare its unique assets and problems and to measure these carefully and proceed accordingly, and this has apparently been done in Ida Grove and the town is definitely moving forward—a most un-Hughes-like speech, the antithesis of his usual blunt candor; one must remember that many good men have been softened by protective considerations of home.) In the lobby of the Ida County State Bank, workers and bank executives collaborated in the hanging of a huge streamer: "Welcome Home Harold, Eva, and Family." "Some have been hoping we can convince him to move back here," a local booster said. "It would be mighty sweet advertising for the town."

Two bodies of opinion existed over how the guest of honor should be properly addressed. One group held that since Harold Hughes would be Governor for another month he should be called by that title; a dissenting element, holding that the Governor had just been elected to a higher office and within the month would be sworn in as United States Senator, felt that any appellation other than "Senator" might constitute a personal insult. No such thing, the first group cried in rebuttal, because there are only fifty Governors as against one hundred U.S. Senators and so we must call him "Governor," else the town is ruined. Two signs erected some years ago reflected this community division: the sign at Ida County Airport welcomed its very occasional travelers to "The Home of Governor Harold E. Hughes"; another on the outskirts of town, near the main highway, had been altered to welcome passersby to the hometown of "Senator" Hughes.

Shortly before 11:00 A.M. Governor Hughes, driving a black limousine and accompanied by his wife and sixteen-year-old daughter, toiled by the sign prematurely welcoming him as Senator and, with not a surplus look nor sentimental pause, rolled on through the brief business district to the Ida Grove Motel on the far edge of town. One had, in old newsreels, novels, and real life, followed many men returning to their native earth; Wendell Willkie standing in an open convertible, cops sirening him through the hometown crowds, as he permitted Elwood, Indiana, a glimpse of him after his nomination for President; Willie Stark, exhorting the woolhats and red-necks from the steps of the Mason City courthouse in *All the King's Men* country, telling them how he was going out to the old home place and raid his pappy's smokehouse; Lyndon B. Johnson searching for his boyhood tracks in the poor dust of Johnson City. They had all come back with smiles on their famous faces, reveling in the parades and music and oratory.

So a moderately jaded observer of such political kingfish, sharing a trailing automobile with one of the Governor's aides-de-camp, was surprised to see the Governor roll on through town, neither calling attention to himself nor chasing old landmarks across the railroad track. "The Governor isn't that much of a sentimentalist," his assistant said. "He operates a little different than most politicians. He doesn't want you to interview him

today. You can observe him in public but he doesn't want you talking to him—at least on issues; he'll be busy with old friends when he's out in public and when he's not in public he wants to meditate."

He wants to what?

Yes, the man said, the Governor simply likes to sit and think. He's of the opinion that public men don't do enough of that.

Cheers for the notion, but did the Governor expect to actually spend his day in solitary meditations when the whole of Ida Grove lay at his feet, anxious to honor him and trembling to begin?

The assistant noted that official events didn't begin until 3:00 p.m., and the Governor therefore had four hours of leisure time.

The visitor said hell, there would be a march on the Ida Grove Motel once word got around that the Great Man had arrived: celebrity stalkers, job seekers, precinct czars, and other assorted old pests.

"People out here pretty well respect your privacy," the assistant said as we parked outside the Ida Grove Motel.

But, the visitor protested, I've flown all night to get here and talk to this man. He's been something of a middle-America folk hero back in the East; great things are predicted for him. He's hot copy. National exposure as he enters the Senate is the kind of break politicians pray for. Maybe you'd better tell him how advantageous this could be to his Washington career.

The aide smiled and said, "Don't ever try that approach on Harold Hughes. I told you he was different from most politicians."

Governor Hughes passed by en route to the motel office, a sober countenance upon him, a really bleak and cheerless look. When he emerged he offered only a token wave before disappearing into his rooms. The visitor did not then know an interesting bit of the Governor's history—that the Governor is an ex-alcoholic—or he might not have so readily observed, "He looks like a man who needs a drink."

There was a long and silent afternoon with the visitor restlessly rattling around his own motel room while the Governor presumably meditated behind an adjoining wall and traffic disturbed the distant highway some three times an hour. The visitor stared on the chilled, brown winter landscape of rural Iowa and wondered what sort of prairie guru the folks had elected here.

Iowa is not given to losing its head. Though it contributed a Henry Wallace who got involved in matters of the occult, observed exotic diets, killed little pigs, and flirted with radicals and Reds in his Progressive party phase, FDR and not Iowa got him to the Vice-Presidency. The only time Iowans gave us a President they offered that paragon of Old Guard virtue, Herbert Hoover. More often than not the Iowa electorate chooses cautious Stone Age Republicans whose endless peregrinations to Washington disturb neither the status quo nor anyone's mental processes, including their own. Senators such as Bourke B. Hickenlooper or Jack Miller serve their many terms untroubled by imagination or national travail. The most notorious Congressman from Iowa is cranky old H. R. Gross, a seventy-year-old knee-jerk best remembered for castigating the Reverend Bill Moyers for dancing the frug in the White House, for complaining when a State Department wife turned up at some official function "half naked," for trying to deny Harlem its preference for Adam Clayton Powell, and for going into a screaming snit at the merest thought of bureaucrats with new schemes in mind on spending.

Iowa is bedrock country. Faith-of-our-Fathers country; it is incredibly clean, and its quiet villages are trim and tree-lined. It is overwhelmingly white, instinctively Republican, and rural even in its cities. There is about it a joyless sense of order, rote, and

commercial hustle common to the Germans between their holier wars; and refugees from the Eastern Seaboard or even the Southwest, when suddenly faced with Iowa, tend to be mesmerized by the supposition that such places exist only in stories by MacKinlay Kantor, paintings by Norman Rockwell, and old Walt Disney productions with Fred MacMurray, freckled boys, and big friendly dogs. It is capable of the Old Testament furies; in one recent issue of the *Des Moines Tribune* were articles reporting eighteen persons arrested in Ottumwa for conducting "a loud party" past midnight and a wife who received thirty years in prison for pinning her husband with a letter opener so slightly that he was home from the hospital within the week, and an upbraiding of Frank Sinatra after he'd had the temerity to suggest that "The Star-Spangled Banner" is a terrible piece of music. One night after the visitor had been turned away from the most preferred hotel in Des Moines because the sweet old lady desk clerk obviously suspected his beard, he stood alone in downtown Des Moines—dark and dead as the grave at 9:00 P.M.—and with the terrible December wind punishing him for the ungodly hour, he knew why Ronald "Dutch" Reagan had torn himself away and gone out to California. Iowa is where the State Supreme Court awarded a man's eight-year-old son to his maternal grandparents because the father was an artist and presumably lived a bohemian life in the West. It is where a local grand jury recently urged efforts for "the elimination of moral pollution by faculty and paid speakers" at Iowa State University, Ames.

Such a catalogue is not intended to embarrass Iowans, but to stress how very amazing it is that Harold E. Hughes—turncoat Republican, Vietnam dove, advocate of international disarmament, latter-day disciple of Senator Eugene McCarthy, ex-drunk, social do-gooder—could get himself elected to statewide office not once but five times.¹ In the words of his friend, author Vance Bourjaily of the University of Iowa, Harold Hughes is one of those men of balanced contradiction who sometimes occur in our political life. . . . It is as if the checks and balances which our civic books speak of as being fundamental to the democratic structure were embodied in a single human system.

Though a Methodist Sunday School teacher and a persistent free-style moralist, Hughes won the Iowa Governorship in 1962 largely on a platform to make legal liquor-by-the-drink. An enthusiastic hunter in a hunter's state, he champions far-reaching gun-control legislation. The Governor of a rurally oriented state, he campaigned against and defeated a constitutional amendment to reapportion in favor of rural and small-town voting blocs. He has publicly identified with young dissenters by telling their critics, "I really worry a lot more about the long faces on adults than I do about the long hair on kids." In a state where the "non-white" population is less than one per cent and little or no political profit is to be gained by supporting civil rights, Hughes has condemned his audiences as hypocrites for doing little to accept blacks, Indians, or others of the poor. "The apostles," he tells them, "say that if you say you love God and love not your neighbor you are a liar." He has supported an open-housing law for Iowa, issued an executive order forbidding discrimination in employment by state agencies, established a state Civil Rights Commission, and virtually alone raised \$600,000 from private sources to establish employment programs for the poor.

In a country known more for eye-to-eye vengeance than for enlightened criminology

¹ Commissioner of Commerce in 1958; Governor in 1962, 1964, and 1966; U.S. Senate in 1968.

Hughes managed effective prison reforms, established a State Law Enforcement Academy, reshaped the Highway Patrol along more genteel lines, and abolished capital punishment. He obtained Iowa's first alcoholic treatment facility and its first public defender; he tripled state aid to education and was aggressive in conserving parks and other public recreational works. His administration got an industrial-safety law and twice increased workmen's compensation benefits, pushed through a bill to control billboard advertising along state highways, and gave the state its first consumer-protection laws of any consequence. His fiscal reforms included repeal of the property tax on household goods and reduction of taxes for the elderly poor, an increase in state income tax, and a tax withholding system greatly aiding revenue collections which had in the past been hit-or-miss.

Most of these moves delighted the state's liberals or progressives, as did Hughes' anti-Vietnam war stance, his friendship with Bobby Kennedy, and his ultimate endorsement of Senator McCarthy for President. (As U.S. Senator, Hughes' first Washington act would be to back Senator Ted Kennedy over Senator Russell Long for Assistant Majority Leader.) The wonder, however, is that numerous conservative Democrats and even many Old Guard Republicans approved of the Hughes administration.²

"His secret is his ability to communicate with people," says Martin Jensen, now a legislative assistant to Senator Hughes in Washington. "He's simply talked sense to them—told the truth. When he urged liquor-by-the-drink he stressed the hypocrisy of the Iowa law. Officers had been winking at our liquor laws, and citizens routinely broke them. Key clubs existed all over the state: for fifty cents to a dollar a thirsty man could become a 'member' and theoretically buy anything that New York bartenders can mix. Governor Hughes convinced people that widespread breaking of the law couldn't exist unless it represented prevailing attitudes. He argued that liquor should be legalized for two good reasons. One, so the state would benefit from liquor taxes rather than making illegal operators and bootleggers rich. And two, just because it was the *honest* thing to do. That kind of practical integrity is appreciated in Iowa."

They began to gather in Ida Grove in mid-afternoon—locals for the most part, though some came from Holstein, Danbury, Arthur, Odebolt, Rockwell City, Battle Creek, Storm Lake, and Denison. They were country folk and wore their country looks honestly, the men fidgeting in the strangleholds their mid-week neckties had on them and the women's heads a little too obviously fresh from the Kurley Kue Beauty Shop on Second Street. Shy boys and girls of elementary-school age hung back while their parents urged them to go shake the Governor's hand in order to have something to tell their grandchildren; teen-agers giggled and smirked in their private conspiracies; and eyes stared weakly out

² Portions of the Hughes record naturally appealed to conservatives: he gave local governments more control over their affairs and increased their state aid, strengthened the Iowa Development Commission, and conducted "Sell Iowa" trips to the nation's financial centers and led similar missions abroad. He established fifteen regional vocational-technical schools to train workmen for light industry (then wooded light industries to the areas where schools were located, thus achieving a balance of supply and demand in local labor markets); he required colleges and universities to pay taxes on their profit-making properties; he established a toll authority to finance interstate bridges, and though spending more than doubled, he kept projects on a pay-as-you-go basis and boasted of balanced budgets.

of chalky old wrinkled faces with the winter of death on them.

Standing in the basement Community Room of the Ida Grove State Bank, shifting his considerable weight from foot to foot while attending his brow with one of a series of crumpled paper napkins, the big Indian-looking man in the rumpled olive-drab suit had a look on him—for all his grinning in the right moments or calling old friends by their proper names—that said he preferred to be in some less fussy and bothersome place. One remembered a similar reluctance to public exhibition in certain World War II veterans suddenly returned to the confusions of civilian life after months in the foxholes of Europe or the Pacific, but the visitors had never before seen it so obvious in a public man. When a rare lull occurred in the receiving line the visitor—mainly to test Hughes' reputation for candor—remarked that this was very hard work, fully expecting the standard disclaimer of clever old-pros. Harold Hughes indulged in no such falsehoods. He slapped another napkin to his sweating brow and said with feeling, "It's the hardest damn work in politics. It may be the hardest work in the world."

Harold Hughes is known for such unexpected answers. One night a couple of years ago some journalistic fraternity was doing black-tie honors to Hughes when somebody unwisely suggested how much fun His Excellency might be having. Hughes replied, "Frankly, I'd rather be at home eating a hamburger." When an American Legionnaire once told of Hughes' refusal to surrender when the Nazis broke through to reach his infantry position in Sicily, rattling on about how most of Hughes' comrades had surrendered, Hughes said, "They would have had me too, if I'd had anything white to wave." One morning last December as the Governor ate his breakfast eggs in a Sioux City restaurant he was attended by the executive of a large meat-packing company. "What do you people want when I get to Washington?" Hughes asked. The executive said, "Oh, not much—just a little statesmanship." "Yeah," Hughes said, "I guess that'll do until you really want something."

Little groups huddled here and there in the Community Room, sipping coffee or punch-less punch, nibbling bake goods, and remembering when "I remember when he played football," a bald-headed merchant said. "They called his older brother 'Big Pack' and called Harold 'Little Pack.' Somebody said the Hughes boys were so big they looked like pachyderms out there on the field, so that's where they got their nicknames. And they could play football!" These were people who had lived a typical rural American boyhood of the 1930s with Pack Hughes: there was an old swimming hole common to their experience, a certain Model-T Ford with no glass in the windows, skating at the roller rink on Saturday nights until they quit taking tickets at the big dance over in Denison at which time the alert might slip in free. There were hunting trips smelling of dew and dung, Amos 'n Andy on the radio, plenty to eat but not much money and no frills at all. Staid citizens may not recall it now but at Harlan—perhaps an hour's drive from Ida Grove—desperate farmers stopped milk trucks at gunpoint to pour out the milk rather than see it dumped on the market at Depression prices, and a mob of farmers threatened to lynch a judge if he held with the financial interests in attempts to foreclose on mortgaged farms. Still, for all its Depression woes, there was, in Harold Hughes' view, much to recommend life. He worked as a lifeguard at the local swimming pool and helped his parents with their commercial greenhouse, fell in love with Eva Mae Mercer (whom he would marry in 1941), won all-state honors not only in football but as a tuba player and discus thrower, and made respectable if not sensational grades. Opti-

mists may have marked him down for a future head football coach or for a country lawyer, though his mother's secret wish was that he become a Methodist preacher.

Hughes entered the University of Iowa in 1940 on a modest football scholarship. He had to work nights as a steamfitter, and soon felt the full demands of his life as scholar, athlete, and worker. Under these pressures, and against the teachings of a Fundamentalist home, he took his first drink. Hughes immediately displayed a great and loyal sympathy for whiskey. "I didn't particularly enjoy drinking," the Senator has remembered. "I just couldn't quit drinking as long as anything remained in the bottle." After less than a year in college he dropped out never to return, and worked at a series of odd jobs. His whiskey consumption increased after his only brother and close companion, Jess, was killed in an auto crash. In December of 1942, by then a rather rootless and purposeless young man, Hughes was inducted into the U.S. Army.

In the spring of 1943 twenty-one-year-old Harold Hughes became a combat BAR rifleman; he saw action in North Africa, Sicily, and Italy. He was one of several soldiers who "threw a big drunk in Oran, almost like a riot," only to wake up behind barbed wire in a military stockade. "They marched us out one by one past a court-martial board," he remembers, "and to the frontline soldiers the judge would say, 'You're going back to active duty at two-thirds pay. You'll probably get killed anyway.'" Such was the sentence passed on Harold Hughes, and though he cheated its execution he did pick up malaria, yellow jaundice, and a case of battlefield nerves. At the end of the war he returned to Ida Grove with the notion that "If I wanted to drink myself to death I had earned that right." People in Ida Grove are careful not to discuss their Senator's hellion days, though he has publicly remembered fistfights and an arrest for driving while intoxicated.

When he was sober enough, Hughes repaired washing machines from a rude shop located in the basement of a friend's home. There wasn't enough repair work to adequately support a wife and two small daughters, however, so he got a job driving a milk truck. He graduated to the huge semi-trailers that roll across the American mid-continent, taking cattle to their terrible slaughters in Chicago. He remembers a lot of all-night diners, roadside naps, cramped muscles, stockyard odors, and rowdy beer joints. By 1953, at age thirty-one, Harold Hughes was a small-scale cattle buyer and trader and manager of a small truck line—as well as an apparently hopeless drunk. "On weekends he drank," Vance Bourjaily has written, "and the weekends started earlier and earlier. They began to start as early as Wednesday." One morning Hughes woke in Des Moines, a hundred and twenty-odd miles from home, with no notion of how he came to be there and without a cent. It was one of those times when a man touches bottom, and knows it, and must decide whether to stay down or go to the considerable trouble of getting up. That morning Harold Hughes quit booze cold turkey. "If I hadn't quit," he says, "I'd either be dead or a bum by now."

The story goes that he came to seek public office because he lost his temper over what he thought of as an injustice; if the story is true it almost immediately distinguished Harold Hughes from the average politician. Not as many men leap into the public pit in the true crusader's spirit as our living politicians or our legends would have us believe. After all, he followed a rather conventional course favored preceding his first quest for public office: he had become active in community and church affairs, he had joined civic clubs and a fraternal order or two, he had even been a delegate to two Republican state conventions. Perhaps he was doomed to the political life, whether he consciously

knew it or not, for there is so much in him of the preacher, the teacher, the missionary.³

In the mid-1950s Hughes worked as field representative for the Iowa Motor Truck Association; after a few months, dissatisfied with the organization, he quit to found a similar organization known as the Iowa Better Trucking Bureau. He decided that the three-man State Commerce Commission, which regulated trucking and railroad commerce, favored giants of the industry to the detriment of small truck lines or independent operators. Hughes tried without success to interest his fellow Republicans in demanding reforms. After an atypical Iowa election year, 1956, in which a Democrat, Herschel Loveless, won the Governorship, Harold Hughes took his complaint against the Commerce Commission to the state house. Loveless was impressed by the young man's zeal and reformer instincts. If you want to accomplish something, Governor Loveless suggested, then you should switch to the Democratic party and run for the Commerce Commission yourself. The next time they held an election—in 1958—Hughes was a Democratic candidate. He called on the help of truckers and truck drivers he had known, old friends from home, fellow Methodists, and long-suffering organizational Democrats as his campaign operatives. Campaigning Iowa vigorously he won an upset victory. He was not long in learning that a single junior member of a relatively obscure commission cannot perform many miracles; he also observed the need for reforms in others of Iowa's bureaucratic empires, concluding that only a strong Governor could adequately turn the antiquated bureaucracy around.

"Urged on only by a few friends in his native northwestern Iowa and by the voice of God," a Hughes friend wryly says, Commissioner Hughes declared for Governor in 1960. He was wiped out in the Democratic primary, losing to a candidate who would go on to lose to the Republican nominee, Norman Erbe. Governor Erbe did not start any prairie fires during the next two years—years in which Harold Hughes used every possible excuse to make speeches across Iowa. He was well equipped for calling attention to himself: a bulky six-foot-three with dark skin and midnight black hair, who spoke in a deeply muscled voice; the result was something close to a thinking man's John Wayne. He won the gubernatorial primary in 1962, then upset Governor Erbe by 42,000 votes in the general election at a time when Republicans captured all other statewide offices being contested. Organizational Democrats, possibly considering the Hughes victory something of a fluke and warning of the conservative preferences of his constituents, advised him not to try to turn Iowa into a paradise overnight. Harold Hughes gave his answer in his inaugural address before a Republican legislature: "It is sometimes said that the knack of skillful government is to hang back, do as little as possible, and make no mistakes. I hope there is another way—for between you and me, this prospect does not invite my soul." Making skillful use of press conferences, radio and TV and personal appearances, Governor Hughes forced reform bills through a reluctant legislature by appealing over their heads directly to the voters. "If the legislators expected him to plead with them, shower attention on them, or bribe them, then they were disappointed," Martin Jensen says. "Hughes is not just going to spend a hell of a lot of time wooing anybody." He wooed the public with continuing success, however; in the 1964 election, when Lyndon Johnson won landslide

victories in virtually all states including Iowa, Governor Hughes was elected by a margin more than doubling the President's. In 1966, when a comeback Republican tide chased five Iowa Democrats out of Congress and gave Republicans an eleven-to-five margin in state offices (where Democrats had held a thirteen-to-three margin because of the 1964 avalanche), Hughes won a third term by a shade less than 100,000 votes.

It is axiomatic that the longer a politician stays in office the more enemies he accumulates, especially if he remains an active force. By 1968, Hughes had his share of critics: he was a big spender (Iowa's annual budget rose from \$200 million to almost \$500 million and taxes reached an all-time high); he had lost ground in an unsuccessful attempt to repeal the state's "right-to-work" law; he had so persistently lectured on the white man's maltreatment of blacks⁴ as to make some voters suspect he loved them too much; he had angered Iowa's organizational Democrats by disavowing the Vietnam war so stubbornly defended by the Johnson Administration; he had found himself in such sympathy with most Great Society domestic schemes—and said so—that Republicans or other conservatives had grown disenchanted; he was said to be arrogant in his treatment of legislators and to have shown excess partisanship in replacing some Republicans within the state government just because they were Republicans and without regard to their records.

Governor Hughes, thinking he had led Iowa in progressive directions about as far as she would go, had privately decided late in 1967 to retire from public life. He mentioned his decision to Bobby Kennedy. Don't do it, Kennedy said: There are a number of young, concerned United States Senators who are beginning to have an impact on foreign and domestic affairs; we may hold the nation's destiny in our hands; come join us, we need you.⁵ It was the perfect pitch. He would run for the Senate. He would win over a well-financed and articulate young Republican, State Senator David Stanley, but only after his hardest fight, and by a mere 7,000 votes.

Though the night was bitingly cold, more than three hundred persons paid \$5 each to crowd into the testimonial banquet in a converted gymnasium adjoining the Ida Grove Fire Department. Pack Hughes had been born within two blocks of the drafty old hall, and had played basketball in it when you were judged "out of bounds" only when you crashed into the walls.

Long wall-to-wall tables were draped in white paper "tablecloths." There was neither rum nor go-go girls on this night, though the visitor did have the luck to sit directly across from the only man present in whom such spirits flowed that his poor wife affected not to know him. ("You goddam right, Pack," the happy fellow volunteered at irregular intervals during the Governor's speech. "If you ain't President by Seventy-six then I miss my guess and have wasted five dollars.") The typically dismal political "banquet" was

⁴Like New York's Mayor Lindsay, Hughes is credited with having cooled ghetto areas by personally walking slum streets in times of tension. Even with its small number of blacks, there are dismal slums in Waterloo, Sioux City, and Des Moines—a fact that even Hughes didn't fully realize until an insurrection in Waterloo caused him to call in troops. "I was shocked by what I saw," he said of his initial ghetto experiences. "I couldn't believe the venom I found. I'd go home nights and couldn't sleep and felt like I couldn't face the world the next morning."

⁵Hughes was reportedly on the verge of endorsing Robert Kennedy for President at the time of his assassination; ultimately, he nominated Senator Eugene McCarthy at the Democratic National Convention and criticized Mayor Daley for the mess in Chicago.

served, American to the core, only marginally edible if one takes food seriously, with pasty mounds of mashed potatoes, sorry little green peas and—ironically, there in the heart of the beef belt—three hundred hunks of something masquerading as prime cuts of roast beef. (Immediately upon leaving the banquet, an assistant was assigned to get hamburgers from a local restaurant, which were gratefully consumed in the gubernatorial motel quarters.) Over their brick ice cream people chatted of business, crops, babies, and basketball with laments that the banquet conflicted with the Ida Grove-Storm Lake game. The evening was 100 per cent small town, from the little green peas to the prayers presuming God's undivided attention on this small corner of Iowa, down through the labored local jokes and table chatter. One who had been brought up on such innocent amusements many years and several assassinations ago, and who still had some of them in his bones, marveled on their indestructibility.

J. W. Lipton, president of the Ida Grove State Bank and obviously the town's big man (one noted how he was deferred to, the number of times he was pointed out as "the new president of the Iowa Bankers' Association," the ease with which he assumed a leader's prerogatives), as master-of-ceremonies acted as a bridge between reality and the larger-than-life recollections of old friends of Harold Hughes, Norman McIntosh, a classmate in the Class of 1940, and now a cattle auctioneer; Troy Wilkins, hardware dealer and old friend; Justice Snell of the Iowa Supreme Court, who remembered awarding Howard Hughes his high-school diploma. "I think of Hubert Humphrey, Abraham Lincoln, Lyndon Johnson, and Richard Nixon," Justice Snell cried out a curious roll call, "and I remember that like Pack Hughes they were once all poor boys. I think of Thurgood Marshall and Dr. Ralph Bunche—uncommon-men who succeeded by their individual efforts." Trop Wilkins, not to be outdone, compared the guest of honor to the New York Jets' quarterback Joe Namath. ("They are both \$400,000 players in the big leagues.") The hardware dealer urged the audience to "conduct ourselves as loyal fans as we back our \$400,000 player in Washington, and not expect him to score a touchdown on every play"; before he sat down he suggested, if the visitor heard him correctly, that Harold Hughes has his personal signals called by The Great Coach in the Sky.

"Years ago when I first decided to seek public office," Governor Hughes responded, "I asked a few people around town here their opinion of it. And if anyone recommended it to me, I can't remember it. . . . Now I'm a big United States Senator-elect and J. W. Lipton would like to bank my paychecks at his bank. But let me tell you a little something about that: here in Iowa I make \$30,000 a year, have my own driver if I want him, a nice big house to live in free, and Eva has a maid and a cook. In Washington I'll still make \$30,000 but I have to drive my own car, buy my own house, and Eva must do her own cooking and dusting. And you know, some people keep talking to me about my 'promotion' to Senator. Actually, Governors outrank Senators in matters of protocol. . . . I bought my first house here in Ida Grove with a GI loan. Had to make monthly payments of twenty-four dollars and seventy cents and I wasn't always sure I could make 'em. In the last month, I've received more notoriety for buying a house in Washington than Howard Hughes received for buying Las Vegas."

It was a curious, rambling opening and, though delivered in cheerful enough tones, one felt the Governor was attempting some vague defense of something. He went on, making small jokes and recalling older times, and then suddenly his voice became more measured and assured; this was the Harold

³Some fifteen years ago Hughes seriously considered a career in the ministry. He took enough correspondence courses in theology from Southern Methodist University to qualify as a lay minister.

Hughes one had heard of: "We have never learned the age-old message that we must live together on this planet. . . . I'm forty-six years old and I've never known a moment of peace. Little has changed, except our efficiency in destroying one another. . . . As Robert Kennedy put it, 'The great challenge of this age is to tame the savagery of man.' . . . We hear much talk of honor and death and war; of being willing to die for our country. I think it's time we did a little living for our country." He went at them on the racial issue, though not a single black is numbered among the 12,000 people in the several villages of Ida County. ("We had a Negro who shined shoes over at the hotel," Banker Lipton would recall, "but after six months he moved on.")

Hughes continued: "The only way you can help your county rid itself of ugly disturbances is to look into your own heart. Pluck the mote from your own eye. Unless people believe in the rights of all men, our laws will never work." For long moments and in eloquent simplicity ("We can no longer escape direct confrontations with our consciences. . . . Man must first find peace in his own soul. . . . We are our brother's keeper") he went on, and when he finished the people stood and applauded with more than routine warmth and verve, so that one thought good, he reached them, they listened and he reached them. And two days later, in Des Moines, a visitor asked one of the secretaries in one of the gubernatorial offices at the state capitol whether she would move to Washington to work for Harold Hughes. "No," she said. "My husband says he doesn't want to live with the niggers."

THE FLOWERS OF SPRING

Mr. BAKER. Mr. President, in spite of today's somewhat bleak tenor, there are hopeful signs that spring has "sprung." The sap is rising, the buds are swelling, and that harbinger of annual floral renaissance—the crocus—is out.

Each of us welcomes the advent of spring. But perhaps the most impatient man among us is our distinguished minority leader. As is generally known, Mr. DIRKSEN, against formidable odds, has vigorously assumed an impassioned advocacy for the marigold. Although he has yet to succeed in securing for this unique vegetable the official national status of which he finds it so clearly deserving, he has, I think, endowed it with a certain vague preeminence.

It may come as a surprise to some, and a relief to others, to learn that the minority leader has room in his heart—and in his garden—for other species. Even the humble nasturtium, remarkably enough, meets with favor.

Mr. President, lest those who champion other flowers find their special favorites the victims of unjust discrimination, I ask unanimous consent that an article by Senator DIRKSEN entitled "A Senator's Notebook" be included at this point in the RECORD.

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

A SENATOR'S NOTEBOOK

(By EVERETT MCKINLEY DIRKSEN)

Long ago, the poet Shelley wrote, "O, Wind, If Winter comes, can Spring be far behind?"

It takes a careless spirit to write that, and today, in all the turmoil of our world, we would do well to take some moments to dream of careless things—like spring and marigolds and the other flowers that soon will come.

It is March. I look out the window and it is snowing, a wet kind of snow that clings to the branches like cotton and magnifies the appearance of winter. But I don't care, because on the desk before me is a chart of my garden and beside it are some seed catalogs—a feast for the eyes and the soul, too. I wouldn't care at all about the bluster and cold of winter if I could only get results in my garden that would be something like the beauties painted by the seed catalog artist.

Now I begin to think about my garden to come as I turn the pages of the catalog. First, I look out to a shady spot that gets little sun. It's a place for blue ageratum and impatiens because they do so well in full shade, and what a color combination they will be.

The humble nasturtium grows almost anywhere with half a chance—not a showy creation, but as cut flowers nasturtiums are a comfort indeed.

Now to the tulips, those dark red, stately soldiers of the garden who defy the elements and come nosing out of the soil almost as soon as nature relents with the balmy breezes and the warm sun. How good it is that tulips come so early.

The daffodil and narcissus are not far behind. They can pop their gorgeous yellows before I expect it, and they are a joyous note in early spring.

Now I must leave the catalogs for a few moments to think of some other things in the garden. It's time to prune back the tea roses, cut away the dead wood and make ready for the grandeur of the roses in all their colors. Is there anything more beautiful than the rose?

Where do we put the snapdragons that will stand like gorgeous sentinels against the roughest of weather and the bugs? The garden closest to the roadway is best, where every passerby can enjoy them. And snapdragons are exquisite as cut flowers for all occasions.

The zinnias must have full sun. Somehow, more than any other flower, the zinnias seem to drink in the bright sunlight and the heat and then are transformed into deep, majestic colors—peach, salmon, deep red, yellow, ivory—with huge, many-petaled heads. But the zinnias should have some edging. The petunia is just the dish—singles and doubles, plain blue, white, crimson, peppermint-stick, candy-stripe in vast variety. How hardy they are and how determined not to be outdone.

Now a momentary detour to look at the climbing roses. They wintered well, but they must be tied up. What a rare diversion that will be after a day that has tried the soul and tired the mind.

Now here are the clematis, both regular and hybrid. How dead they seem. But wait a little while and suddenly they'll be there in the warming days in their red, white and blue. All this and much more with the resurrection of spring.

Could the Resurrection have come in any season but spring? It makes me think of the question that Job in all his misery propounded to his friends: "If a man die, shall he live again?" He will, surely, for the earth becomes vital all over again with spring.

Most important of all, I must not forget the marigold. For 10 years I have sought to persuade the Congress to adopt the marigold as our national floral emblem. Some prefer the rose (a shrub) or the carnation or the petunia, violet, daffodil or some other bloom. But the marigold is native to this hemisphere and grows in every one of the 50 states, evidence of a robustness against the elements and insects that is unequalled in performance by any other flower.

Let kings and emperors, Presidents and senators suffer highly important matters to furrow their brows. There must be a little time to draw back and think just about the noblest creations from the hand of a generous Creator—the endless variety of flowers.

Was it not the Galilean who said, "Consider the lilies of the field, how they grow; they toil not, neither do they spin: And yet I say unto you, that even Solomon in all his glory was not arrayed like one of these?"

And the flowers are there—for every man, woman and child—for the asking.

BYELORUSSIAN INDEPENDENCE DAY

Mr. PROXMIER. Mr. President, in every nation there is a certain spirit of nationalism, something difficult to put into words, but nevertheless something you can feel in its cities, towns, and wilderness areas. It is a unifying and inspiring idiom for a certain group of people, having the potential to fill them with a fierce pride in and commitment to their country. To a new or struggling state, the quintessence of this nationalism has usually been the lifeblood of its preservation, without which it could never exist. On the other hand, to a nation that has been denied the opportunity for self-determination, nationalism is a conglomeration of all the frustrations and aspirations, a true battle cry for independence. Such is the case with Byelorussia, whose eight million people are today secretly celebrating their Independence Day.

After World War II, the collapse of imperial power permitted many new nations to emerge throughout the world. Similarly did the fall of several nations of the pre-1914 Europe allow many small nations to assert their independence from foreign domination. The Byelorussian Democratic Republic was one such country. On March 25, 1918, the Congress of Byelorussia, as embodied in the Rada, "threw off the yoke of Russian tsarism," and proclaimed its independence. With this action, a century of domination and suppression by the Russian people was ended after long and bitter struggle.

But this independence was not destined to come as easily for the Byelorussians as it did for the Americans in 1776. For 2 arduous years the brave people of this small country fought tirelessly for their very existence. But the forces opposing them were formidable. Besides trying to curtail increasing friction with Poland over the west and south borders, the Byelorussians also had to cope with the aggressive Red Army of the Soviet Union. Therefore, despite tremendous resistance, the country was invaded from the east in 1921, and it became a part of the Soviet Union. Thus did the independence of Byelorussia dissolve after 2 short years, but still the light of hope burned in the hearts of its countrymen.

Mr. President, that hope is still present today. The constitution and individual culture that Russia tried to suppress with naked force are even stronger today. Thousands were killed or deported during that time. And yet today, 51 years after Byelorussia declared its independence, the fact remains that this country has always wanted to be free, a feeling that Russia could only suppress, never obliterate. Mr. President, the people of Byelorussia are forbidden to celebrate March 25, 1918 today, and we must do it for them. Therefore, I wish to add my best wishes to that country with the fer-

vent hope that their spirit and determination has not been in vain.

PROBLEMS OF THE EASTERN SHEEP FARMERS

Mr. MATHIAS. Mr. President, in a recent letter to me, a Maryland farmer has stated the case for prompt attention to the problems of east coast agriculture. His words are eloquent, concise and self-explanatory. They are supported by facts, figures, and graphs presented by the American Sheep Producers Council.

Because the letter needs no further elaboration from me, I ask unanimous consent to insert it and the supporting material in the RECORD at this point.

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

MARCH 20, 1969.

DEAR SENATOR: Enclosed is a little pamphlet put out by the Sheep Producers Council and its contents show very plainly why every sheepman gets burned up when he takes sheep to market.

Selling market lambs at 20¢ per lb. is bad enough. But when we have to sell perfectly good mutton at 2¢ per lb., that in the face of an import of some 20,000,000 lbs. is downright ridiculous.

Not too long ago (month or so), I sent a yearling ewe over to market. She was fat and in perfect health except for a crooked hind foot. She weighed 190 lbs., and was less than a year old. I'll bet she was as good mutton as anything ever was yet she was graded as an old sheep and brought old sheep price, 2¢ per lb. I just wonder what she was sold out as? It would be interesting to know, I'm sure.

Maybe someday in the course of your duties you may have the opportunity to ask someone in the places that matter, just how come?

Maybe I'm just running off at the mouth somewhat, but it's really burning me up when I have to take an overnight lamb to market and have them grade it as old sheep and 2¢ is as high as they will go. There is no such thing as mutton with packers, it's either lamb or old sheep. . . .

Mr. and Mrs. R. D. Offord
Easton, Maryland

IMPORTANCE OF IMPORTS GROWS IN UNITED STATES

Lamb and mutton imports have been a pesky problem to the sheep industry for many years, but now they are fast becoming a very serious problem to the domestic sheep industry.

With the industry caught in a tightening ring of problems, from shrinking land resources to steadily rising costs, the imports have been taking steady chunks out of the domestic market. As the U.S. sheep population declines, more lamb and mutton are quickly put in place of the diminishing supply by those countries and processors in the importing business.

Thus, there is about the same amount of lamb and mutton available for consumption in this country during the past few years despite a drop in production in the United States (see Graph 1). [Not printed in the RECORD.]

For sometime the sheep industry has tried valiantly to stop imports, or at least slow them down, but they have been standing against the tide since imports continue to come in with some congressional sympathy for the problem but a tidal wave of consumer indifference.

The history of imports of lamb and mutton show a continuing rise of mutton imports (See Graphs 2 & 3) [Not printed in the

RECORD] to compete with U.S. mutton and U.S. beef primarily, and a fluctuating supply of lamb imports, but always edging upward as the domestic supply of lamb decreases. It doesn't take much imported product to affect a key market.

As an example prices shown at New York wholesale level for the week of November 18, 1968, were as follows:

Cut	New Zealand	Australia	Domestic, New York
Carcass.....	0.36½	0.33-0.33½	0.56½-0.57½
Legs, trimmed.....	.60	.48	1.64-.66
Loins, trimmed.....	.66	.48	1.62-.72
Racks.....	.43	.36	1.85-.90
Square shoulders.....	.33	.32	1.43-.45
Shanks.....	.34	.34	-----

¹ Untrimmed domestic prices.

² Chucks (neck on).

Primal cut prices quoted for New York are untrimmed, thus we have not only price differences, but also reduction in trim of the imported products.

Retail prices in Los Angeles chains and New Zealand were:

Cut	New Zealand	Domestic (Los Angeles)
Legs.....	0.69	0.89
Loins.....	1.19	1.79
Rib chops.....	1.19	1.69
Square shoulders.....	.59	.69
Round bone chops.....	.79	1.09
Blade chops.....	.79	.89
Sirloin steaks.....	.89	1.29
Shanks.....	-----	.54

It should be kept in mind that somewhere during the past few years the exporting countries shifted from shipping lamb in carcass form to a primal cut form. This makes quite a bit of difference in the total, since considerable trimming results from cutting the carcass up into primal cuts, such as the rack, the shoulder, the leg and chops. For example, it is estimated that 16 million pounds in primal cuts would amount to about 20 million pounds on a carcass basis.

Most of the lamb comes into this country from New Zealand, with comparatively small amounts from Ireland, Greenland and Australia. Mutton, however, comes in from Australia and New Zealand, with the wool-oriented Australia providing the bulk of it.

Lamb production in million pounds for the U.S., New Zealand, and Australia, is shown in Graph 5. [Not printed in the RECORD.]

In the United States about 90 percent of the lamb and mutton kill is lamb and yearling, and the remainder is mutton which goes largely into soup stocks, sausage and other prepared meats, and baby foods.

On the political scene, lamb was left out of the meat import quota bill passed in 1967 because it was felt by some that it did not represent a significant amount of tonnage. Mutton, however, is included.

Cattlemen have been thankful for the meat import quota bill, despite its inadequacies, and are now trying to eliminate some of the loopholes that foreign countries have taken advantage of to put more cow beef into this country. Some of the meat, for example, is being given a quick cook process to take it out of the category of fresh or frozen meat.

The quota law was not put into effect this past year because of the pledge of exporters to reduce shipments even though it seemed apparent that the imports to this country were headed above the trigger level of 110 percent of quota.

Not all exporters for the balance of the year agreed to cut their shipments and Canada flatly refused to go along with the reduction on a voluntary basis.

It is now quite apparent that there is a

new drive to make some changes in the quota law.

The National Wool Growers, National Lamb Feeders, and the American Cattlemen have agreed to cooperatively support any legislation needed to keep imports of meat in line with planned expansion of United States production.

These groups agreed that the following points should be included in any legislation: that the base years for establishing quotas would be 1958-62; that expansion or reduction of quotas would be based on the expansion or reduction of U.S. production of that particular commodity; that quotas would be figured for each individual item based on the items number of the Tariff Schedule of the United States and would not be based on total meat; that quotas would be figured quarterly by dividing the average year into four equal levels; that quotas will not be at the discretion of the Executive Branch but would be mandatory enforced; that all quantities of each classification purchased by the United States inside or outside the country be counted in the set quota . . . thus purchases for military outside the United States would be considered part of the quota; and that one hundred percent of quota would trigger restrictions instead of 110 percent of quota.

It seems significant that the voluntary cut-back by importers to the U.S. under the present quota bill did reduce the imports of mutton in November and December of 1968 by 70 percent from the same period a year ago. However, during the same period of the previous year, lamb imports were increased by 171 percent. (See Graph 4). [Not printed in the RECORD.] This apparently was to keep balance of payments at a similar level in the exporting countries and, of course, lamb is not under the present quota bill.

There is a high degree of concern over how much imported meat will come into the U.S. in 1969. According to some reliable sources there will be import quotas from 40 to 50 million pounds above the 1968 level, and yet others contend that it will be about the same as this year.

One of the most critical points in lamb and mutton imports is the time of the year. Even a small amount of lamb coming in at the wrong time can raise havoc with the market price in heavy lamb consuming areas, while the importation of lamb would have little or no effect should there be a small supply of domestic lamb on the market. Lamb imports during the year seem to peak in March and again in June, with a noticeable drop in August and October. Mutton generally follows this same pattern. As mentioned previously, just a little imported goes a long way toward bending the domestic market price if domestic supplies are high.

Almost as effective in bearing down on prices at critical periods are the "rumor runners" who pass out information that more lamb imports are coming in, and whether they do or not this sometimes accomplishes the same purpose of depressing the domestic market price.

This year's quota of 950 million pounds put the triggering point at 1,045,000,000 pounds, and that does not include canned and certain other processed meats, nor lamb.

Under the federal meat import law, quotas cannot be imposed unless the government estimates actual imports will go 10 percent or more above the base quota. Most livestock men would like to wash out the 10 percent override and board up some of the loop holes.

For many years there have been attempts made to discuss the import problems with New Zealand and Australian producers, but to no avail. New Zealand's Finance Minister, R. D. Muldoon in October said the U.S. is "not a free-enterprise nation in the field of agricultural produce. It is a protectionist nation . . . and one of the worst," he added.

On the heels of this pronouncement came an arrangement for the sale of lamb to U.S. military commissaries abroad, and this effort may be extended to the Antarctic and U.S. bases there.

This could be the time for sheepmen in the United States to discuss some sort of an agreement.

PROPOSED REREFERRAL OF SUBMERGED LANDS BILL

Mr. JACKSON. Mr. President, on Thursday, March 20, the distinguished junior Senator from Texas (Mr. TOWER) introduced a bill to amend the Submerged Lands Act with respect to the seaward boundary of certain States. This measure was assigned the number S. 1619, and was referred to the Committee on the Judiciary.

It will be recalled that the Interior Committee was the unit of the Senate to which in 1953 was referred the measure that formed the basis of the Submerged Lands Act which S. 1619 would amend. This measure was Senate Joint Resolution 13, 83d Congress, and it was sponsored by the able senior Senator from Florida (Mr. HOLLAND), for himself and 39 Senators from both sides of the aisle. Senate Joint Resolution 13 was the latest in a long series of bills dealing with the so-called, but miscalled, "tidelands" issue.

Under the acting chairmanship of then Senator Guy Cordon, of Oregon, the Interior Committee held hearings on the Holland bill as it had on previous submerged lands bills in the 81st and 82d Congresses. Some 13 days of hearings were held, beginning on February 16, 1953, and concluding on March 4. The committee met in executive session for 4 days to work out amendments to the resolution; it was reported out with minority views, and the text of Senate Joint Resolution 13, as amended by the Interior Committee, was passed by the Senate on May 5, 1953. The House accepted the Senate amendment, and the measure was signed by President Eisenhower on May 22, 1953, to become Public Law 31 of the 83d Congress.

I cite the details of the legislative history only to establish that in at least three Congresses measures in the Senate respecting the submerged lands have been referred to the Interior Committee, and it was the text, substantially, of the Interior Committee's bill that became the law that S. 1619 of this Congress would amend.

As the Members of the Senate know, the Submerged Lands Act was and is part of a legislative package, so to speak, with the Outer Continental Shelf Lands Act. The former deals with the lands inside the sea boundaries of the States, which were clearly established for the first time by the Submerged Lands Act. The other, the Outer Continental Shelf Lands Act, deals with the lands beyond the States' sea boundaries.

Significantly, when the very able junior Senator from California (Mr. CRANSTON) introduced on February 28, 1969, his bill, S. 1219, which concerns operations under the Outer Shelf Act, this measure was, properly, referred to the Interior Committee.

Now, I am aware that the Legislative Reorganization Act of 1948 provides that proposed legislation affecting "State and Territorial boundary lines" shall be referred to the Judiciary Committee. However, Mr. President, in view of the long and clear history of referral of submerged lands legislation to the Interior Committee, I submit that the quoted provision means, or certainly has come to mean, boundary-line problems between a State or a territory and another State or territory—not between a State or territory and the Government of the United States.

Therefore, Mr. President, in view of the legislative history and the precedents, when S. 1619 is called up I shall move that it be re-referred to the Committee on Interior and Insular Affairs for consideration.

THE PRESIDENT'S DECISION ON THE ABM SYSTEM

Mr. MURPHY. Mr. President, in announcing his decision on the anti-ballistic-missile system, President Nixon once again displayed those qualities of leadership which have made the beginning of his administration such an outstanding success.

It is heartening to see the favorable response which his studied and intelligent approach to the complexities of the anti-ballistic-missile decision has brought from the people. One such example is an editorial in the March 17 National Observer and I ask unanimous consent that this article be printed in the RECORD.

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

THE VERDICT ON ABM—A SOVIET TEMPTATION?

The President's decision on missile defenses must be viewed in psychological as well as military terms. As such, the decision made good sense, and could ultimately do much to slow down the arms race.

The most vocal critics of the decision won't see it that way. They will see it simply as a triumph of the "military-industrial complex" over those who would strive for arms-limitation agreements with the Soviet Union. But any talk of conferring with the Russians about arms or anything else requires a good measure of guesswork about what the Russians really intend. So any decision on an antiballistic-missile (ABM) system—even a decision to defer a decision—would be a gamble. Mr. Nixon has made the best gamble.

First of all, Mr. Nixon's decision is less likely to provoke the Soviets than would a decision to push ahead with the Sentinel system. A decision to protect the cities, if that were truly possible, could be interpreted by the Russians as a way to blunt a Soviet retaliatory attack against the American population after a U.S. first strike.

Mr. Nixon's decision also recognizes a brutal but apparently unavoidable fact. It is now not possible to provide adequate protection for the American population against Soviet missiles. The best defense, the President has concluded, remains the nation's second-strike capability—the ability of this country to inflict unacceptable losses on the Soviet Union, or any other nation, should that nation decide to launch nuclear missiles against the United States.

The United States and Russia each have the capability to destroy each other many times over. This raises a good question: Is a defense system really necessary to protect

American offensive missiles, or aren't there already enough—or soon to be enough—land-based and seaborne missiles available to survive any first strike by Russia or anybody else?

Perhaps there are. But the arms race being what it is, the Soviet Union might easily be tempted to increase its offensive arsenal even more, with the goal of developing an attack that could destroy much of the American offensive arsenal. A defense system to protect U.S. long-range missiles could discourage such a step-up in arms competition.

The Nixon decision also means that the United States will go into any arms talks with Russia having made a determination to employ a missile defense. This certainly gives this country a better bargaining position than it would have had had Mr. Nixon decided against any deployment, or decided to delay a decision on deployment. A decision to delay would leave great doubt in Soviet minds about American intentions.

Mr. Nixon's decision has left the next move in the quest for weapons control up to the Russians. His statement last week was conciliatory, and left plenty of openings for the Soviets if they truly wish to slow down or stop the arms race.

OLDER DRIVERS RANKED HIGH IN DRIVER SAFETY

Mr. WILLIAMS of New Jersey. Mr. President, last year during hearings on automobile insurance coverage, I told the Antitrust and Monopoly Subcommittee that older drivers are being penalized—because of their age—by the insurance companies. It seemed to me that preliminary data confirmed what I had long suspected: many motorists in their seventies, sixties, and even late fifties, are left without coverage because of arbitrary cancellation of their automobile insurance—in spite of consistently good driving records.

Now the point has been corroborated by the final results of a study conducted with funds from the Administration on Aging. The plain fact is that motorists over 65 may be among the safest on the road. For those who think that living past 65 automatically reduces an individual's capabilities, the study should be a revealing glimpse into the safe and steady world of the older driver.

Conducted by the University of Denver College of Law, the study examined the driving records of 30 States and the District of Columbia. It found that senior drivers averaged 37 percent fewer accidents than expected, based on their proportion of the driving population. Judge Sherman G. Finesilver, head of the study team, points out that the nationwide survey shows senior drivers to have better records, by comparison, as their number increases in the total driving population of a given State.

Judge Finesilver supplied the following highlights of the State-by-State survey:

In Arizona, a State with a large senior population, the older driver ranks second lowest in accident involvement among the six age groups studied;

Delaware's senior drivers enjoy the lowest accident rate of any of the six age groups; namely, under 24, 25 to 34, 35 to 44, 45 to 54, 55 to 64, and 65 and over;

In the District of Columbia, senior drivers had the lowest accident record of

all age groups in both the fatal and non-fatal accident categories. Their rate was only one-third that of the rest of the licensed drivers.

In Illinois, a high-population State, not only do senior drivers enjoy the lowest accident involvement rate, but their accident propensities are less than half those of the youngest age group, and 12 percent better than that of the next best group.

Indiana's senior drivers have the lowest frequency of accidents of all age groups;

Kentucky's senior motorists boast the best accident avoidance records of all age groups, both with respect to the "all accident" category and to injury or fatality-producing collisions;

Senior drivers in Maine have proportionately fewer accidents than other age groups;

In Maryland, senior drivers excelled all other motorists as the most accident-free drivers;

Minnesota, where senior citizens represented 12.28 percent of the driving public—the highest proportion of any State surveyed—they are on record with the best accident avoidance performance of any age group in the State; also, the safety record of these senior drivers ranked third best among the 31 jurisdictions analyzed, after Washington, D.C., and New York;

Montana's senior drivers enjoy the lowest accident involvement rate among that State's motoring public;

Senior drivers lead New Jersey's safety parade both with regard to "all accidents" and injury-accidents; they average about the same as all other drivers with regard to fatal crashes;

The senior 8.8 percent of New York's drivers boast the second best accident avoidance record among the 31 jurisdictions studied;

In Ohio, another highly populated State, senior drivers outranked others in regard to accident avoidance;

Oklahoma's senior drivers ranked tops among the six age categories with regard to involvement in accidents;

Senior drivers ranked most favorably in Oregon both as to "all accidents" and injury-producing accidents;

South Carolina's senior drivers are involved in proportionately fewer accidents than any other age groups in the State.

Virginia senior motorists rank tops in accident avoidance among the State's drivers;

Washington senior motorists enjoy the finest accident avoidance record among all Washington drivers, Finesilver noted that these findings "parallel and confirm" an earlier noteworthy study, the Crancer report, on older motorists in Washington State.

Wisconsin's senior citizens also rank lowest in accident involvement among the State's six age groups.

The District of Columbia study shows that there is a direct correlation between an increase in age and a decrease of responsibility for accidents. The highest accident involvement in the District of Columbia is with the teenagers—78 out of every 1,000 are responsible for an

accident. The middle-age driver ranks medium in accident involvement—50 out of every 1,000; and the senior driver enjoys the lowest accident responsibility factor—31 out of every 1,000.

These remarkable findings confirm that the older driver is certainly not the hazard some would portray him. Quite the contrary, drivers past age 65 represent a rational, responsible, and reliable segment of the motoring public. Insurance practices ought to reflect that fact.

The Washington Evening Star published a report of the University of Denver study at the time it was released. I ask unanimous consent that the article be printed in the RECORD as a vivid reminder of the excellent safety marks earned by the Nation's older drivers.

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

DRIVERS OVER 65 RATED AMONG SAFEST ON ROAD

DENVER.—Motorists over 65—long a scapegoat in analysis of the nation's spiraling accident rate—actually are among the safest drivers on the road, a University of Denver study showed yesterday.

The study, covering 31 states in all regions of the country, showed senior drivers averaged 37 percent fewer accidents than the proportion of accidents to numbers of drivers would indicate.

Although senior drivers represented 7.4 percent of all drivers in the states surveyed, they were involved in only 4.8 percent of the accidents.

Denver Dist. Judge Sherman G. Finesilver, head of the study team said it "will be pivotal in refuting current popular thinking about older drivers."

Senior drivers averaged the lowest of all age groups in frequency of injury-producing accidents. Older motorists averaged 40 percent below their proportionate share of the driving population.

Senior drivers also averaged slightly less fatal accidents—about 7 percent—than their proportion would dictate. Finesilver said it was possible the difference in fatal accidents was less surprising because older persons are less able to recover from injuries.

Commissioner William Mechill of the Federal Administration on Aging said he hoped the study will eliminate misconceptions about licensing and insuring senior drivers.

"I hope that it will lead to a cessation of arbitrary practices and attitudes directed to older drivers and ultimately create fairer, more enlightened practices in licensing and insuring of older drivers," Bechill said.

The study was financed by the Department of Health, Education and Welfare.

SMOG CONTROL IN CALIFORNIA

Mr. MURPHY. Mr. President, on March 17 the Oakland Tribune published an editorial urging the Department of Health, Education, and Welfare to grant to the State of California a waiver which is required under my amendment to the Air Quality Act of 1967, unless the Secretary proves that the California standards are not technologically and economically feasible.

I submitted a statement to the Department urging that the complete waiver as requested by the State of California to implement the State's pure air act of 1968 be granted.

Mr. President, because of the importance of this issue, I ask unanimous con-

sent that this editorial be printed in the RECORD.

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

SMOG CONTROL STANDARDS

The Federal Government assumed primary jurisdiction for establishing and enforcing automobile smog control standards when Congress passed the Federal Air Quality Act of 1967.

Because California's scheduled standards were stricter and were aimed at a more critical smog problem than exists elsewhere, Sen. George Murphy secured passage of an amendment authorizing the granting of a waiver for this state.

The Federal Government is required to grant the waiver unless the Secretary of Health, Education and Welfare determines that California's proposed standards are not necessary and are not technologically and economically feasible.

A series of public hearings have been held on California's request for the waiver. When these formalities are concluded and when the testimony presented is fairly evaluated, we trust that California's request will be granted.

The Murphy amendment was passed because Congress acknowledged that the special conditions existing in California might require tougher state smog control standards than those incorporated in federal regulations. The State must and should have the authority to establish its own air pollution standards so long as they do not fall below the federal minimums.

THE "PUEBLO" INCIDENT—GENERAL MCKEE DOES ANSWER

Mr. HANSEN. Mr. President, on March 4, 1969, I referred to views of the distinguished and able Senator from Colorado (Mr. DOMINICK) which suggested publicly raising some pertinent questions regarding the Pueblo incident. It was suggested that the Government respond to these questions, and there has been some response in the testimony of Lt. Gen. Seth J. McKee, U.S. Air Force Assistant Vice Chief of Staff, formerly commander of the U.S. 5th Air Force at the time of the Pueblo incident.

Also on March 4, 1969, the Senate gave its unanimous consent that an editorial entitled "Let the Senate Investigate" from the Cheyenne, Wyo., State Tribune of January 25, 1969, be printed in the RECORD. The editorial noted that a Long Island newspaper, Newsday, had alleged General McKee made a decision not to send Air Force fighters to assist the Pueblo. The Cheyenne newspaper suggested that General McKee be afforded the opportunity to testify publicly on what took place.

The House Committee on Armed Services Special Subcommittee To Inquire Into the Pueblo Incident gave General McKee that opportunity March 20, 1969.

General McKee's testimony shows he did, in fact, order Air Force fighter aircraft to assist the Pueblo, but that because of distance involved the aircraft were unable to reach the Pueblo before darkness.

Since questions were raised earlier as to whether General McKee did issue proper orders in regard to the Pueblo incident, I ask unanimous consent that his statement before the House subcommittee be entered here in the RECORD.

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

STATEMENT OF LT. GEN. SETH J. MCKEE, U.S. AIR FORCE, ASSISTANT VICE CHIEF OF STAFF, U.S. AIR FORCE, WASHINGTON, D.C., FORMERLY COMMANDER U.S. 5TH AIR FORCE, FUCHU AIR STATION, JAPAN, FROM AUGUST 1, 1966 TO JULY 1, 1968, BEFORE THE HOUSE COMMITTEE ON ARMED SERVICES SPECIAL SUBCOMMITTEE TO INQUIRE INTO THE "PUEBLO" INCIDENT, MARCH 20, 1969

Mr. Chairman, Gentlemen: I am Lt. General Seth J. McKee, Assistant Vice Chief of Staff, United States Air Force. At the time of the *Pueblo* incident, I was Commander of the United States Fifth Air Force, with headquarters at Fuchu Air Station, Japan.

I welcome this opportunity to answer questions you may have concerning the Fifth Air Force role in connection with the *Pueblo* incident. Based on public media statements it appears that two of the central questions relating to the Fifth Air Force role are: (1) Why were Alert Aircraft not provided; and (2) Why were aircraft not sent to relieve the *Pueblo*? Perhaps my response to these questions will further your investigation and provide a background for additional questions you may desire to ask.

In order that my response to the first question may be fully understood, I believe it appropriate that I provide some background regarding previous Fifth Air Force association with this type mission.

Prior to the *Pueblo* mission, her sister ship (the U.S.S. *Banner*) was used for this type of mission in the waters that were in the Fifth Air Force Geographical area. Of some sixteen missions known at Fifth Air Force to have been planned or conducted by the U.S.S. *Banner*, Air Force Alert Aircraft were requested of Fifth Air Force by the Navy for three of them. On one additional occasion, a request was made that air support forces be notified of the area and time frame of the mission, and this was done; however, no request was made for alert aircraft, and no aircraft were committed to alert. Of the three missions for which we planned air support, one request for support was cancelled by the Navy due to mission cancellation, and two missions were supported by Fifth Air Force with aircraft and crews on alert.

The first mission Fifth Air Force supported was mission number nine for the *Banner*. Coordination between CINCPACAF, CINCPACFLT, Fifth Air Force, and COMNAVFOR Japan, established the alert requirement, the rules of engagement, and the alert posture to be maintained. Coordination with elements of the Strategic Air Command was effected to provide in-flight refueling for the fighter aircraft. Copies of the CTF-96 Operations Order which detailed the ship's operations and procedures were distributed to Air Force units, and Fifth Air Force and subordinate units issued implementing instructions. The *Banner* was directed by the Navy to add the Air Defense Control Center at Naha, Okinawa, as action addressee on assistance requests, and to perform a communications check with the Naha Air Defense Control Center when the ship arrived in the operating area. The Defense Control Center at Naha was directed to forward any request for assistance to my Fifth Air Force Command Center by flash precedence, with information copies to CINCPAC, CINCPACAF, CINCPACFLT, and COMNAVFOR Japan. Direct voice communications would be used as back-up. Additional communications procedures were established to be used by the ship and the alert aircraft, and standard visual and voice identification signals were established to aid in spotting the vessel in relation to other surface craft. Fifth Air Force aircraft were then committed to the alert (in Okinawa) with the stipulation that they would be utilized only when directed and as considered

appropriate by CINCPAC or higher authority. The authority to launch aircraft was subsequently delegated to me as Commander, Fifth Air Force, with the restriction that it could not be delegated lower. Aircraft were placed in incremental launch reaction time of 5 minutes, 15 minutes, 30 minutes, and one hour, with the provision that upon call from the *Banner*, or upon launch of any aircraft, all others would go to cockpit alert. Reaction time from first notification to the *Banner* operating area would have been approximately 45 minutes. This Fifth Air Force alert posture was in fact maintained from the time the ship arrived in the operating area, until seven hours after it departed that area.

Similar coordination between the various command and control agencies occurred on each of the missions for which Fifth Air Force was requested to plan or to provide air support. In the case of the *Pueblo*, no Fifth Air Force support was requested. Therefore no alert was provided, just as no alert was provided the *Banner* in those instances where none was requested.

I have gone into these details, Mr. Chairman, and Gentlemen, to underscore the fact that when aircraft are dedicated to an operation, and committed to an advanced alert, these aircraft are dedicated to the specific operation by command directive, and brought to that state of readiness only through carefully planned, coordinated, and directed actions.

With reference to the second question, as to why were aircraft not sent to relieve the *Pueblo*, I would like to emphasize that contrary to articles that have been published in the newspapers, no decision was made at Fifth Air Force to not send aircraft to relieve the *Pueblo*. In fact, I personally made the decision to send aircraft, issued appropriate orders to effect such action and Fifth Air Force fighters were launched.

We began launching fighter aircraft out of Okinawa (where my only operationally ready combat units were located) as rapidly as possible. Unfortunately, they could not get to the scene prior to darkness or prior to the time that the *Pueblo* entered the three mile limit. Therefore after they landed in Korea, it was too late to refuel and relaunch in support of the *Pueblo*.

The first notification to my headquarters of the *Pueblo*'s predicament was by a secure phone call to a member of my staff. This was followed by two closely spaced critic messages citing the *Pueblo*'s position and first call for help. These were received in the Message Center at 1357 and 1407 Local (0457Z and 0507Z) respectively. Following receipt of the phone call, my staff plotted the ship's position, checked the availability of aircraft, and proceeded to my office where I was receiving a previously scheduled briefing. The staff members brought with them the message that had been received at 1407. I was personally notified and promptly briefed on the *Pueblo* situation at 1415 Local (0515Z). I immediately proceeded to my Command Center which was a two to three minute walk from my office, and placed near simultaneous phone calls to CINCPACAF in Hawaii and to the 18th Tactical Fighter Wing in Okinawa. While waiting for CINCPACAF to get to the secure phone in his headquarters, I directed the Commander of the 18th Wing to prepare all available aircraft for launch as soon as possible. Knowing that available aircraft would be in a normal training configuration, I directed that the first six aircraft be launched armed with 20 mm cannon only in order to expedite their arrival in South Korea.

About this time CINCPACAF came on the phone. I advised him of the *Pueblo* and its state of stress and of actions that I was taking. I further advised him that it was my intent to strike in support of the *Pueblo* provided I could get aircraft to the scene

prior to darkness and prior to the time the ship reached the three mile limit. CINCPACAF concurred in my actions and told me to carry on with my plans unless advised by him to the contrary. I then passed these instructions on to the Commander, 18th Tactical Fighter Wing, with the further instruction that his aircraft would stage through Osan, Korea, because the scene of action, with recovery in Korea, was beyond the range of the F-105s stationed in Okinawa.

I then directed all other Fifth Air Force units (which were all in the process of converting to a new type aircraft) to bring all possible aircraft to operational readiness and to prepare for deployment as rapidly as possible. The 18 TFW on Okinawa launched the first increment of aircraft at 1611 Local (0711Z), which was one hour and twenty-three minutes after I gave the order to launch. This involved recalling seven aircraft from training flights, diverting six from various stages of training preparation, servicing all aircraft, and briefing aircrews.

A later incoming critic message reported that the *Pueblo* had been boarded and had gone off the air at 1432 Local (0532Z). At 1645 Local (0745Z) CINCPAC Headquarters replotted the position of the *Pueblo* and reported the ship was estimated to be in the harbor at that time. It was somewhere around this time that I came to the unhappy conclusion that we would arrive too late to be of assistance to the *Pueblo* and so advised Headquarters PACAF. The first F-105s which were launched from Okinawa arrived at Osan at 1735 Local (0835Z). Sunset at Wonsan was 1741 Local (0841Z) and darkness at 1753 Local (0853Z). Obviously later arriving aircraft were also too late to be of assistance.

Therefore, in answer to the second question, Fifth Air Force aircraft were sent to relieve the *Pueblo* with orders to attack, but, regrettably, they could not get there before the ship was captured and in port.

Gentlemen, this concludes my prepared statement. I would be happy to respond to other questions that you may have at this time.

GENOCIDE: WE MUST ACT NOW— XXIX

Mr. PROXMIER. Mr. President: take 5 quarts of water, 6 pounds of human fatty acids; add 8 ounces of caustic soda. Boil for 2 or 3 hours, then cool.

As late as 25 years ago, this formula was practiced and perfected for the manufacture of soap. The second ingredient is stated correctly—it calls for "6 pounds of human fatty acid." A civilized mind can only be disgusted by such an unappetizing recipe.

And for the victory gardens of the Third Reich, after wide research and experiment, the perfect fertilizer proved to be the ashes of human bodies.

Dachau, Treblinka, Belsen, Auschwitz—these are but a handful of the places where Nazis flirled unceasingly with the most precious commodity we know, a human life. For example, at Auschwitz alone, 17 tons of gold were extracted from the dental fillings of slaughtered men, women, and children. As a caveat for those unfortunate living dead, an infant would be torn in two by ripping apart his legs.

Mr. President, my purpose in citing these atrocities, these crimes against humanity, is not to rekindle old flames of hatred and revenge or to encourage further retribution of those guilty, but rather to make a plea to the living. We must respect the sacrifice of these mil-

lions of fellow human beings, and we must at this time make a solemn vow that we will never again, as civilized people, allow such inhumane annihilation to occur on this earth.

For the last 20 years, the Genocide Convention has been stalled in the Foreign Relations Committee of the Senate. We cannot conveniently blame our inaction on the State Department, the Executive, or the House of Representatives. This time, the Senate alone and each of us as Senators must accept individual responsibility for our collective failure to act.

The very keystone in the defense of peace is universal condemnation of genocide. Let the Senate follow the lead of almost 70 other countries and now, in 1969, ratify the United Nations convention on genocide.

AN ABM APPROACH FOR HAWKS AND DOVES

Mr. HANSEN. Mr. President, the substantially modified anti-ballistic-missile system proposal endorsed by President Nixon on March 14 has given Members of Congress a rare opportunity. Those among us who have been labeled "hawks" or "doves," either by editorialists or self-professed, have the unusual chance to shed these labels and build themselves new images.

The administration's proposal bears the mark of the statesman—the mark of compromise, often so difficult to achieve but often so essential for the welfare of the United States and the people of this planet.

At the same time, this proposal does not compromise our national security, nor does it feed the costly fires of an arms race. It is a realistic and reasonable approach. It is the best offered to date.

Mr. Saul Friedman, of the Akron, Ohio, Beacon-Journal has made some observations about the administration proposal. I ask unanimous consent that they be printed in the RECORD.

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

NIXON'S "LITTLE ABM" HAS WINNER SIGNS
(By Saul Friedman)

WASHINGTON.—Once again, President Nixon is carrying water—or in this case anti-ballistic missiles (ABM)—on both shoulders.

But in his attempts to head down the middle of the ABM controversy, the President may have given his critics, especially Democrats, their first real reason to fight with the new administration. In short, the honeymoon may be at an end.

Yet a strong argument can be made that his plan for the deployment of the ABM, has given much more to the opponents of the missile system than to its supporters. For that reason it now has a better chance for approval in Congress.

At his Friday press conference, the President said he thought his plan would pass after a close vote. There were signs he may be correct.

Not only did Nixon withdraw the missiles from the cities, at least for the present, he also backed off even further from the original Johnson Administration deployment plan.

Here is what Nixon gave the ABM doves: He rejected a "thick" or "thin" system to protect the cities, thus deflating criticism

that it would not work, that it would be too costly, and that it would upset the strategic balance between the U.S. and the Soviet Union and begin a new round in the arms race.

He cut deployment of the ABM back from 15 sites in the Johnson Administration plan, to just two sites.

The primary purpose of Nixon's plan is to protect American Intercontinental Ballistic Missile (ICBM) sites, rather than cities. This would protect the U.S. ability to retaliate, or give a better "second strike." The Nixon plan strengthens the U.S. "deterrent," and may stabilize rather than upset the arms balance.

Finally, Nixon has reduced by nearly \$1 billion the Defense Department appropriations request for work on the ABM next year. The amount requested for the Johnson proposal was \$1.8 billion.

Nevertheless the hawks were more satisfied than the doves, because they too got some significant concessions.

Most important, if Nixon's plan is approved, the ABM foot will be through the door. Citing the beginning of other weapons systems which have grown like topsy, ABM critics expect that once started, the system will be unstoppable and will expand into a \$100 billion giant.

AN INDEPENDENT SMALL BUSINESS ADMINISTRATION

Mr. WILLIAMS of New Jersey, Mr. President, as chairman of the Subcommittee on Urban and Rural Economic Development of the Select Committee on Small Business, I am well acquainted with the plight of the urban small businessman.

In my home State of New Jersey, which is, as Senators know, highly industrialized and urbanized, I feel that the Small Business Administration has done a splendid job in dealing with the many business problems facing the urban small businessman. SBA has several excellent programs which can be tailored to the need of either the urban or rural small businessman. That agency has in almost every case brought these programs to bear effectively in resolving small business problems in New Jersey.

I have always considered one of the great advantages of small business to be that a small shopowner or storekeeper has an opportunity to meet his customers, hear their complaints, and make sure that his business measures up to his own high standard of excellence.

This same analogy is true with regard to the SBA. It is a small, decentralized, Government agency. SBA has field offices in every State in the Nation, and it is highly responsive to the people and vastly more effective than some of the larger bureaucracies centered in Washington.

I am concerned over recent reports and rumors that the SBA will be transferred to the Department of Commerce or in some way lose its status as an independent Federal agency. I think the majority of the Members of Congress and the Nation's small business community, which consists of over 5 million small concerns, strongly feel that the American small businessman deserves a forum, free from conflicting responsibilities to the large business community, to protect and promote his interests.

In terms of the difficulties facing today's urban small businessman, I want

to see the SBA remain independent; remain viable; and remain ready to translate its programs into responsive action without the lost motion engendered by cumbersome bureaucracy.

Mr. President, this matter of SBA's independence is not new to my colleagues in the Senate. Several years ago there was another effort to transfer the SBA into the Department of Commerce. The Senator from Alabama (Mr. SPARKMAN), the distinguished chairman of the Select Committee on Small Business at that time, led the fight to preserve SBA's independence, and now it appears that we must once again fight this same battle.

During the previous attempt to abolish the independence of SBA, I took the Senate floor to speak out against this proposed transfer. The remarks I made then are just as cogent today. Accordingly, I ask unanimous consent to have these remarks printed following the conclusion of my statement.

In summary, I can only urge Senators to give serious consideration to any attempt to downgrade or dilute the independent status of SBA. This is not now, nor has it ever been, a partisan battle. For over a decade and a half SBA has lived up to its mandate to aid, counsel, and assist small businessmen throughout the Nation. It seems highly illogical to tamper with this proven formula for success in these times of business uncertainties.

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

THE TALK ABOUT ABOLISHING THE SMALL BUSINESS ADMINISTRATION

Mr. WILLIAMS of New Jersey, Mr. President, continuing rumors that the Small Business Administration will be done away with or lose its status as an independent agency have become a matter of great concern to New Jersey voters and to me.

For the past 15 years there has been a clear line of support, on a bipartisan basis, for a program of intelligent concern for the problems of growing and dynamic independent businesses.

This has been shown in the formation of a Select Committee on Small Business in 1950, the enactment of the Small Business Act of 1953, the Small Business Investment Act of 1958, several small business provisions to the Revenue Act of 1964, and of course, the creation of the Small Business Administration.

However, the Senator from Alabama [Mr. SPARKMAN], who has been the acknowledged leader in this field during this period, was moved recently to comment on a current rumor that the Small Business Administration would be consolidated with the Department of Commerce and thus lose its identity.

It seems to me that the 15 years of solid support for SBA and its programs has reflected recognition by the Congress and the Presidency that the self-reliance and resourcefulness of independent business were basic national values.

The founders and those who are carrying on the nearly 5 million of these firms are not relying on quantities of Government aid or creating manifold problems. They are furnishing jobs, producing useful goods and services, and providing tax support for all levels of Government; and are thus helping to resolve many problems.

From my contacts with businessmen across the State of New Jersey, I know that the Small Business Administration is looked to by these people as a source of counsel, assistance, and individual consideration of

the special capital and other needs which they face. It is an instrument responsive to their special needs in this era when large numbers and large companies seem to be absorbing an increasing share of public attention.

I would deeply regret a departure from this position by the present administration which would be inherent in relegating the SBA to the status of a minor bureau in a large department which has many other responsibilities. Such a departure could be justified least of all on the basis of economy, since this little agency finances a large share of its operating expenses from the fees and interest it charges for loans and other services.

However, an unfortunate impression has already been created by the total abridgment of the small business loan program on October 11, 1965, and by the absence of action to fill the post of Administrator, which has now been vacant since September 8, 1965.

The Senator from Rhode Island [Mr. PELL] has described, in considerable detail, the progressive tightening of credit during the last half of 1965. He pointed out that this makes the role of the Small Business Administration as lender of last resort proportionately more important. The wisdom of Senator PELL's analysis was confirmed by the article of the Wall Street Journal of February 3, reporting that the Federal Reserve System has embarked on an overt program of rationing credit still further through its own operations, and through its considerable influence on its member banks.

As the Federal Reserve readily admits, small businesses are the first to suffer. The article, which is entitled "Federal Reserve Urges Banks To Be More Choosy in Parceling Out Loans," is explicit as to such disadvantages.

I ask unanimous consent that the article and the Small Business Committee Newsletter of January 30, be printed following my remarks, for the information of the Members of this body.

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

(See exhibit 1.)

Mr. WILLIAMS of New Jersey. Mr. President, it would certainly be curious to have an administration, which has expressed concern over quality in society, allow the impression to become more firmly established that an historically important group is not a part of this concern.

Mr. President, it is my hope that the administration will put a quick end to the rumor by taking the action necessary to restore leadership, funds, and morale to the Small Business Administration.

EXHIBIT 1

[From the Wall Street Journal, Feb. 3, 1966]

RATIONING CREDIT—FEDERAL RESERVE URGES BANKS BE MORE CHOOSY IN PARCELING OUT LOANS—IT COUNSELS CHANNELING FUNDS TO SPUR PRODUCTION GAINS, CURB SPECULATIVE ACTIVITY—IMPACT ON VARIED BORROWERS

(By Lee Silberman)

NEW YORK.—Voluntary tight money?

The Federal Reserve System is not using that name for a policy it is now urging on the Nation's banks. But it does seem to be moving toward a domestic version of the program under which, since last March, U.S. banks have been supposed to hold down voluntarily their lending abroad, to help solve the U.S. balance-of-payments problem.

In the foreign program, the increase in loans by U.S. banks is supposed to be held to a percentage figure set by the Government. No such formal limit has been set in the still unnamed domestic program. But bankers say the Fed has been warning them that it will not increase the lendable funds it

supplies them with as rapidly this year as it did in 1965. Moreover, bankers say, there have been warnings that the Fed will restrict the growth of bank credit even more than it now contemplates unless bankers make sure the loans they do grant are made to further productive activity—and not to finance speculation of any kind.

Bankers thus may make heavier than expected use of a slim booklet, being mailed to them by coincidence this week by the American Bankers Association, which helpfully suggests 15 different reasons for turning down a businessman's request for a loan. Last year the Nation's commercial banks increased the total business loans on their books by a whopping \$11 billion, or 19 percent and demand for such credit is expected to continue heavy this year. But assuming the present Fed policy wins their cooperation—and the Fed has potent weapons it can use to make sure that it does—the bankers in 1966 will find themselves saying "No" to many loan applications, and "we can't give you as much as you want" to many more. Interest rates on various types of loans are likely to rise at least a bit more, too.

Here's what this policy is likely to mean to various types of borrowers:

National corporations with top credit ratings probably will get smaller loans from banks where they now have lines of credit. Other banks will be reluctant to establish new lines of credit for them unless the banks are assured that the corporations will remain as customers for some time. Even then, the corporations will be urged to borrow more funds for long-term needs in the bond market rather than from banks.

Larger regional and local businesses will be able to borrow only for their most essential needs. And some will be encouraged to go after long-term financing, rather than seeking short-term loans.

Small businesses, such as "ma and pa" stores, probably will be able to borrow as much money as before. But they may have to pay interest on it at installment-loan rates, which are higher than the straight business-loan rates they have been paying.

Consumers in all likelihood will continue to get all the credit they qualify for to finance purchases of autos, appliances, and similar goods, and on personal loans.

Mortgage borrowers, however, may find loan money for both residential and commercial mortgages drying up at many banks.

Bankers see one "out" for many fund-seekers: Borrowers, they believe, will turn more heavily to factoring and commercial-finance companies, personal-loan concerns and Government lending agencies for the funds the banks will not let them have.

But the bankers expect this to bring only temporary relief to the borrowers. Many of these lenders themselves borrow from banks the funds they re-lend—so, as credit tightens at the banks, these lenders also will have to become more choosy in extending credit, bankers believe. Their interest rates are likely to rise too, bankers say, if those rates are not already bumping against legal ceilings.

The reason for this Federal Reserve advice to bankers, of course, is fear of inflationary overheating of the economy, due largely to heavy spending for the Vietnam war. The Fed took an orthodox step toward tightening credit last December by boosting the discount rate it charges on loans to commercial banks to 4.5 percent from 4 percent. This already has kicked up interest rates on many bank loans. Larger commercial banks have raised to 5 percent from 4.5 percent their prime interest rate to their biggest and most credit-worthy customers, generally national corporations: most other bank lending charges scale upward from the prime rate.

ABNORMAL CONDITIONS

Normally the Fed, if it wanted to tighten up further, would proceed to reduce gradu-

ally the amount of reserves it supplies the banking system on a day-to-day basis. It has apparently been trying to do this, but various circumstances have prevented it from moving as fast as it may have wanted to. The New York transit strike and snowstorms in many areas of the country, for instance, have dictated temporary extensions of more credit to banks—and thus, indirectly, to their hard-pressed customers—than the Fed perhaps would have made available otherwise.

Moreover, it takes time for a policy of gradual credit restraint, pursued under the Reserve System's normal tradition of silence, to become obvious and to take effect. And the Fed apparently feels it can't wait to get its message across, as inflationary trends appear to be gaining steam. One indication: The Consumer Price Index in December rose to a record 111 percent of the 1957-59 average, up 2 percent from December 1964 for the biggest calendar-year rise in 7 years.

Accordingly, bankers have begun hearing some unusual speeches, such as one delivered early this week by William F. Treiber, first vice president of the New York Federal Reserve Bank, to top commercial-bank credit policymakers at a New York conference sponsored by the American Bankers Association.

Mr. Treiber urged the bankers to be more selective in granting loan requests and went further to lay down some guidelines as to the types of loans he thought should be refused. One example: "A loan—to a company—to purchase an additional plant or company, where no overall increase of production will result."

Some bankers who heard him were well aware that, during the Korean war, Mr. Treiber helped run the New York end of a program under which district Federal Reserve banks organized committees that gave commercial banks and other leaders guidance on what kind of loans to grant. Ordinarily the committees advised refusal of loans that did not promise to help boost national production.

The week before Mr. Treiber's talk, Alfred Hayes, president of the New York Reserve bank, told a State banking group that the amount of reserves the Fed furnishes to banks this year will be determined in part "by the extent to which bankers themselves exercise good judgment and are selective in meeting credit needs."

OPEN-MOUTH POLICY

The bankers' interpretation: The Federal Reserve has embarked on an unusual "open-mouth" policy to achieve credit restraint by indirection. "In a word, the Fed wants us to get down in earnest to rationing credit," says a senior official of a leading New York bank.

At the same credit conference that Mr. Treiber addressed, Archie K. Davis, chairman of Wachovia Bank & Trust Co., Winston-Salem, N.C., and president of the American Bankers Association, warned the assembled bankers that "failure to exercise voluntary but prudent restraints now can lead to stricter regulatory controls later." He was referring not only to restraint in granting loans, but to a feeling of concern, also noted by Mr. Treiber, that some banks may be paying too high an interest rate to obtain certificates of deposit, under which corporations deposit temporarily idle funds in banks for a stated time period. Certificates of deposit have become a major instrument by which banks obtain funds to make loans.

Credit rationing of a sort had begun even before the Federal Reserve launched its "open month" campaign. Many months before they raised the prime rate last fall, big banks went through their lists of prime-rate customers and pruned out many—in effect downgrading their credit status and forcing them to borrow at higher interest.

OUTSTANDING LOANS REVIEWED

More recently, many large banks have begun scrutinizing the credit-worthiness of

their customers more closely, and have become more choosy about what loans they would grant. Some weeks ago one big New York City bank gave each of its many lending officers revised policy guidelines. These instructions call for each officer to review the loans he has made and cull out the ones made to finance less essential activities. These loans probably won't be renewed.

Most banks further have become more insistent that business borrowers maintain minimum compensatory balances, ordinarily 20 percent of the loan, in their accounts. In the past 4 years or so, during which banks were beating the bushes to find borrowers, such requirements often weren't enforced.

The banks have been reacting to a squeeze resulting from an interaction of expansionary forces in the economy and Fed policy. Major corporations have been demanding more and larger loans because their plans for expansion are increasing faster than they can generate the funds internally from depreciation reserves and retained profits. At the same time, with less idle cash in their tills, they are no longer increasing their buying of certificates of deposit from the banks. And the Federal Reserve System has not been extending credit to the banks fast enough to supply the funds to meet all the loan demand.

Despite this policy, and the clear desire of the Federal Reserve to see tighter credit rationing by the banks, bankers believe the Fed will supply enough reserves to permit at least some modest continued expansion in lending.

GOAL: A SLOWER INCREASE

William F. Butler, vice president and economist of Chase Manhattan Bank, told the American Bankers Association credit conference that, while he expected the Federal Reserve to bring about some tightening of credit and higher interest rates, he did not believe the Fed's objective was "to choke off credit by excessive tightness (or) to raise interest rates for the sake of higher rates. The objective rather is to slow down a rate of increase in credit which threatens to feed inflation."

Another New York banker puts the same thought more pithily: "This won't be the year the money runs out."

Bankers disagree on whether the Fed's tighter credit policy is likely to be accompanied by another boost in the discount rate soon. Milton F. Darr, Jr., president of LaSalle National Bank, Chicago, speaks for many in predicting that the discount and prime rates will move up again in 60 to 90 days, to check inflationary pressures.

Andrew Benedict, president of First American National Bank, Nashville, Tenn., differs, "The System is going to see to it that the economy's credit requirements are met," he says, "and so long as the banks are selective enough to see to it that the credit gets into the hands of those who are entitled to it, no further action may be needed."

POLITICAL FACTORS

This disagreement on what is likely to happen to the discount rate partly reflects differing banker assessments of the political pressures involved. Treasury Secretary Fowler and several Congressmen vigorously opposed the discount-rate boost last December, on the ground that higher interest rates would slow the growth of the economy, and President Johnson himself expressed displeasure with the boost. Last Sunday, Mr. Fowler again said he didn't see any need for a further increase in the discount rate now.

Some bankers expect these views to weigh heavily with the Federal Reserve. "This is one area where you simply can't lose sight of the political ramifications," says a Philadelphia banker.

Other bankers, however, contend that lately the views of some administration aids have begun to coincide more closely with the Fed-

eral Reserve opinion that inflation is emerging as the major threat to economic stability. "The President in his recent messages to Congress seems to be putting himself in a flexible position of condoning tighter money if that's the only way out," says a New York banker.

WEEKLY STAFF REPORT TO THE SENATE SMALL BUSINESS COMMITTEE, JANUARY 29, 1966

SBA's regular business loan program termed Budget Bureau's "whipping boy" in hearings by the Banking Committee's Subcommittee on Small Business on S. 2729 and the plight of the small business agency's depleted revolving fund.

Pointing out that for part of 8 out of 11 years, "this program was either suspended or the loan limit vastly limited," Senator PROXMIER, subcommittee chairman, stated: "I think a strong case can be made * * * that SBA's regular business loan program has long been made the 'whipping boy' by the Budget Bureau."

"There has been no suspension or curtailment of SBA's disaster loan program. To date there has been no shortage of funds for small business investment companies and State and local development company loans. There have been restrictions on these programs by Budget, but no shutdown has been necessary as has so often been the case in the regular business loan program."

Senator Sparkman, referring to hearings held on the same subject by the Senate Small Business Committee on December 15, said: "I do not know of anything that has distressed me more than the beating that the small business program has taken over the last 6, 7, or 8 months. I find it almost impossible to explain to small businessmen from my State what is happening to small business. I think it is a terrible situation and one that surely ought to be corrected."

Commenting on current rumors that an effort may be made to tamper with SBA's status as an independent agency, Senator Sparkman asserted: "I think it would be very bad to merge (SBA) with the Department of Commerce, and I certainly hope that these rumors we hear may prove to be baseless."

S. 2729, introduced last year by Senator Proxmire and Senator McIntyre, would replace SBA's present single revolving fund, in which funds for all of the agency's lending activities are commingled, by three separate funds: for regular business loans and title IV loans under the Economic Opportunity Act of 1964; for disaster loans; and for loans under the Small Business Investment Act of 1958.

Committee's Subcommittee on Government Procurement held hearing to take testimony from top defense purchasing officials on the effectiveness of their small business programs.

Senator Montoya, presiding, said in his opening statement: "We expect to hear today that overall the small business program in the military departments reached an all time high during 1965. The complacency that this achievement could conceivably engender, coupled with problems of accelerated purchasing under the present international emergency, could bring on new problems for the small business procurement program during the current year."

John M. Malloy, Deputy Assistant Secretary of Defense for Procurement, told the subcommittee that: "In fiscal year 1965, small business received 20.3 percent of the total awards to all U.S. business firms compared with 18 percent for fiscal 1964. During this period, there was a decided decline in awards for missiles and space systems, and increases in commercial type items, small purchases and construction. These changes in product mix have been favorable to small business firms."

The Defense Department's overall goal for

small firms' share of defense purchases in fiscal 1966 has been set at 18.3 percent.

A DEDICATED CAREER OF SERVICE

Mr. BYRD of West Virginia. Mr. President, an article entitled "Friend of the Handicapped" in the March 23 Sunday Gazette Mail of Charleston, W. Va., provides an excellent insight into the work that is being done in my State for the physically and mentally handicapped.

In the little over 20 years that a real statewide program has been in effect to assist the mentally retarded, the deaf, the blind, and other handicapped persons, thousands of West Virginians have been given the means to help themselves toward a better and more productive life.

One man is due much of the credit for the very real progress that has been made. He is F. Ray Power, the former director of the State division of vocational rehabilitation, who is now retired.

Mr. Power is the principal subject of the article to which I allude, and the credit which is given him, in my judgment, is well deserved.

Under his guidance, the program which aided 60 persons in 1944 grew to the point that approximately 4,000 persons were rehabilitated in 1966. He expanded the State rehabilitation effort from a \$20,000 budget and a staff of six to a budget of more than \$6 million and a staff of nearly 600.

As he himself points out, all that should be done for the handicapped is not yet being done. But an effective and humanitarian program to achieve this end is under way in West Virginia, thanks in large measure to his farsighted dedication.

I believe others who are interested in rehabilitation will find the Gazette-Mail article by Edward Peeks of interest, and I ask unanimous consent that it be printed in the RECORD.

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

FRIEND OF THE HANDICAPPED

(By Edward Peeks)

The physically and mentally handicapped have a lot of friends nowadays, but none quite like F. Ray Power, former director of the State Division of Vocational Rehabilitation.

Power says an estimated 251,000 handicapped West Virginians need more friends, especially those who understand the difference between token help and community-supported programs for the mentally retarded, the deaf, the blind and other handicapped persons.

A substantial program, he says, "is the kind of thing that is hard to promote on an adequate basis. You get some token help, talk about it and put it in the newspaper. But that doesn't mean that the handicapped is being helped."

"The service in this area has been an evolving sort of thing and it has come pretty slow," he adds, looking back to 1941 when the Neely Administration appropriated \$25,000 for "special education" to give West Virginia its first real start on a program for the handicapped.

That sum is a mere pittance by contrast with state funds today for educational and medical services for the handicapped, to say nothing of federal aid which usually amounts to \$3 for every \$1 spent by the state.

More money through the years has helped

to attract more friends for the handicapped. Some are fairweather friends who go for token help, but most are well-meaning and together they get results.

Although he retired in 1966 at the age of 68 as state rehabilitation chief, Power has continued his interest in various programs for the handicapped.

He hastens to add, "I don't interfere with the programs of the State Division of Vocational Rehabilitation. I don't want to get in anybody's way or create any problems for others." He smiles. "Those in charge have enough problems without my creating any for them."

Power continues his service on various advisory boards for the handicapped. As a private citizen, he makes it a point to attend public meetings and to talk with public officials about the needs and problems of the handicapped.

It is almost as though he prepared for the role of "roving ambassador for the handicapped" after he retired as state rehabilitation director.

For then he became director of a two-year statewide study of vocational rehabilitation needs. The project was funded by an \$89,000 grant from the U.S. Department of Health, Education and Welfare.

The result was a comprehensive state plan turned over to Gov. Hulett C. Smith. The report contained recommendations to make vocational rehabilitation services available to all eligible West Virginians by 1975.

The study found that 71,832 persons were in need of rehabilitation or sheltered workshop services.

It was a fresh store of information for Power to add to a wealth of experience to be used in his continuing efforts for the handicapped.

A major concern is for better state mental hospital facilities which he believes are now run-down and completely inadequate to offer services that the mentally ill require.

He has written and talked to legislators about the problem. He wants the state to have a bond program for capital improvements to make mental hospitals safe and adequate for patients.

"We need a capital outlay program for state institutions," Power says. "In my judgment, it is something that has been neglected. There are liberal programs for campus buildings. In addition, they went around to the backdoor to do the same thing by authorizing the use of tuition fees for building."

"There has been very little capital improvement in state mental institutions which I think now are at a very dangerous point. They perhaps have a better case for using fees than colleges."

This problem, he contends, points up the difficulty of providing help for the handicapped.

"It is hard to get something for the handicapped as opposed to people who can help themselves," he says. "People who can help themselves do so by getting special appropriations and the use of fees, for example, for capital improvements."

The State Mental Health Department asked the legislature again this year to approve a bond program for capital improvements. A similar request died in committee last year.

Power says a capital outlay program is needed to help communities establish comprehensive mental health programs and sheltered workshops for the handicapped turned up by the federally sponsored study. "A handicapped person pays 10 times more in taxes than money required to rehabilitate him," Power observes. "Token programs are good if they demonstrate how a thing can be done."

More help for the handicapped, like the question of more aid for any other group of citizens, brings up the matter of tax money.

"We overemphasize consumer taxes and they fall too heavily on poor people," Power says.

He thinks Gov. Arch Moore has the right idea to make business and industry put more in the tax till. The legislature lifted consumer sales and use tax exemptions on merchandise and equipment used by manufacturers and other industries, including wholesalers, retailers and contractors.

"One of the difficulties in helping the poor or the handicapped is that they are thought about after the tax money is divided among the people who can help themselves," Power says.

"There has been a change in public attitude about this, but it is a traditional way of thinking and doing," he continues. "It is one reason why we have gone only so far in special education for the handicapped. These children need more help because they have more problems, but the public doesn't look at it that way."

This attitude encourages specialists and counselors to work with the easy cases among the physically and mentally handicapped rather than the difficult cases.

"Federal-state programs offer a lot of leeway, not specifying the number of deaf, blind or any other group to be trained," Power explains. "The tendency is to work with the more promising cases."

The matter of selection brings up the charge of questionable practices by the national prize-winning State Rehabilitation Center during Power's administration.

Some West Virginia critics accused the center of juggling figures and indulging in statistical sleight of hand to win the national award year after year for most cases of rehabilitation per capita in the nation.

A Charleston columnist made the charge and drew swift reactions from Power, who wanted the public to have the facts about the matter, as opposed to endless speculation and sour grapes.

Power says he offered the columnist the center's records and the names of federal officials with whom he might discuss the question. The columnist accepted the offer on condition that he would publish his findings.

"Later, he said he was sorry he made the mistake," Power recalled, "but he never said a damn thing about it in the newspaper."

Power believes that the 1966 Community Services Report—a study of public and private health, welfare and recreation services in Kanawha Valley—raised some reasonable and understandable questions about the performance of the State Rehabilitation Center as a community group.

He says, however, that the center is a state agency, not a Kanawha Valley community institution. Criticism of the number of persons helped and the amount of money spent should be made and regarded in the light of the fact that the center is obligated to serve the entire state.

Then, too, Power says the center uses the team approach to help difficult cases and "work in depth" on the physically and mentally handicapped.

He stressed help for difficult cases among miners with broken bodies resulting from accidents on the job. Many would have been disabled for life without treatment, therapy and training in depth to overcome handicaps.

"Many were young men with several injuries," Power says. "Some were partially paraplegic and others were completely paraplegic."

"The United Mine Workers would send cases to New York and California for treatment. We made provisions to continue treatment of such cases or take care of them entirely at home."

The agency makes intensive treatment and training available to the blind, the deaf and other handicapped persons, including the mentally retarded.

The team approach offers medical, psychological and vocational services to meet the needs of the individual client. If a retardate,

for example, needs corrective surgery and eyeglasses, the agency sees to it that he gets these and sheltered workshop training as well.

The workshop was established at the center in 1965, during what Power termed "an affluent period" for the handicapped which President John F. Kennedy started in 1961.

"The word from Washington was that if you had something (idea or plan) to help people, you could get money for it," Power recalls. "That was during the period we were developing the center."

Power and his staff had ideas about other facilities for the handicapped. The state made massive federal assistance possible by appropriating a half million dollars for the agency to match money from Washington.

The West Virginia rehabilitation chief further parlayed federal aid for the handicapped with the cooperation of other state agencies, particularly the Mental Health Department.

The department, for example, furnished staff for workshop facilities built on hospital grounds. In this way, the staff provided "contributions in kind" to match federal money for facilities at each of the state's five mental hospitals.

"To our knowledge, we were the first state in the nation to get Hill-Burton funds for a crib school at St. Marys," Power says of help for mentally retarded children through the federal program for building hospitals and health facilities.

"The appropriation doubled from \$400,000 to \$800,000 for the residential school," he adds.

A member of the State Board of Education quipped at a meeting after Power retired as rehabilitation chief, "Maybe we can find out now how F. Ray Power got all that money to build buildings."

It is no secret or mystery. "I learned where and how funds could be gotten and how they could be used," Power explains.

His agency started pilot projects in co-operation with county school systems for training retardates. Projects were set up in Wheeling, Huntington and Bluefield. They are now ongoing programs.

"All that is being done to help the mentally ill and the mentally retarded is still inadequate," Powers says.

He has received numerous awards and citations for his work with the handicapped, which actually began in a formal way in 1933. He was then made deputy assistant to the state superintendent of schools in charge of vocational rehabilitation. He became rehabilitation director in 1944.

In 1960, Shepherd College honored the native of Hampshire County as Outstanding Alumnus of the Year. He earned a bachelor's degree at West Virginia University and a master's at Columbia. He holds a Phi Beta Kappa key.

Power formerly taught in Hampshire County and at Glenville State College. He was once principal of Woodrow Wilson Junior High School in Charleston.

He expanded the state rehabilitation program from a staff of four and a \$20,000 budget to a staff of nearly 600 and a budget totaling more than \$6 million.

The program rehabilitated 60 persons in 1944 as compared with about 4,000 in 1966.

In addition to other volunteer work, Power is income and employment advisor to the West Virginia Commission on Aging.

With a sparkle in his dark eyes, he says, "Of course, I'm interested in maintaining some income for myself."

He and Mrs. Power are parents of two daughters.

A GENERATION IN SEARCH OF A FUTURE

Mr. SAXBE. Mr. President, many people have recently expressed alarm about the current student unrest in our

universities and on our college campuses, but very few have addressed themselves to the source of the discontent. I have often said that we ought to stop and listen to our youth because, just maybe, they are trying to tell us something.

Recently someone did stop and listen. In a brilliant speech printed in the current issue of the New Yorker, George Wald addressed himself to the causes of student unrest. The article is timely because it relates the problem of student unrest with the proposed deployment of the anti-ballistic missile system. I have made my opposition to the deployment of the ABM known. I have expressed my doubts about its military effectiveness, enormous cost, and adverse affect on possible disarmament talks. The proposed deployment of the ABM arouses my fear of the military-industrial complex of which President Eisenhower warned.

I believe that Professor Wald's speech should be called to the attention of all my colleagues because his insights cannot be confined to student unrest, but should be applied to the current malaise confronting our country. I, therefore, commend it to my colleagues, and ask unanimous consent that it be printed at this point in the RECORD.

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

A GENERATION IN SEARCH OF A FUTURE
(Speech by George Wald)

On Tuesday, March 4th, in the Kresge Auditorium at the Massachusetts Institute of Technology, a group of scientists assembled, with students and others, to discuss the uses of scientific knowledge. There is nothing we might print in these columns that could be more urgent than the extemporaneous speech, made before that gathering by George Wald, professor of biology at Harvard and Nobel Prize winner, under the title "A Generation in Search of a Future." We therefore quote from it here at length:

"All of you know that in the last couple of years there has been student unrest, breaking at times into violence, in many parts of the world: in England, Germany, Italy, Spain, Mexico, Japan, and, needless to say, many parts of this country. There has been a great deal of discussion as to what it all means. Perfectly clearly, it means something different in Mexico from what it does in France, and something different in France from what it does in Tokyo, and something different in Tokyo from what it does in this country. Yet, unless we are to assume that students have gone crazy all over the world, or that they have just decided that it's the thing to do, it must have some common meaning.

"I don't need to go so far afield to look for that meaning. I am a teacher, and at Harvard I have a class of about three hundred and fifty students—men and women—most of them freshmen and sophomores. Over these past few years, I have felt increasingly that something is terribly wrong—and this year ever so much more than last. Something has gone sour, in teaching and in learning. It's almost as though there were a widespread feeling that education has become irrelevant.

"A lecture is much more of a dialogue than many of you probably realize. As you lecture, you keep watching the faces, and information keeps coming back to you all the time. I began to feel, particularly this year, that I was missing much of what was coming back. I tried asking the students,

but they didn't or couldn't help me very much.

"But I think I know what's the matter. I think that this whole generation of students is beset with a profound uneasiness, and I don't think that they have yet quite defined its source. I think I understand the reasons for their uneasiness even better than they do. What is more, I share their uneasiness.

"What's bothering those students? Some of them tell you it's the Vietnam War is the most shameful episode in the whole of American history. The concept of war crimes is an American invention. We've committed many war crimes in Vietnam—but I'll tell you something interesting about that. We were committing war crimes in World War II, before the Nuremberg trials were held and the principle of war crimes was stated. The saturation bombing of German cities was a war crime. Dropping those atomic bombs on Hiroshima and Nagasaki was a war crime. If we had lost the war, it might have been our leaders who had to answer for such actions. I've gone through all that history lately, and I find that there's a gimmick in it. It isn't written out, but I think we established it by precedent. That gimmick is that if one can allege that one is repelling or retaliating for an aggression, after that everything goes.

"And, you see, we are living in a world in which all wars are wars of defense. All War Departments are now Defense Departments. This is all part of the doubletalk of our time. The aggressor is always on the other side. I suppose this is why our ex-Secretary of State Dean Rusk went to such pains to insist, as he still insists, that in Vietnam we are repelling an aggression. And if that's what we are doing—so runs the doctrine—everything goes. If the concept of war crimes is ever to mean anything, they will have to be defined as categories of *acts*, regardless of alleged provocation. But that isn't so now.

"I think we've lost that war, as a lot of other people think, too. The Vietnamese have a secret weapon. It's their willingness to die beyond our willingness to kill. In effect, they've been saying, 'You can kill us, but you'll have to kill a lot of us; you may have to kill all of us. And, thank heaven, we are not yet ready to do that.'

"Yet we have come a long way toward it—far enough to sicken many Americans, far enough to sicken even our fighting men. Far enough so that our national symbols have gone sour. How many of you can sing about the rockets' red glare, the bombs bursting in air without thinking, 'Those are our bombs and our rockets, bursting over South Vietnamese villages? When those words were written, we were a people struggling for freedom against oppression. Now we are supporting open or thinly disguised military dictatorships all over the world, helping them to control and repress peoples struggling for their freedom.'

"But that Vietnam war, shameful and terrible as it is, seems to me only an immediate incident in a much larger and more stubborn situation.

"Part of my trouble with students is that almost all the students I teach were born after World War II. Just after World War II, a series of new and abnormal procedures came into American life. We regarded them at the time as temporary aberrations. We thought we would get back to normal American life someday.

"But those procedures have stayed with us now for more than twenty years, and those students of mine have never known anything else. They think those things are normal. They think that we've always had a Pentagon, that we have always had a big Army, and that we have always had a draft. But those are all new things in American life, and I think that they are incompatible with what America meant before.

"How many of you realize that just before World War II the entire American Army, including the Air Corps, numbered a hundred and thirty-nine thousand men? Then World War II started, but we weren't yet in it, and, seeing that there was great trouble in the world, we doubled this Army to two hundred and sixty-eight thousand men. Then, in World War II, it got to be eight million. And then World War II came to an end and we prepared to go back to a peacetime Army, somewhat as the American Army had always been before. And, indeed, in 1950—you think about 1950, our international commitments, the Cold War, the Truman Doctrine, and all the rest of it—in 1950, we got down to six hundred thousand men.

"Now we have three and a half million men under arms: about six hundred thousand in Vietnam, about three hundred thousand more in 'support areas' elsewhere in the Pacific, about two hundred and fifty thousand in Germany. And there are a lot at home. Some months ago, we were told that three hundred thousand National Guardsmen and two hundred thousand reservists—so half a million men—had been specially trained for riot duty in the cities.

"I say the Vietnam war is just an immediate incident because as long as we keep that big Army, it will always find things to do. If the Vietnam war stopped tomorrow, the chances are that with that big a military establishment we would be in another such adventure, abroad or at home, before you knew it.

"The thing to do about the draft is not to reform it but to get rid of it.

"A peacetime draft is the most un-American thing I know. All the time I was growing up, I was told about oppressive Central European countries and Russia, where young men were forced into the Army, and I was told what they did about it. They chopped off a finger, or shot off a couple of toes, or, better still, if they could manage it, they came to this country. And we understood that, and sympathized, and were glad to welcome them.

"Now, by present estimates, from four to six thousand Americans of draft age have left this country for Canada, two or three thousand more have gone to Europe, and it looks as though many more were preparing to emigrate.

"A bill to stop the draft was recently introduced in the Senate (S. 503), sponsored by a group of senators that runs the gamut from McGovern and Hatfield to Barry Goldwater. I hope it goes through. But I think that when we get rid of the draft we must also drastically cut back the size of the armed force.

"Yet there is something ever so much bigger and more important than the draft. That bigger thing, of course, is the militarization of our country. Ex-President Eisenhower, in his farewell address, warned us of what he called the military-industrial complex. I am sad to say that we must begin to think of it now as the military-industrial-labor-union complex. What happened under the pleas of the Cold War was not alone that we built up the first big peacetime Army in our history but that we institutionalized it. We built, I suppose, the biggest government building in our history to run it, and we institutionalized it.

"I don't think we can live with the present military establishment, and its eighty-billion-dollar-a-year budget, and keep America anything like the America we have known in the past. It is corrupting the life of the whole country. It is buying up everything in sight: industries, banks, investors, scientists—and lately it seems also to have bought up the labor unions.

"The Defense Department is always broke, but some of the things it does with that eighty billion dollars a year would make Buck Rogers envious. For example, the Rocky Mountain Arsenal, on the outskirts of Den-

ver, was manufacturing a deadly nerve poison on such a scale that there was a problem of waste disposal. Nothing daunted, the people there dug a tunnel two miles deep under Denver, into which they have injected so much poisoned water that, beginning a couple of years ago, Denver has experienced a series of earth tremors of increasing severity. Now there is grave fear of a major earthquake. An interesting debate is in progress as to whether Denver will be safer if that lake of poisoned water is removed or is left in place.

"Perhaps you have read also of those six thousand sheep that suddenly died in Skull Valley, Utah, killed by another nerve poison—a strange and, I believe, still unexplained accident, since the nearest testing seems to have been thirty miles away.

"As for Vietnam, the expenditure of firepower there has been frightening. Some of you may still remember Khe Sanh, a hamlet just south of the Demilitarized Zone, where a force of United States Marines was beleaguered for a time. During that period, we dropped on the perimeter of Khe Sanh more explosives than fell on Japan throughout World War II, and more than fell on the whole of Europe during the years 1942 and 1943.

"One of the officers there was quoted as having said afterward, 'It looks like the world caught smallpox and died.'

"The only point of government is to safeguard and foster life. Our government has become preoccupied with death, with the business of killing and being killed. So-called defense now absorbs sixty per cent of the national budget, and about twelve per cent of the Gross National Product.

"A lively debate is beginning again on whether or not we should deploy antiballistic missiles, the ABM. I don't have to talk about them—everyone else here is doing that. But I should like to mention a curious circumstance. In September, 1967, or about a year and a half ago, we had a meeting of M.I.T. and Harvard people, including experts on these matters, to talk about whether anything could be done to block the Sentinel system—the deployment of ABMs. Everyone present thought them undesirable, but a few of the most knowledgeable persons took what seemed to be the practical view: 'Why fight about a dead issue? It has been decided, the funds have been appropriated. Let's go on from there.'

"Well, fortunately, it's not a dead issue.

"An ABM is a nuclear weapon. It takes a nuclear weapon to stop a nuclear weapon. And our concern must be with the whole issue of nuclear weapons.

"There is an entire semantics ready to deal with the sort of thing I am about to say. It involves such phrases as 'Those are the facts of life.' No—these are the facts of death. I don't accept them, and I advise you not to accept them. We are under repeated pressure to accept things that are presented to us as settled—decisions that have been made. Always there is the thought: Let's go on from there. But this time we don't see how to go on. We will have to stick with these issues.

"We are told that the United States and Russia, between them, by now have stockpiled nuclear weapons of approximately the explosive power of fifteen tons of TNT for every man, woman, and child on earth. And now it is suggested that we must make more. All very regrettable, of course, but 'those are the facts of life.' We really would like to disarm, but our new Secretary of Defense has made the ingenious proposal that now is the time to greatly increase our nuclear armaments, so that we can disarm from a position of strength.

"I think all of you know there is no adequate defense against massive nuclear attack. It is both easier and cheaper to circumvent any known nuclear-defense system than to provide it. It's all pretty crazy.

At the very moment we talk of deploying ABMs, we are also building the MIRV, the weapon to circumvent ABMs.

"As far as I know, the most conservative estimates of the number of Americans who would be killed in a major nuclear attack, with everything working as well as can be hoped and all foreseeable precautions taken, run to about fifty million. We have become callous to gruesome statistics, and this seems at first to be only another gruesome statistic. You think, Bang!—and next morning, if you're still there, you read in the newspapers that fifty million people were killed.

"But that isn't the way it happens. When we killed close to two hundred thousand people with those first, little, old-fashioned uranium bombs that we dropped on Hiroshima and Nagasaki, about the same number of persons were maimed, blinded, burned, poisoned, and otherwise doomed. A lot of them took a long time to die.

"That's the way it would be. Not a bang and a certain number of corpses to bury but a nation filled with millions of helpless, maimed, tortured, and doomed persons, and the survivors huddled with their families in shelters, with guns ready to fight off their neighbors trying to get some uncontaminated food and water.

"A few months ago, Senator Richard Russell, of Georgia, ended a speech in the Senate with the words 'If we have to start over again with another Adam and Eve, I want them to be Americans; and I want them on this continent and not in Europe. That was a United States senator making a patriotic speech. Well, here is a Nobel laureate who thinks that those words are criminally insane.

"How real is the threat of full-scale nuclear war? I have my own very inexpert idea, but, realizing how little I know and fearful that I may be a little paranoid on this subject, I take every opportunity to ask reputed experts. I asked that question of a distinguished professor of government at Harvard about a month ago. I asked him what sort of odds he would lay on the possibility of full-scale nuclear war within the foreseeable future. 'Oh,' he said comfortably, 'I think I can give you a pretty good answer to that question. I estimate the probability of full-scale nuclear war, provided that the situation remains about as it is now, at two per cent per year.' Nobody can do the simple calculation that shows that two per cent per year means that the chance of having that full-scale nuclear war by 1990 is about one in three, and by 2000 it is about fifty-fifty.

"I think I know what is bothering the students. I think that what we are up against is a generation that is by no means sure that it has a future.

"I am growing old, and my future, so to speak, is already behind me. But there are those students of mine, who are in my mind always; and there are my children, the youngest of them now seven and nine, whose future is infinitely more precious to me than my own. So it isn't just their generation; it's mine, too. We're all in it together.

"Are we to have a chance to live? We don't ask for prosperity, or security. Only for a reasonable chance to live, to work out our destiny in peace and decency. Not to go down in history as the apocalyptic generation.

"And it isn't only nuclear war. Another overwhelming threat is in the population explosion. That has not yet even begun to come under control. There is every indication that the world population will double before the year 2000, and there is a widespread expectation of famine on an unprecedented scale in many parts of the world. The experts tend to differ only in their estimates of when those famines will begin. Some think by 1980; others think they can be staved

off until 1990; very few expect that they will not occur by the year 2000.

"That is the problem. Unless we can be surer than we now are that this generation has a future, nothing else matters. It's not good enough to give it tender, loving care, to supply it with breakfast foods, to buy it expensive educations. Those things don't mean anything unless this generation has a future. And we're not sure that it does.

"I don't think that there are problems of youth, or student problems. All the real problems I know about are grown-up problems.

"Perhaps you will think me altogether absurd, or 'academic,' or hopelessly innocent—that is, until you think of the alternatives—if I say, as I do to you now: We have to get rid of those nuclear weapons. There is nothing worth having that can be obtained by nuclear war—nothing material or ideological—no tradition that it can defend. It is utterly self-defeating. Those atomic bombs represent an unusable weapon. The only use for an atomic bomb is to keep somebody else from using one. It can give us no protection—only the doubtful satisfaction of retaliation. Nuclear weapons offer us nothing but a balance of terror, and a balance of terror is still terror.

"We have to get rid of those atomic weapons, here and everywhere. We cannot live with them.

"I think we've reached a point of great decision, not just for our nation, not only for all humanity, but for life upon the earth. I tell my students, with a feeling of pride that I hope they will share, that the carbon, nitrogen, and oxygen that make up ninety-nine per cent of our living substance were cooked in the deep interiors of earlier generations of dying stars. Gathered up from the ends of the universe, over billions of years, eventually they came to form, in part, the substance of our sun, its planets, and ourselves. Three billion years ago, life arose upon the earth. It is the only life in the solar system.

"About two million years ago, man appeared. He has become the dominant species on the earth. All other living things, animal and plant, live by his sufferance. He is the custodian of life on earth, and in the solar system. It's a big responsibility.

"The thought that we're in competition with Russians or with Chinese is all a mistake, and trivial. We are one species, with a world to win. There's life all over this universe, but the only life in the solar system is on earth, and in the whole universe we are the only men.

"Our business is with life, not death. Our challenge is to give what account we can of what becomes of life in the solar system, this corner of the universe that is our home; and, most of all, what becomes of men—all men, of all nations, colors, and creeds. This has become one world, a world for all men. It is only such a world that can now offer us life, and the chance to go on."

THE SAFEGUARD SITE IN NORTH DAKOTA

Mr. BURDICK. Mr. President, one of the two initial "Safeguard" sites is to be in North Dakota. I believe Senators would be interested in reading the March 21 editorial appearing in the Fargo Forum, Fargo, N. Dak. on the decision to proceed with deployment of the "Safeguard." Accordingly, I ask unanimous consent that the article be printed in the RECORD.

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

CONGRESS SHOULD LOOK HARD AT ABM PLAN, EVEN FOR NORTH DAKOTA

North Dakota has witnessed a small invasion of newspaper and television reporters and cameramen in the last few days, all because the area north of the Grand Forks Air Base near the Canadian border has been selected as the site of one of this nation's two anti-ballistic missile installations.

This sudden invasion comes as a bit of a surprise, because hardly anybody expressed much concern when the former president, Lyndon B. Johnson, proposed to spot about 15 such installations around the country. Now there is a big flap in Congress and in the press about whether these defenses against enemy missiles are really necessary.

President Richard M. Nixon has decided that two installations should be completed, one in North Dakota and one in Montana. Of course the eastern press thinks that this is a deserted area, but at the same time most of them apparently believe that the citizens around here are foolish for not putting up the same kind of protests some people in the East did when anti-ballistic missile sites were spotted next to major cities.

Probably the answer is that North Dakotans and probably the folks in Montana have gotten used to having nuclear warheads spotted across the land. Two of the nation's more extensive installations for the Minuteman Intercontinental Ballistic Missile are located in North Dakota, one centered around the Grand Forks Air Base and the other around the Minot Air Base. As a result, we are used to the idea of having nuclear tipped armaments in our midst and no one has been unduly concerned.

The mere fact that the citizens are not overly concerned about the ABM project, or even the Minuteman installations, doesn't necessarily mean that we like the idea. Neither President Johnson nor President Nixon has convinced us that the ABM installations would do any good in defending this nation against either China or Russia. When the time comes that any two major nations of the world start hurling nuclear-tipped missiles at each other from thousands of miles away, there isn't going to be enough left of either nation to bother about.

It does seem peculiar, however, that members of Congress who would almost silently go along with the ABM installations near the big cities during the Johnson administration are now making the biggest howl about even the two installations that President Nixon has decided to complete. While some people in North Dakota think that the construction work necessary to complete the ABM installation will help this state's economy, they shouldn't expect any long-lasting results from it. Both Minot and Grand Forks experienced economic booms during the period when the ICBM silos were being constructed in their areas, but when the work was done, the construction workers moved out.

North Dakota gets only the smallest end of the money outlay when it becomes a site for one of these installations. The big money goes to the manufacturer of the hardware, whether it be missiles or a radar system. And none of those are built in this state.

President Nixon's decision will be closely examined in Congress, it is apparent, and it could well be that the Congress will slow down the project even more.

Congress should take a good hard look at the Nixon decision, and in the meantime we are happy that all the visiting reporters and photographers have had a good look at North Dakota in its winter blanket of snow. We look forward to reading what they all have to say about North Dakota's reaction to the ABM installation. The odds are that a lot of them will have more to say about a snow-covered countryside than they will about missiles.

UNITED STATES-CHINA RELATIONS

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD the text of the remarks I made at the First National Convocation of the National Committee on United States-China Relations, at New York, on March 20, 1969.

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

A HOPEFUL NEW PATH FOR UNITED STATES-CHINA RELATIONS

The giant of Asia in the 1970's and 1980's—in terms of its power potential as a modern state—will be Japan and not China; and, this basic reality, so persuasively explained by Professor Renschauer, is the proper starting point for a rethinking of the United States' China policy in the years ahead. It permits us to shed many of the fears and shibboleths which have distorted U.S. policy in Asia since 1945.

Among these are the questions of membership in the United Nations and diplomatic recognition. Neither of these issues needs to dominate U.S. policy thinking about Communist China. Peking is not actively seeking U.N. admission and has placed what seem to be deliberately unacceptable conditions on its participation in the U.N.

It is my belief that if we revise our policy along the lines which I am going to suggest, a thaw may take place in U.S.-China relations over the next five years, making both admission to the United Nations and diplomatic recognition easy and natural—following a period of psychological readjustment on both sides. The point to be stressed is that our minds should not be set against it. Much the same point needs to be made with respect to Communist China as we get the strong feeling that its leadership right now values highly—for domestic reasons of its own—a policy of enmity toward the United States.

The Nixon Administration has a great opportunity to bury the lingering shadow of McCarthyism which continues subtly to inhibit thought and debate in this country concerning China. The United States paid a very heavy price during the McCarthy period in the destruction of many of our most perceptive China experts. It was not only a period of grave human injustice to some individuals but also a period of grave damage to our national stock of intellectual resources and experience which has seriously affected the clarity and accuracy of our perception of events in Asia.

Active measures should now be taken to banish the lingering inhibitions of McCarthyism within the State Department and other agencies of government. The fact that the policy-making process continues to be affected by thought-taboos with respect to China is illustrated, in my judgment, by the nervous timidity with which the State Department has floated a few cautious trial balloons in recent years. The liberalization of travel regulations, for instance, did not evoke the wrath in Congressional and editorial circles that some of our higher officials feared. On the contrary, the Congress and the nation at large welcomed the changes, frequently with expressions of mild surprise that they were so belated and so timid. The people are well ahead of the government on this matter!

The Nixon Administration has a unique opportunity to encourage and stimulate creative, new and unorthodox thoughts about China not only within the government but also in the nation as a whole. The overriding mandate given to President Nixon in the last election was to end the Vietnam War. The complicated drama of our national dis-

engagement from that miscalculated war could well be used as an instrument for public education with respect to realities about China and Asia in general.

There are several lessons to be learned from the Vietnam war with respect to China. The first is that, for all its verbal violence, China has demonstrated unmistakable military prudence throughout that conflict. This prudence—China's deliberate abstention from any military involvement—has exposed to serious question much of the official rationale of the Johnson administration for the Vietnam war. The argument that our involvement in Vietnam is a necessary stand against Chinese communist expansionism is not borne out by the actual record of Chinese military action with respect to Vietnam, since, though it is only fair to say this may be due to its own internal disorders.

Available evidence also indicates that China is likely to continue to exercise prudence with respect to the nuclear weapons capability it is acquiring at such great cost. At one heated point during the Vietnam debate, Secretary Rusk conjured a frightening image of "a billion Chinese on the Mainland, armed with nuclear weapons." But not long afterward former Assistant Secretary of Defense Warnke summarized the Pentagon's official assessment of Chinese policy in the following terms:

"We see no reason to conclude that the Chinese are any less cautious than the rulers of other nations that have nuclear weapons . . . Indeed the Chinese have shown a disposition to act cautiously, and to avoid any military clash with the United States that could lead to nuclear war."

In addition, the sharply rising tension along China's northern border with the Soviet Union—which has produced a number of military clashes in recent days—may induce Peking to seek a relaxation of tension in Southeast Asia and thereby facilitate a Vietnam settlement. It is also conceivable that the new focus being placed in Communist China on the territories "lost" to the USSR through the so-called unequal treaties of the nineteenth century may, at some point, lessen Peking's obsession over the "recovery" of Taiwan.

I do not wish to suggest that we are about to witness an end to China's truculence. Rather, my point is that if we focus our attention on China's actions rather than her verbiage, and upon her actual military capabilities as opposed to her revolutionary aspirations, we must conclude that China does not necessarily present a significant military threat to our security.

It is really not surprising that Communist China should project an image to the world of being a desperate and hysterical nation. No nation has ever faced such a formidable combination of problems. The challenge of organizing 800 million people into a single political and economic unit is awesome in itself. The simultaneous effort to modernize and radicalize such a mass of humanity complicates the problems of leadership immensely. The collision in this the oldest of human societies between the force of tradition and the force of revolution will continue to reverberate throughout the world for years to come. It does not make this confrontation with the world any less dangerous but it tends to explain it somewhat.

China is struggling to become an industrial society while the United States, Japan and perhaps the Soviet Union are preparing their transition into a new order—the post-industrial nations of computers and nuclear and space technology—which is a quantum leap beyond the stage which China is now so painfully and laboriously seeking to attain.

The immediate task for the United States is to formulate a policy which will facilitate China's peaceful integration into the broader

Asia scene. In this regard, I believe that it would be to our interest to encourage, rather than discourage, trade and other contacts between Communist China and its non-communist Asian neighbors. Similarly, and of course strictly for non-strategic goods, we should encourage rather than discourage our European allies to trade with Peking.

There is a danger that the smaller nations of south and southeast Asia could be overawed by China in one-to-one encounters. But there is now widespread recognition of that danger as evidenced by the impressive trend toward cooperative regional organizations in noncommunist Asia. The United States should certainly support and encourage regional organization and economic and social integration in Asia, while we resist the temptation to try to lead it.

If a relaxation of our own zealous ideological opposition to Communist China leads to a similar lessening of the anti-communist ardor of some of our close allies in Asia—such as the Philippines and Thailand—we must take this calmly. For, the lesson of the past twenty years has been that nationalism, and nationalism alone, is an effective barrier against the extension of Chinese-style communism in Asia. This requires a shift of emphasis in our education and information efforts in Asia. The virtues of viable and progressive national integrity, rather than the dangers and evils of Chinese communism alone, should be the focus of our efforts.

A more sophisticated and discriminating perception of the Asia scene on our part will alert us to numerous strains and tensions within parts of non-communist Asia. A recognition of these tensions—some of which are of great antiquity—can save us from the reflex response which, in the past, has tended to make us view all trouble in Asia as being caused by Peking.

However, the fact is that ethnic tensions and rivalry between Malays and Chinese—which play such a crucial role in the policies of Indonesia, Malaysia and the Philippines—are historic phenomena whose roots long pre-date the emergence of a communist regime in Peking. The defeat of the coup attempted by the Chinese-dominated communist party in Indonesia in November 1967 was due more to ethnic differences than to any ideological factors as understood by the West.

It would be well for our policy-makers to bear in mind that historic differences among the Thais, the Cambodians and the Vietnamese will persist beyond the Vietnam War.

Another, most poignant, human drama is being enacted throughout the Himalayan foothills stretching from eastern India to the central highlands of Vietnam. Throughout that broad expanse, ancient aboriginal tribes which sought haven in the mountains many years ago are being pressed relentlessly by the dominant lowlanders who are acquiring the means to extend their political, cultural and economic writ into areas never really governed before by central authority. In some respects this process resembles a slow-motion reenactment of the destruction of the American Indian in this country in the nineteenth century.

Some of these doomed peoples in desperation will seek Chinese arms and Chinese support, as the Naga tribesmen of India and Burma have now begun to do. When this occurs, the United States must refrain from viewing the resultant clashes with central authorities as holy battles against Chinese communist expansionism, but recognize them for what they are—the birth pains of the development of nations—again no less necessary but to be better understood.

Asia will be the scene of turmoil and commotion for many years to come. China, as the heart of eastern Asia in demographic and geographic terms, will be a leading participant in this turmoil. Much of the turbulence we can expect will be of no legitimate se-

curity concern to the United States, and most of it will be beyond our power to control in any event.

But in addition to the clamor and the conflict there will be many creative and positive developments throughout Asia in which we can play a legitimate and rewarding major role. There is no need to fear that moving away from the role of an activist military involvement in Asia will lead to a U.S. withdrawal from Asia or to an abdication from our inescapable role as a major Pacific power. We can be sure that the nations of Asia will make demands upon our attention, our energies and our resources beyond our capacity to fulfill. We won't need to go looking for work in Asia. But we must see to it that our efforts there are concentrated on productive and worthwhile enterprises and are not frittered away on mistaken military or ideological adventures.

In closing, I repeat what I said at the beginning: I do not foresee the possibility of a dramatic improvement in U.S.-Communist China bilateral relations in the near future. Rather, we must anticipate—and use creatively—a period of mutual psychological readjustment. There is no justification for the United States to adopt a posture of *mea culpa* with respect to China—as some have advocated. Moreover, even if it were justified, I do not think such a posture would evoke a positive response from Peking. In my judgment, China will be much more impressed with, and responsive to, a policy of prudence and restraint but which is also a policy of conviction and dignity.

China today probably has the rawest nerves and touchiest sensibilities of any nation in the world. We should recognize the historical reasons for this but we cannot accommodate many of her neuroses. They can be worked out only internally, within China's national consciousness. For instance, no nation likes political partition—not the Chinese, nor the Germans, nor the Koreans, nor the Irish—as we saw on St. Patrick's Day. But there are times when the international situation is such that a nation has to live with partition for a time. The maintenance of a separate political status for the Republic of China or Taiwan doubtlessly is galling to Peking. But the fact that the peoples involved are Chinese does not raise the issue to a higher, almost apocalyptic level in the eyes of the other four-fifths of humanity. Peking's compulsive insistence that nothing can be discussed until Taiwan is first "returned" is a manifestation of Chinese racial arrogance which we ought not to placate for its own sake. In my judgment, the future of Taiwan can only be settled by the will of the people of Taiwan themselves.

Hopefully, as the United States adjusts its perceptions, attitudes and policies with respect to Communist China, Communist China will also begin to adjust its perceptions, attitudes and policies toward the United States. Perhaps this process could be expedited by gestures or actions on our part which neither require nor expect a response from Communist China. We have already heard suggestions about reciprocal educational and scientific exchange, especially in medicine and agriculture; about exchanging journalists; tourism and humanitarian food sales.

I suggest that we consider whether it might be possible to make available on a private, non-reciprocal basis, some of the fruits of our technology which might be of peaceful and humanitarian help to the Chinese people. For instance, the revolutionary-type of ecological, geological, and meteorological photography which has resulted from the Apollo space program could be furnished through non-official scientific channels. The result might be improved agricultural or flood-control programs which would ease the lot of the Chinese hard-pressed peasantry.

RECOMMENDATIONS OF THE PRESIDENT'S CONSUMER ADVISORY COUNCIL

Mr. RIBICOFF. Mr. President, on March 21, 1969, the President's Consumer Advisory Council met and issued several recommendations concerning the future of consumer activities in the Federal Government. These proposals are timely and valuable, as the Subcommittee on Executive Reorganization is now considering this matter.

Mr. President, there must be no slackening in the efforts of the Federal Government on behalf of the American consumer. The laws passed to protect him must be fully enforced and they must be administered efficiently. The members of the President's Consumer Advisory Council have made some excellent suggestions which merit the attention of Congress. I ask unanimous consent that their statement be inserted at this point in the RECORD.

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

STATEMENT OF THE PRESIDENT'S CONSUMER ADVISORY COUNCIL

The time has come to accord full recognition and justice to the American consumer.

This can be achieved by humanizing the machinery of government to overcome indifference to consumer problems, and by developing and implementing a comprehensive consumer program for the 1970's.

Recognizing that this is a field which the new Administration is carefully studying at the present time, we offer the following recommendations to improve Government organization and to give the consumer more adequate protection:

GOVERNMENT ORGANIZATION

Government can adequately protect the consumer only through the establishment of a structure that is truly responsive to his needs.

1. As a minimum, the President's Committee on Consumer Interests, the President's Consumer Advisory Council, and the Office of Special Assistant to the President for Consumer Affairs should be continued until a more permanent arrangement can be established by Congressional action.

2. An Office of Consumer and Citizen Affairs should be established by statute within the Executive Office of the President. The purpose of the office is to:

- (a) assure every American better access to his Government;
- (b) represent, protect and inform the American consumer;
- (c) assure that the consumer interest is heard by decisionmaking agencies;
- (d) coordinate consumer protection programs within Government;
- (e) provide the citizen with a government official who will assist him in redressing his grievances against government action or inaction; (the American concept of the ombudsman). (See Appendix for description of duties.)

The Office of Consumer and Citizen Affairs should also include a Consumer Counsel with authority to intervene on behalf of the public in administrative and judicial proceedings and establish a *Federal Register for Consumers*.

A Consumer Advisory Council, broadly representative of consumer interests in the United States, should be established to assist the Office of Consumer and Citizen Affairs.

When a permanent Office of Consumer and Citizen Affairs is established, adequate budget and staff must be provided to the office.

OTHER NECESSARY MEASURES

- (1) Special attention to consumer problems of the poor;
- (2) Better enforcement of existing consumer protection laws;
- (3) Improvement of regulatory power so that Government can effectively administer Congressional directives;
- (4) Elimination of loopholes and modernization of antiquated laws.

AGENDA FOR CONSUMER ACTION

From the Council's point of view, an Agenda for Consumer Action must also stress the following goals for both Government and the private sector:

1. Availability of information necessary for intelligent consumer choice;
2. Assurance of safe products and wholesome foods;
3. Assurance of an adequate supply of goods and services at reasonable prices;
4. Abolition of fraudulent and abusive sales and credit practices;
5. Protection of the consumer's right to an unpolluted environment;
6. Stronger enforcement antitrust laws and removal of anti-competitive restraints;
7. Provision for adequate housing, health care, and transportation.

APPENDIX

The Office of Consumer and Citizen Affairs should have the following powers and duties:

- (a) Make recommendations to the President on questions of policy relating to consumer affairs;
- (b) Coordinate the consumer programs of other Federal agencies;
- (c) Maintain an Office of Consumer Counsel with authority to intervene on behalf of the public in administrative and judicial proceedings;
- (d) Receive consumer complaints, hold investigatory hearings and recommend corrective action;
- (e) Receive complaints on the operations of Federal departments and agencies and recommend corrective action; authority to investigate disposition of consumer complaints by Federal departments and agencies (the American concept of the ombudsman);
- (f) Have authority to represent consumer interests before any Federal agency;
- (g) Make recommendations and provide reports to the President, the Congress, and the public to assure that consumer or citizen problems are expeditiously and properly resolved by public agencies;
- (h) Cooperate with and assist state and local agencies in consumer representation and protection;
- (i) Cooperate with and assist industry and business in voluntary efforts to promote consumer protection;
- (j) Conduct studies of matters related to consumer interests;
- (k) Act as a clearinghouse for information and programs affecting consumers;
- (l) Maintain liaison with consumer associations and councils at the national, state, and local levels;
- (m) Encourage and participate in development of consumer education programs;
- (n) Establish a Federal Register for Consumers.

Members of the Consumer Advisory Council present at the meeting included:

Bronson C. La Follette, of Madison, Wisconsin, Chairman.

Robert J. McEwen, of Boston, Massachusetts (Associate Professor and Chairman of the Department of Economics, Boston College).

William J. Pierce, of Ann Arbor, Michigan (Professor of Law and Director of the Legislative Research Center, University of Michigan).

Corwin D. Edwards, of Eugene, Oregon (Professor of Economics, University of Oregon).

Richard H. Grant, of Portsmouth, New Hampshire (General Manager, Peas Air Force Base Federal Credit Union).

Gerald A. Lamb, of Waterbury, Connecticut (State Treasurer, State of Connecticut).

Hon. Maurine B. Neuberger, of Portland, Oregon (Former United States Senator).

Mrs. Otrle Taylor, of Los Angeles, California (Neighborhood Aid Participant for Neighborhood Aid projects in Watts, Los Angeles).

Louise Gentry, of State College, Pennsylvania (Assistant Dean for Resident Education, Pennsylvania State University).

EDUCATIONAL OPPORTUNITIES FOR THE AMERICAN INDIAN

Mr. MURPHY. Mr. President, on February 27, the Los Angeles Herald Examiner did an editorial, entitled "Help the Indians."

Early this year I was appointed to the Special Subcommittee on Indian Education, and recently testified on the importance of improving and expanding educational opportunities for the American Indian. Because of the importance of the subject of Indian education, I inserted my testimony in the RECORD on March 11.

Today, Mr. President, I would like to ask unanimous consent that the editorial be printed in full in the RECORD at this point.

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

HELP THE INDIANS

Sen. George Murphy says the Bureau of Indian Affairs is "stagnant, blundering and inept" in dealing with American Indians.

The California senator wants sweeping reforms to improve the conditions and provide a future for the 600,000 Indians in this country.

Murphy has recommended that Indian education, health and welfare programs be transferred from the Bureau of Indian Affairs to the Department of Health, Education, and Welfare. He also has asked that federal funds earmarked for state educational programs for Indians be restored.

Testifying before a Senate committee recently, Murphy said 50 percent of Indian youngsters drop out before completing high school. One of the largest tribes, the Navajos, has a 30 percent illiteracy rate. The average education level of all Indians is only five years. The average income of Indians—\$1500 per year—is 75 percent below the national average. Indian unemployment is 40 percent—10 times the national average. Tuberculosis among Indians is seven times the national average.

Exclusion of California from Johnson-O'Malley federal funds has caused the California Indian, both educationally and economically, to fall to hold his own with his contemporaries and to fall further behind, said Murphy. The senator said Indian students from Arizona and New Mexico are attending Sherman Institute at Riverside, but California Indians are not admitted. Relocated Indians from other states, while living in California, receive federal assistance while California Indians do not.

"The federal government's performance record insofar as the American Indian is concerned should give pause to those who believe that solutions to our problems should be packaged in and dictated from Washington," Murphy said. "The federal government must help, but however good its intentions, without local cooperation, initiative and commitment, chances for success are slim."

Senator Murphy's concern is well taken and his recommendations merit strong consideration.

"LEARNING, SCIENCE, AND ART"

Mr. MONDALE. Mr. President, recent studies have shown that as much as "one-fourth of our growth in per capita income can be traced to increased schooling and as much as one-third to inventions and advances in knowledge." Everyone is aware that money spent on education is an excellent investment, both in terms of the individual and in terms of the future of our country. It is surprising to find, however, that there is almost no information on the extent to which the specific resources we allocate to education actually result in the realization of intended goals. "Toward a Social Report" calls attention to this dirth of knowledge.

"Toward a Social Report" is a working model of the social report which the President would annually submit to Congress if the Full Opportunity Act of 1969—S. 5—were enacted. The Full Opportunity Act would also establish a joint committee to help the Congress evaluate the report. A Council of Social Advisors would be established to assist the President in the preparation of the report. S. 5 also declares that full opportunity for every American is a national goal.

One of the advantages of a social report is that it points to difficult policy questions which must be decided if full opportunity for every American is to be realized. For instance, the sixth chapter of "Toward a Social Report," entitled "Learning, Science, and Art" points out that we know relatively little about what or how much American children learn as a result of specific resource allocations.

We have also learned that those groups which "suffer social and economic deprivation systematically learn less than those who have more comfortable backgrounds." The situation is even more unfortunate since even those deprived students who manage to do well are still denied equal and full opportunity. Specifically, "of those high school seniors who are in the top one-fifth, in terms of academic ability, 95 percent will ultimately go on to college if their parents are in the top socioeconomic quartile, but only half of the equally able students from the bottom socioeconomic quartile will attend college."

It is indeed pathetic that some students who manage to overcome the handicap of poverty in high school cannot go on to college not because of their ability but because of the accident of their socioeconomic background.

The report goes on to note that merely increasing the number of schools or teachers will not by itself be a sufficient answer to the problem. If we are to tap this reservoir of talent, we must work to eliminate the cause of this inequity; poverty. It is, indeed, a difficult problem, but then this Nation has never before shied away from equally difficult problems. I sincerely hope that in the future we shall see as much progress in this realm as there has been in the realm of science and technology.

I want to also call to my colleagues' attention one other unfortunate situation discussed in the sixth chapter of "Toward a Social Report." The report notes that "however vibrant the cultural

life of the Nation may be, many of the live or performing arts are in financial difficulty." Thus, it can be seen that the report helps us to identify another problem which needs to be placed on the Nation's agenda.

Mr. President, I ask unanimous consent that the sixth chapter of "Toward a Social Report," entitled "Learning, Science, and Art," be inserted in the RECORD.

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

CHAPTER VI. LEARNING, SCIENCE, AND ART HOW MUCH ARE THEY ENRICHING SOCIETY?

Knowledge, intellectual skills and the creative capacity of scientists and artists are an important part of the Nation's wealth. Health, national defense, and the quality of the environment in future years depend on the success of research and education now. So does the future performance of the economy. Some studies have suggested that as much as one-fourth of our growth in per capita income can be traced to increased schooling and as much as one-third to inventions and "advances in knowledge." The decisive productive potential of the supply of knowledge is illustrated by the surprisingly rapid recovery of the German and Japanese economies after the devastation of World War II. However much physical capital had been destroyed, the stock of useful knowledge remained.

This chapter will first attempt to bring together available information on how much Americans are learning. It will then turn to the sources of the knowledge that there is to teach: to the stock of systematic knowledge which we call science, and to the unstructured collection of human wisdom and creativity which we call art.

LEARNING

Exposure to learning

The average American has spent far more time in school than his parents did. Today, three-fourths of the Americans just old enough to have done so have finished high school—roughly the same proportion that finished the eighth grade in 1929. Today, about 15 percent of Americans in their late twenties have graduated from college—about the same proportion that had graduated from high school at the time of World War I.

In addition there has been an increase in the proportion of each year that the student spends in school. Since 1900, 34 days have been added to the average academic year. Pupils are also absent much less often, so the actual number of days of school attendance per year by the average pupil has increased by more than half.

The difference in years of schooling received by different groups of Americans has at the same time decreased. Among Americans born in 1901 or shortly before, those in the 90th percentile had 13.5 years of schooling, and those in the 10th percentile 2.6 years of schooling, for a difference of almost 11 years. Among those born between 1932 and 1936, those in the 90th percentile had 16.4 years of schooling, and those in the 10th percentile, 8.4 years, for a difference of 8 years. This difference is projected to decline to about 5.5 years for those born between 1956 and 1960. The gap in median years of schooling between whites and Negroes has fallen from an average of 3.4 years for those born in 1901 or before to one-half year for those born between 1942 and 1946, and appears to be narrowing still further.

The amount of resources used to educate each pupil is also increasing. In 1956, there were 27 pupils for each teacher; now there are 24. Teachers have also had more formal training: 93 percent of the teachers now have college degrees, as compared with 78 percent only 13 years ago. The one-room

school, commonplace in rural areas as late as World War II, has largely disappeared. Total expenditures per pupil in elementary and secondary public schools increased from \$2.25 to \$3.43 per day (in constant dollars) between 1954 and 1964. There have also been improvements in curricula, especially in science and mathematics.

It is generally assumed that these increases in the length of schooling and expenditures on education have brought about an increase in the amount children have learned. There is, however, almost no direct evidence on this point—unless it be the evidence that parents often have difficulty with their children's homework. The *Digest of Educational Statistics*, for example, contains over a hundred pages of educational statistics in each annual issue, yet has virtually no information on how much children have learned. The Department of Health, Education, and Welfare has recently encouraged an attempt at a "national assessment" of educational achievement in the United States. This assessment would involve administering tests measuring standard academic skills to a representative sample of Americans of various ages. Such an assessment, if repeated periodically, would yield for the first time a series of estimates of the change taking place in the intellectual skills and knowledge of the population.

Are we learning more?

In 1870, 20 percent of the white and 80 percent of the Negro population were illiterate. Now only 2.4 percent are deemed illiterate. They are mostly older people and Negroes, and are concentrated mainly in the South. The rate of illiteracy among Americans from 14 to 24 years of age is only about one-half of 1 percent. These facts mark our progress in bringing most Americans up to the rudimentary but critical point of being able to read and write.

What about higher levels of skill and knowledge? Although there is no national assessment of what students are learning, testing is widespread and some clues to changes in test performance of school-age children are available.

The Educational Testing Service recently assembled 186 instances in which comparable tests have been given to large and roughly representative national samples of students at two different times over the past two decades.

In all but 10 of the 186 paired comparisons, the later group performed better than the earlier group. On the average an additional eight percent of the students in the more recent group scored higher than the median student in the old group.¹

The results that have been described cannot be accepted uncritically; neither can they be casually dismissed. Until better evidence is presented, the tentative judgment must be that American children in the sixties are learning more than their older brothers and sisters learned in the fifties.

This collection of achievement test data also suggests that high school students, and perhaps students in the higher grades generally, have not improved as much as students in the lower grades. Typically, the test comparisons for high schools showed a smaller gain in performance than was usual in the elementary grades. In addition, the

¹ This amounts to an improvement of one-fifth, assuming a normal distribution of scores. These test results must be interpreted with extreme caution. There is the possibility students are becoming increasingly "test wise" as time goes on, and this might account for the improvement in test scores. Moreover, test results do not measure all types of intellectual achievement. There could have been retrogression along those dimensions of intellectual development that the tests did not measure.

Preliminary Scholastic Aptitude Test and the American College Test program, which are given to juniors and seniors in high school, showed no improvement on balance.²

One possible reason for this disparity is that the increase in the proportion of teenagers attending high school may have reduced the average level of intellectual ability and cultural background in high schools. The increase in preschool education may also have had a particularly beneficial influence on the lower grades. Television may have at the same time significantly raised the intellectual level of younger children, but seldom stretched the minds of high school students.

How much more could we be learning?

One way to answer this question is by comparing the performance of American students with those in other countries to see if we are doing as well.

One of the few sources on how well American students do as compared with foreign students is the International Study of Achievement in Mathematics. It deals with only one subject, but this is probably the one in which performance can best be compared among nations with different languages and cultures. The study considered only developed nations, and found that American students had one of the poorest levels of performance of the nations which were studied.

The fact that the United States did badly in this comparison is probably due in part to the fact that a larger proportion of young people go through the secondary education system in the United States than in most other countries. Still, American 13 year olds also did comparatively poorly, and this is an age at which none of the countries concerned have excluded many children from the educational system. Thus, if we contend that American youth have on the average as much aptitude for mathematics as children of other nations, we must conclude that we can do much better than we are doing.

In estimating the potential for improvement in American education, international comparisons are probably less relevant than measured differences in learning among different groups in the United States.

For estimating differences in learning among groups, the two best sources of information are the Armed Forces Qualification Test (with its forebear, the Army General Classification Test), and the tests done for the *Survey of Educational Opportunity* (also called the "Coleman Report") carried out under the Civil Rights Act of 1964.

These tests, like others, inevitably incorporate cultural bias. Verbal performance, for example, tends to be measured in terms of the student's command of literary English or the standard conversation of the majority, not in terms of the special dialects of minorities. Mathematics tests include fractions and compound interest, but rarely deal with the probability of "making a six" in craps. Nonetheless, the tests measure skills which are needed in order to do well in contemporary American society.

The Armed Forces Qualification Test is used to evaluate the trainability of prospective servicemen for military service. Because the proportion of young men who are drafted changes from time to time, place to place, and group to group, the test does not provide entirely satisfactory information. Nonetheless it shows clearly that Negroes and Southern whites score, on the average, lower than whites from other regions, and Southern Negroes score less well than Northern Negroes.

² Average scores on the Medical College Admission Test and the Law School Admission Test have been increasing. But this does not show that college students are necessarily learning more, since the sort of students who apply for medical and law school admission may change over time.

These groups receive, on average, different amounts of schooling, but this difference accounts for only part of the differences in performance.

A 1964 study by the President's Task Force on Manpower Conservation revealed that a majority of young men failing the Armed Forces Qualification Test, white and black alike, were brought up in poverty. Forty percent had never gone beyond eighth grade, four out of five failed to complete high school, and half came from families with five or more children.

The *Survey of Educational Opportunity* was based on a nationwide sample of 564,000 students in grades 1, 3, 6, 9 and 12. The tests covered verbal ability nonverbal intelligence, reading comprehension mathematics, and general information in the practical arts, natural sciences, social studies and humanities. With the exception of Oriental American children, the average minority group pupil (Negro, Mexican-American, American Indian, Puerto Rican) scored distinctly lower on these tests than the average white pupil. Students in the South, both white and Negro, scored below students of their own race in the North.

The schooling which the disadvantaged groups had received had apparently done nothing to lessen the gap between them and more fortunate pupils. Their disadvantage was evident from the start of their school experience through grade 12. The relative position of the different groups was about the same for all the grades tested (except in the South, where Negroes fell to a lower relative position in the later grades). This means that in terms of absolute grade level the disadvantaged fell further behind. Negro pupils in the metropolitan Northeast, for example, were 1.6 years below the norm in grade 6 and 3.3 years below the norm in grade 12.

The Armed Forces Qualification Test and the *Survey of Educational Opportunity* thus show that persons from both poorer groups and poorer areas performed less well on achievement tests, and that the existing pattern of schooling does not compensate for the initial handicap entailed in being brought up in a disadvantaged group or area.

If talented individuals do not get a full education, the Nation is obviously not developing its capacities as much as it could. And as the chapter on "Social Mobility" showed, only half of those who are in the top ability quintile, but from families in the lowest socioeconomic quartile, go to college, whereas 95 percent of the equally able students from the top socioeconomic quartile go to college. Socioeconomic status also has a major effect on college attendance at other ability levels.

If high school graduates from all socioeconomic levels went to college in the same proportion as high school graduates of the same ability level in the top socioeconomic quartile, more than half a million additional students would enter college each year. This would increase the number who attended college from each high school graduating class by about one-half.

If the environmental and social handicaps of poor children could be overcome, and the elementary and secondary education they receive improved, an even larger number of high school graduates could profit from a college education.

We have seen that American students did less well in mathematics than students in a number of other countries, and that the pattern of results in the Armed Forces Qualification Test and the *Survey of Educational Opportunity* implied that there is an untapped reservoir of intellectual capacity in the Nation's disadvantaged groups and areas. It is also clear that those young people from poor families who do nonetheless score well on achievement tests are much less likely to enter college than those who come from a

higher socioeconomic level. Thus there is no doubt that the Nation has failed to take full advantage of its children's capacity to learn.

The policy challenge

The greatest challenge to American education today is to find effective ways of helping low income children learn the basic intellectual skills so that they can be more successful in school and compete more successfully for jobs and rewarding positions in the community when they become adults.

How much a child learns depends upon his mother's diet before he was born, his own nutrition and health, his access to books, and the psychological and intellectual influences in the home. Most psychologists seem to agree that the preschool years are a period of particularly rapid development, and that attitudes acquired in these years can have enduring effects. Even after he reaches school age, a child typically spends only one-third of his working hours in school. Television programs and conversations with parents and playmates take up much of a child's time. The motivation to learn is obviously important, and there is every reason to believe it is decisively influenced by the home environment.

Some of the findings in the *Survey of Educational Opportunity* suggest the importance of the educational impact of factors outside of school. The *Survey* found that the socioeconomic status of a child's parents, and of his classmates, were major determinants of a student's academic performance. Once the impact of the socioeconomic status of parents and peers had been accounted for, such differences in quality of schooling as were observed and measured explained very little of the remaining variation in student performance.³ The only observed school characteristic that had a significant effect was the verbal ability of its teachers, and this effect was much smaller than that of socioeconomic status of parents and classmates.

Despite the limitations of the *Survey* the conclusion that a child's socioeconomic environment is an important determinant of how much he learns is almost certainly right. This conclusion, in turn, suggests that we cannot take full advantage of the potential for learning simply by spending more on schools. Higher incomes and better jobs for parents may have more influence on their children's learning than any "compensation" which can be given to the children themselves. Better television programming and help for parents in how to talk with and stimulate their own children may also be important. Improved housing arrangements which give children from poor families the opportunity to attend schools and live in neighborhoods with children of different social and economic status may also be of crucial importance.

Nevertheless, it is clear that schools could do far more to stimulate and foster the curiosity and creativity of children—not just poor children, but all children. We must somehow find a way to do two things. First, we need to channel more resources into education especially in areas where the needs

³ The *Survey* did not measure the quality of schools well and its conclusions are subject to varying interpretations. The conclusion that the socioeconomic status of the families of a student's classmates is an important determinant of a student's performance could be interpreted as evidence that differences in the quality of schooling are important, because high status parents usually want and can afford to live in neighborhoods with good schools. Since variations in the quality of schooling were measured only partially and crudely in the *Survey*, it is possible that the average socioeconomic status of the families of the students in a school measures the quality of that school better than the explicit measures of school quality used in the *Survey*.

are very high in relation to the tax base and present spending. It takes money to attract sensitive, intelligent, and highly trained people into teaching and education administration, and to replace rat-infested old schools, especially in the center cities, with attractive convenient structures.

But resources alone will not solve the problems of American education. A new spirit of acceptance of change and desire for improvement is needed. Progressive industries often spend 5 to 10 percent of their funds on research and development. But expenditures on education research and development are now minuscule, perhaps a half of 1 percent of the total education budget.

Furthermore, much "research and development" in education consists of small projects having little impact on actual learning in the schools. There is a need for major departures, for developing whole new curricula and approaches to education, for trying the new approaches with real children and real schools. This kind of effort is expensive, by the present standards of education research, although not by the standards of military and industrial research and development.

But even a major effort to find more effective methods in education through research and development will not be sufficient unless the schools as a whole adopt a new attitude toward change. School systems must learn to see themselves as continuous laboratories trying new things, evaluating results, and making changes.

SCIENCE

The advance of science has an effect on the Nation's capacity to produce more goods and services, better health, and a stronger defense. Our society also values scientific truth for its own sake. And because it is clear that the state of a nation's science is related to its productivity, the health of its people, and even to national security, Americans are concerned whenever any other nation excels us in an important area of scientific capability.

Resources devoted to science

What is the state of American science and how much are we adding to the stock of systematic knowledge? Unfortunately, useful measures of scientific productivity do not exist.

A frequent measure of our scientific capital is the number of scientists and the amount of resources devoted to scientific pursuits. Between 1950 and 1965 the number of scientists and engineers nearly doubled, reaching about a million and a half in the latter year. About a million were engineers, a half a million scientists. This increase in the number of scientists and engineers was 4.5 times the rate of growth of the total labor force. The number of scientists and engineers getting doctorates has doubled in the last 10 years.

Between 1953 and 1965 the Nation's research and development expenditures increased fourfold, from 5.2 billion to 20.5 billion. This means that these expenditures increased at a compound annual rate of 12 percent per year, and that the percent of the Gross National Product used for these purposes rose from 1.4 to 3.0 percent. No other nation comes close to devoting a similar proportion of its resources to scientific research and development.

The diversity of science

Three hundred years ago all experimental sciences were grouped together in one specialty called "natural philosophy." An individual could attempt to master almost all important scientific knowledge. In 1958, the National Science Foundation counted 120 subfield groupings and 142 groupings in 1968. The number of particular specialties increased even faster: 695 specialties were listed in 1958, 1,235 in 1968.

This increase of specialization does not measure the pace of scientific advance. Classifications and new specialties are sometimes created for reasons unrelated to the growth of knowledge. Nonetheless, the statistics on the increasing diversity and division of labor in science reflect the rapid growth of scientific exploration and knowledge.

The advance of technology

The remarkable advances of industrial technology in recent years are too obvious to need documentation. Television, supersonic jets, computers, nuclear power and many other advances have revolutionized our lives and made possible feats, like trips around the moon, that earlier generations thought sheer fantasy. Whereas the *Mayflower* took 2 months to cross the Atlantic, in the 1890's it took 1 week, in the 1930's a day, and now about 7 hours. But advancing technology has also created problems for society—noise, congestion, pollution, and the like.

Some insight into the level of technological achievement in the United States can be obtained from what is called the "technological balance of payments." This is an accounting of payments foreigners have made to us for the use of patented techniques or technical expertise, minus our payments for their patents and technical expertise.⁴ The United States enjoys a huge surplus in the technological balance of payments, and this surplus appears to be growing. Our surplus was \$311 million in 1956 and \$1,097 million in 1965. The ratio of our payments to our receipts was one to seven in 1956 and one to nine in 1965. If the transfers within multinational firms are left out, our surplus is still growing; it rose from \$110 million in 1956 to \$235 million in 1965.

These striking figures on our technological lead can easily mislead us. Science is international, and any major scientific achievement is likely to be of mixed ancestry. Moreover, many scientists have come to this country from other lands. Although the "brain drain" increases the inequality of income among nations, it is nonetheless an encouraging indicator about the state of American science.

The policy challenge

The main challenge presented by the state of American science is the need to lay the foundations for a science policy. We are confronted with burgeoning advance that offers great promise. Can we formulate policies that will nurture our invaluable scientific resources and ensure the fulfillment of prospects that lie ahead?

The competition for public resources will almost certainly be more intense, either between science and other programs, or between different scientific endeavors. The Nation will also continue to find itself at the center of controversies concerning the condition and needs of world science.

If there is almost sure to be more heat generated by issues of science policy in the future, ways must be found to generate more light. Priorities in science could be laid out more systematically, and farther in advance. Issues involving such priorities could be exposed to wider public debate. The very unpredictability of scientific breakthroughs could be made the basis for more rational development of scientific manpower, institutions, and communications with an emphasis on keeping these resources flexible.

The international character of the scientific enterprise poses a special challenge. The United States, as we have seen, spends a larger percentage of its income on scientific research and development than do other countries. One possible explanation for this is that some of the benefits of scientific advance are readily available to any nation in

the world. For example, people of any country can take advantage of such medical advances as heart transplants. Because of its size and affluence, the United States gets a larger share of the benefit of a basic scientific advance than other countries, and therefore has an incentive to spend more of its national income on basic research. Even the biggest countries do not, however, reap all of the benefits of the basic research they finance. Thus the world as a whole probably tends to spend too little on basic science.

The benefits of basic research are international, and worldwide cooperation in science is essential. A cooperative recognition of the universality of basic science could benefit all mankind.

ART

Artistic creativity and its appreciation are an important part of our national life. There is art not only in museums, theaters, opera houses, and books but in every aspect of life—in cooking, dress and industrial design. Although this section concentrates on the conventionally most professional and "highbrow" forms of art, we must not forget that this is only a small part of the total and may not be the most important.

Access to art

Access to many forms of art is easier today than it has ever been before. Modern technologies of communication and transportation have given the entire population an access to a variety of art forms that could in an earlier age have been open only to a privileged few. Even the most fortunate in earlier periods could not possibly have heard as wide a variety of symphonies, or seen such a diversity of drama, as the connoisseur of records and motion pictures can enjoy today.

This improvement in the accessibility of art has continued even in recent years. Twenty-five years ago almost no one owned a television set; by 1952, 30 percent of the households owned at least one set, and this percentage rose to 67 percent in 1955, 88 percent in 1960, and 94 percent in 1967.

Notwithstanding the obvious shortcomings in television programming, the growth in the number of television sets has given more Americans an access to at least some serious attempts at artistic expression. National Educational Television's 148 stations now reach almost all metropolitan areas, and surveys have shown that the NET audience about doubled between 1961 and 1966, by which time it reached over 6 million homes and an estimated 14 million viewers weekly, apart from school programs. Of 260 hours of programming supplied last year to NET's affiliates, about half or more were in the field of art and culture.

Television is, to be sure, only one of the technologies that has made art more accessible. Even such an old technology as that involved in making books has changed with the "paperback revolution," which has made books more accessible to millions of Americans. This development, along with expanding incomes, increased education, and other factors, has brought about a 90-percent increase in the number of new books and editions between 1960 and 1967, and a 65-percent increase in books classified in the arts or humanities. These increases considerably exceed the rates of growth of population and income.

Improved methods of transportation and increased incomes have also widened the range of possible artistic experience for many Americans by facilitating foreign travel. In 1929 about half a million Americans traveled abroad, but in 1967 almost three and a half million did so.

New technologies have not only widened the access to art, but also permitted new forms of artistic expression, from films to new kinds of sculpture and music.

The performing arts

At the same time that technology and economic advance have improved the accessibility of many types of art, they have also created problems for other art forms, especially for those involving live performances. There is evidence that live performances of certain kinds are not increasing in proportion to the growth of population and the economy, and in some cases are perhaps even in an absolute decline.

The Broadway theaters are the largest single part of the American theater, and they have been keeping records in a consistent way longer than other theaters. These records reveal that Broadway attendance has not expanded in proportion to our population or economic growth. The Broadway theater reached its peak quite some time ago, probably about 1925. No new Broadway theater has been built since 1928.⁵ There has been no clear trend in attendance since World War II, and there clearly has not been enough of an increase to offset rapidly rising costs. Since 1950, ticket prices have risen only half as much as costs. Though a few "hits" make great profits, the Broadway theater as a whole is in serious financial difficulty.

The off-Broadway theater grew rapidly from the late 1940's until the mid-sixties, but it has an attendance of about one million, compared with seven million for Broadway. More recently, the off-Broadway theater has suffered, too; the number of productions is now smaller than it was in 1961-62.

There has been little or no growth in the number of professional symphony orchestras since 1950. In 1967 there were 28 entirely professional symphony orchestras playing for seasons ranging from 22 to 52 weeks. There are about twice as many "metropolitan" orchestras, mainly professional but having smaller budgets, and a large number of partially amateur community orchestras.

Chamber music groups are generally less well organized than symphony orchestras. Receipts from ticket sales to the small halls appropriate for chamber groups are generally low, and the cost of the individual performer relatively high. Some orchestras are organizing chamber groups to achieve the advantages of a longer season for some of their members.

Opera is perhaps the most vulnerable of the arts because it is easily the most expensive, requiring large casts, an orchestra, a chorus, and a ballet company as well as expensive scenery and costumes. The only major opera companies are the Metropolitan, the New York City Opera, the Chicago Lyric Opera, and the San Francisco Opera. There are about 40 other professional and semiprofessional organizations, but they usually give no more than 25 performances in a year. Estimating total attendance at these performances requires a good deal of guesswork, but the figure has been placed at less than 2 million in 1963-64.

Ballet as a separate artistic undertaking is characterized by high costs in many of the same areas as opera. Annual attendance for dance performances is estimated at less than 1 million, with dance tours showing a marked relative growth in popularity since 1952. At the present time, however, there is little chance to see a professional dance company perform any place except in one of the largest cities or in a college town.

Notwithstanding the paucity of information in this area, it does seem very likely that there is no "cultural boom" where direct attendance at live performances is involved. The rate of growth in such performances is probably slower than that of the economy as a whole, and expenditures on these art forms have certainly not risen at anything like the rate at which expenditures on science and education have increased.

⁵ Unless Lincoln Center is counted.

⁴ This is not an ideal measure because of problems of definition and the bias against basic science.

Vulnerability of the performing arts

To some extent, the relative decline in live artistic performances is probably a natural result of the development of modern communications technology. The new technologies offer a less expensive substitute for live performance.

But there is another factor at work. One explanation of the slow growth of audience participation in the performing arts is the tendency for this participation to become even relatively more expensive as the economy advances. There is little increase in productivity per worker in the performing arts: a string quartet continues to require four performers. In the economy in general productivity increases regularly, and so then do wage levels. Since this does not happen in the performing arts, someone must make sacrifices. If it is not the public or the patrons, it will be the artists themselves, who will have to choose other careers or forego higher incomes.

This systematic tendency for the relative cost of live performance to rise is made somewhat less serious by the technological improvements in ways of disseminating culture, such as by phonograph records, motion pictures, and television, providing substitutes for the audiences and additional earnings for some performers. But if there is presumably also a need to enjoy culture at first hand, these technological developments do not altogether fill the gap from the audiences' point of view. From the performers' point of view, the fact that only a relatively small number can expect careers in the media may be discouraging.

There is another cultural sector, where the problem of productivity can be considered not to exist at all. This is what we might call amateur or subsistence culture: artistic work carried on by the artist primarily for his own enjoyment. Increased incomes may allow more of this, as growth of amateur community symphonies, for example, seems to show. Sometimes amateur efforts can create or enlarge a commercial audience, as with rock music.

The probable long run tendency for a relative decline in certain types of live performances does not automatically indicate a "social" or "public" problem. Nevertheless, live performances are needed to give the typical performer (or composer or playwright) a chance to develop. The quality of records, motion pictures and television could decline if live performances fell off beyond some point, since the lack of this large testing and training opportunity could become critical.

The performing arts indirectly benefit others besides members of live audiences in other ways as well. Their quality is tied up with the capacity to educate, and probably also the capacity to communicate. The cultural inheritance of a nation is also a source of important values in a civilized society—understanding, appreciation, and respect for other people. Finally, the taste for art is in part an acquired taste: those who have a broader cultural experience tend to have the greatest concern for art. The demand for art might be greater if the opportunities to enjoy it were more numerous. These arguments suggest that the prospect of a relative decline in live performances is a matter of general public concern, and something to keep in mind in any assessment of the condition of American society.

BYELORUSSIA

Mr. GOODELL. Mr. President, today I rise to join my colleagues and all Americans in commemoration of the struggle of the Byelorussian people for their freedom and independence.

Fifty-one years ago, on March 25, 1918, the people of Byelorussia declared

their independence, and established the Byelorussian Democratic Republic. Despite the hardships, battles, and sacrifices endured by her people, the young state was unable to preserve her hard-won independence against the onslaught of overwhelming Bolshevik forces—and in early 1921 the young Republic was made part of the Soviet Union.

Today the Byelorussian people do not enjoy the freedoms that we regard as our birthright, but they valiantly cling to their hopes of regaining freedom. And we salute their efforts.

DAVID K. E. BRUCE

Mr. TYDINGS. Mr. President, today marks the farewell for one of America's most accomplished diplomats. Our Ambassador to the Court of Saint James, David K. E. Bruce, is returning to private life.

With 8 distinguished years in London, Ambassador Bruce has held our Nation's most prestigious diplomatic post longer than any other man. Prior to 1960, he served in Paris and Bonn, the only individual to represent America at her three premier Embassies.

Throughout his public career David Bruce set a standard of excellence rarely equaled.

Throughout his life Ambassador Bruce has been known as a man of intellect and grace.

President Richard Nixon is said to have remarked that while he and his three predecessors in the White House disagreed on many things, they all "agreed that David Bruce was a giant."

Born in Baltimore, graduate of Princeton and the Universities of Maryland and Virginia, member of the State legislatures of both Maryland and Virginia, he has led a remarkably varied and decidedly brilliant career.

Lawyer, Foreign Service officer, businessman, Ambassador Bruce went to Britain as a Red Cross representative in the early days of the Second World War.

Shifting to intelligence work and the Office of Strategic Services, he ended the war as a colonel in charge of OSS operations in Europe.

He then began a career in public service which in time would include Assistant Secretary of Commerce, American Aid Administrator in France, and for 2 years Under Secretary of State.

I am proud to say that Ambassador Bruce is a good friend of the Tydings family and was for many years a close and trusted friend of my father.

His stepping down today is, in one sense, an occasion of sadness for the Nation is losing one of its finest diplomats and public servants. On the other hand a note of joy creeps in for Ambassador Bruce and his lovely wife, Evangeline, are now back in the States with us.

I have the feeling that their counsel and company shall be widely sought.

Our first Ambassador to Great Britain, John Adams, was noted, among other things, for his brilliance and common-sense. The same can be said, I think, of David Bruce.

The Nation owes him a vote of thanks, and I know that we all wish him well.

THE CHALLENGE OF VICTORY

Mr. HANSEN. Mr. President, it was my distinct honor and pleasure to take part last night, Tuesday, March 25, in the fourth annual Robert A. Taft Memorial Award presentation. On hand making the presentation was President George H. Williams.

The meeting, on the American University campus, presented the Taft Memorial Award to U.S. Senator Jacob K. JAVITS.

The award was presented by the American University Young Republican Club in recognition of his distinguished service to the Republican Party and the Nation.

Mr. President, I ask unanimous consent that the Senator's address on this occasion be included in the RECORD.

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

THE CHALLENGE OF VICTORY: BUILDING A DURABLE REPUBLICAN MAJORITY

I am honored to receive the Robert A. Taft Award. I never served with Robert Taft in the United States Senate, for he was tragically taken from public life before I was elected to that Body in 1965. However, I worked with Senator Taft on the Taft-Ellender-Wagner Bill (which I sponsored in the House of Representatives) and on Federal Aid to Education, and had great regard for his stature and achievements.

I am also pleased to appear before the Young Republican Club of American University on this occasion, for I owe the members of that Club a debt of gratitude. Last autumn, many members journeyed to New York City to spend several days working with me in my campaign for reelection to the United States Senate. I am deeply appreciative of that help, and, as a grateful and successful Republican candidate, I really should be presenting an award to you!

The Republican Party, led by President Nixon, won a great victory last November. Mr. Nixon received support in almost every section of the country, and, to that extent, both the Republican Party and he are in an admirable position to form a stable national majority—indeed, better placed, I would argue, than the Democratic Party. However, if we are to do so, it is important to remember that the Republican Party has not yet become the majority party in this country and that President Nixon was elected by a minority of the people. His 43 per cent of the popular vote and the almost 32 million votes he received in 1968 were both lower than the comparable figures he had obtained eight years before.

It has become almost axiomatic since last November to report the end of the New Deal coalition which was formed by Franklin Roosevelt in the midst of the Depression and remained in virtually uninterrupted power for almost four decades. As former Presidential Assistant Bill Moyers, paraphrasing Mark Twain, recently pointed out, the reports of that coalition's demise continue to be "greatly exaggerated." But, unquestionably, the Democratic coalition is in disarray, and the Republican Party now has a unique opportunity to transform its Presidential victory into a stable governing majority.

Whether we do so or not depends upon the development of an affirmative Republican program aimed at a national constituency and to the emerging "youth" sectors of American society. But, let us bear in mind, that majority status for the Republican Party will not be won automatically.

Specifically, it has been argued that a new Republican majority can be formed by an appeal to the previously "solid" Democratic South—to those who supported George Wallace in 1968—and to an as yet unformed social

"backlash" which grips a large portion of alienated urban whites of the North. In my opinion, this would be a tragic error—as well as a grave disservice to the ideals upon which the Republican Party was founded—and we must renounce this course of action. An enduring national leadership cannot be built upon an appeal to short-term emotional issues or to the exploitation of racial unrest.

Similarly, a policy of "hard-line" nationalistic crusading, which "waves the bloody shirt" on the international scene, cannot be the basis for a new majority coalition. Such a program would overlook the mandate which President Nixon received in 1968 to move America into a period of peace, to end the impasse in Vietnam, and to correct the imbalance in our priorities which has made it impossible to allocate the necessary national resources to the dramatic improvement in the quality of our domestic society.

The Republican Party must be the party of the new America—the changing, emerging America; and that America is the technologically advanced and urbanized society—about three out of every four Americans now live in metropolitan areas—and there is much of that thinking in rural areas, too. New institutions—both private and public—have developed, and, in their wake, a new class, national in scope, has emerged. These men and women—most of them youth, plus those professional and managerial in orientation, plus the employees in large corporate structures—are generally found in great density in the exploding suburbs. While they seem to reserve a traditional American distaste for and impatience with extreme and violent militancy and are deeply concerned by urban decay and crime, their attitudes are often coupled with basic tolerance for different ethnic groups and with that respect for innovation which have always characterized the best in our society.

This emerging class, which is the "growth" element in almost every region of America, can be a force for urban reform and innovation. They seek leadership which—while moderate in temper—is pragmatic and imaginative in facing those issues which relate to the quality of American life in the last third of the twentieth century. They are capable, I believe, of reaching out to the poor and the dispossessed and of establishing coalitions with them, for Americans still have a determination to remove obstacles to opportunity and to assist those who must overcome hardship and discrimination. Americans everywhere still seek the objective of a truly integrated society.

The Republican Party can provide leadership for this newly powerful class, for, in the midst of our turmoil, the traditional Republican principles still have relevance. Upon those principles a new national majority can be built. It is for us to prove in the next four years that Republican values of individual freedom, local authority, the capacity of enterprise to operate in the public interest and the supremacy of the national interest can prove themselves anew in problem solving in the midst of urban convulsion.

Some contend, for example, that the plight of the urban Negro requires a vast expansion of the Federal government at the expense of private enterprise and state and local authority; that the public sector must expand its powers.

And yet, I know that it was private business opportunities that permitted generations to escape the slums in the past; I see that Negroes have greater dignity and power as constituents of local government than as clients of a distant bureaucracy. And, I see mayors and business leaders across the country addressing themselves with new courage and decisiveness to the problems of the slums, while the Federal government cuts back on poverty programs and imposes harsh new restrictions on welfare. So I remain unconvinced that the way to serve the urban poor is to decrease the influence of business and

to deny the opportunity of service to local government.

As a matter of policy this means an emphasis on home ownership or integrated tenancy, rather than on economically segregated public housing projects. It means opening homes in the suburbs, not only reconstructing the slums. It means an emphasis on jobs rather than on welfare. It means a concerted effort to provide a variety of employment choice in the private sector rather than relying too much on dead-end jobs created by government as an employer of last resort. It means the development of minority group entrepreneurship and small business opportunities—not simply the establishment of subsidized corporate outposts in the central cities. And finally, it means a preference for a plan of Federal revenue sharing with the states and cities as against a proliferation of special Federal programs and prescriptions.

The program which I have outlined is a national program; it should—and I believe it will—be the Republican program. It is essentially a metropolitan program, though it is aimed at "metropolitan America," wherever it exists, rather than at any single region of the country.

The Republican Party can and must appeal to the emerging, growing groups in America—to the America which is changing and progressing, not to those who would turn inward, which would reject the present and abort the future.

We must, however, reach out to those left behind by progress and affluence or frightened by change. We must reach out to the alienated—whether they be black or white, Northern worker or Southern farmhand. Our task must be to reconcile the alienated to inevitable change and to peaceful reform. But we must lend confidence to their hopes; not counsel to their fears.

I firmly believe that, on this basis, a durable Republican majority can be built. It is this task which is the challenge and the responsibility of victory.

THE 51ST ANNIVERSARY OF BYELORUSSIAN INDEPENDENCE

Mr. WILLIAMS of New Jersey. Mr. President, March 25 marked the 51st anniversary of the proclamation of independence by the people of Byelorussia. I wish to assure the people of Byelorussia, who I am hopeful will hear these messages of encouragement, that they have not been forgotten by the people of the free world and that amidst the myriad of events which daily occupy the time of Congress, we now pause to remember and pay tribute to these courageous and valiant people.

We shall not forget the desire that the Byelorussians had to be considered a distinctive national entity. Out of Byelorussia emerged a growing interest in ethnology and language, the publication of books abroad in the Byelorussian language which were smuggled into the homeland, the founding of a teachers society for the propagation of the Byelorussian language, the establishment of separate Byelorussian journals and a Byelorussian theatre—all of which contributed to generating the deep Byelorussian interest and concern with their national culture.

We shall not forget the Byelorussian newspaper, *Nasha Niva*. This publication, which miraculously existed from 1906 to 1915, became a political organ which played a very important role in Byelorussia's national revival by becom-

ing the spokesman for the Byelorussian intelligentsia, writers, and poets; in its pages appeared the first works of Bahdanovich, Yank Kupala, Yakub Kolas, Ales Harum, and many others.

We shall not forget the All-Byelorussian Congress which met in Minsk in December 1917 attended by 1,872 delegates democratically chosen and representing all Byelorussian organizations and political parties. Congress adopted a resolution by an overwhelming majority which endorsed the right of nations to self-determination and called for the establishment of a democratic government to be designated the Byelorussian National Republic. This was the first constitutional step toward complete independence from Russia.

We shall not forget that, sensing the danger to their own revolutionary interests, the Bolsheviks, who had seized power in November, surrounded the place at which the Congress was convening and with a display of armed power broke up the meeting. By this action, Byelorussia became one of the first victims of Communist aggression.

We shall not forget that on March 25, 1918, the representative body of the Republic solemnly proclaimed the independence of Byelorussia and published its official proclamation which read as follows:

A year ago, the peoples of Byelorussia, together with all the peoples of Russia, threw off the yoke of Russian tsarism which, taking no advice from the people, had plunged our land into the blaze of war that ruined most of our cities and towns. Today we, the Rada of the Byelorussian National Republic, cast off from our country the last chains of the political servitude that has been imposed by Russian tsarism upon our free and independent land. From now on, the Byelorussian National Republic is to be a free and independent power. The peoples of Byelorussia themselves, through their own Constituent Assembly, will decide upon the future relations of Byelorussia with other states. . . .

We shall not forget the significant advances the Byelorussian Government made in the fields of education, culture, and social welfare. In addition, the Government was active internationally and received recognition from various countries. The Republic was recognized de jure by Austria, Poland, and the newly independent succession states of the former Russian Empire; namely, Georgia, Latvia, Lithuania, and the Ukraine. In addition, it was recognized de facto by Bulgaria, Denmark, France, and Yugoslavia.

We shall not forget that in November 1918 the Red army advanced into Byelorussia. The Byelorussians, having insufficient military forces with which to oppose the Bolsheviks and protect their own national territory, were thus forced to move.

We shall not forget that on December 10, 1918, the Red army seized Minsk and established a government of military revolutionary committees. Byelorussia's efforts to establish an anti-Bolshevik force failed, and with the Treaty of Riga in 1921 ending the war between Poland and Bolshevik Russia, Byelorussia was divided, Poland receiving one-third of the country with a population

of 3,500,000 while the remainder, with the exception of that part falling to independent Latvia, came under Soviet control.

Through the years, these brave people have exhibited courage and determination against all odds. Free men should pause a moment to pray for the day when Byelorussians will once again enjoy the freedom and liberty that were theirs for those few moments in 1918. We shall not forget.

THE EFFECT OF HIGH INTEREST RATES ON HOUSING

Mr. JAVITS. Mr. President, an article published recently in the New York Times has dramatically indicated the effect of recent increases in interest rates and in the cost of land and materials on meeting the goals of the Housing Act of 1968, particularly, the goals for low- and moderate-income families. That act set as a goal the construction of 26 million new units in the next decade. It has already become clear—less than 1 year after the passage of that bill—that it will be very difficult, to say the least, to meet that objective.

It is too soon to say what the exact effect of the increasing interest rates has been, but present indications are that a decline in new housing starts in the coming months is quite likely. That expected decline is partially the result of increases in the cost of land and lumber, but it should be emphasized that it is estimated that every 1-percent increase in the interest rate on mortgages decreases new housing starts by between 100,000 and 150,000. Thus, our necessary efforts to hold down inflation may, as a disastrous side effect, inhibit the realization of our commitment to provide every American with decent housing.

The interest rates continue to climb. The latest increase in the prime rate to 7½ percent will make mortgage interest at least 8½ percent—already beyond the limits of the usury laws of many States. Thus, those lending institutions which still engage in the residential mortgage market will discount mortgages. This practice will, of course, increase the cost of the money for home construction beyond the 8½-percent figure mentioned. More seriously, many financial institutions—such as major commercial banks—are no longer lending money for housing, at all.

To alleviate the undesirable effect of high-interest rates and tight credit on mortgage rates and on residential housing, I have strongly urged that the Federal Reserve System begin to buy and sell the securities of FNMA, GNMA, and the Federal home loan banks. I repeat that call today, for the situation may grow more critical in the next few weeks. In addition, it is crucial that the Congress take steps to protect the low- and moderate-income housing market from bearing a disproportionate share of the cost of combating inflation. We must take steps which will insure that a certain amount of capital will continue to flow into the construction and renovation of this housing, even as we use monetary policy to check inflation.

I am pleased to note that the Senate Banking and Currency Committee is holding hearings this week—week of March 24—on the effect of high interest rates on the economy. I am sure that that committee has looked into this matter most seriously. The findings of those hearings—particularly, as to the effect of high interest rates on new housing starts and the objectives of the 1968 Housing Act are vital to the country. I am prepared to offer and support measures to alleviate this situation and to permit us to meet our essential housing goals.

Mr. President, I ask unanimous consent that the article to which I referred be inserted in the CONGRESSIONAL RECORD at this point.

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

HOUSING PROGRAM, STILL IN INFANCY, ALREADY A PROSPECTIVE FAILURE

(By Gerd Willeke)

It appears virtually impossible to build 26 million new or rehabilitated housing units in the next decade.

That is the view of a number of economists who have closely scrutinized the goals of the 1968 Housing and Urban Development Act.

There is no question about the need for such an ambitious undertaking. The things that bother the experts are whether enough funds can be made available for mortgages, whether new construction techniques can be applied to hold down costs and whether labor can increase productivity.

The question of building costs received new urgency last week when members of Congress asked for investigations of skyrocketing lumber prices.

Wright Patman, a Texas Democrat who is chairman of the House Banking and Currency Committee, announced that his staff would begin gathering facts "immediately" and that the committee itself would meet on the problem "as soon as possible." The Senate Banking and Currency Committee has scheduled similar hearings March 19 to 21.

The Housing Act, as signed by President Johnson last Aug. 1, seeks to eliminate substandard housing within the next 10 years. The total of 26 million units to accomplish this includes at least 6 million subsidized units for lower-income families. If that part of the program is to be realized, the Government will have to subsidize 10 times more units than it did in the last decade.

One expert who has made a critical analysis of the program and has concluded that "categorically, something less" than the 26 million units can be built, is Charles B. Reeder, a senior associate economist of E. I. du Pont de Nemours & Co., Inc. Du Pont is one of the many chemical companies that have a large stake in the housing market.

Dr. Reeder, at a recent press briefing here, said that in terms of housing starts alone, the goal of 26 million units in one decade represented a level of activity nearly double the annual average of 1.4 million units started during each year of the decade ended in 1968. The capital requirements to build or rehabilitate 26 million units would be more than double the dollar volume that went into housing in the last 10 years.

The ratio of new housing activity to the gross national product, Dr. Reeder found, would have to rise from 2.7 per cent in 1968 to 4.9 per cent in 1978. For the entire period ending in 1978, the ratio would have to average 4.2 per cent, compared with an average of 3.2 per cent for the 10 years ended in 1968.

To reach a ratio of 4.9 per cent for any one

year is not impossible or unreasonable, Dr. Reeder held, although a ratio higher than this has been achieved only once—in 1950 when it was 5.6 per cent. "But to expect the ratio for a full 10 years to average nearly one-third above that of the previous years is not reasonable," he asserted.

LAND NEEDS ARE NOTED

Citing findings of the President's Committee on Urban Housing, Dr. Reeder said that more than 10 million acres of land were necessary to provide—at today's densities—26 million additional dwellings and ancillary facilities by 1978. That rate of consumption would be roughly double the current rate of land consumption for new housing.

Since it would be difficult to acquire that much land, the committee recommended extending the powers of the Federal Government.

Specifically, the committee proposed the following:

The Secretary of Housing and Urban Development should be granted limited powers to pre-empt local zoning codes and exclusionary state codes or local ordinances from application to Federally subsidized projects.

Legislation should be enacted to help local renewal authorities in their acquisition of land for subsequent resale or lease as sites for subsidized housing.

H.U.D. should be authorized to acquire land directly, by purchase or condemnation, for lease back to private or public developers who would be required to build subsidized housing and related community facilities on the leased sites.

Like Dr. Reeder, another expert, George A. Christie, chief economist of the McGraw-Hill Information Systems Company, has spent considerable time analyzing the housing act. He also concluded that it would be hard to reach a goal of 26 million units.

Discussing the cost problem in a recent speech and subsequent interview, Mr. Christie said that the publicly assisted part of six million units, or 600,000 units a year, would be about 20 times the annual volume of public housing in the last decade. He added:

"If we price it at \$20,000 per unit, and that's how much public housing cost in 1968, the annual total comes to about \$12-billion. The full total for all six million units is well over \$100-billion."

Where is the money to come from in fiscal 1970? "Congress hasn't got \$12-billion for housing next year, not when it's still looking for places to cut \$6-billion from the year's budget," the economist said.

Mr. Christie added that perhaps the most important innovation in recent legislation was the part that no longer made it necessary for Congress to provide all the money, at least not all at once. Thus, the Federal Government's role is no longer to subsidize the construction of public housing but to subsidize the occupancy of privately built housing through rent and interest supplements.

In another development, the House voted last week to have its Banking Committee investigate recent large increases in the price of lumber.

IT MUST BE BUILT

However, he added, housing still has to be built and contractors still have to be paid.

"So, if Congress goes the rent subsidy route and spreads this cost over 30 or more years, it simply means that in the meantime the private capital markets will be putting up the \$100-billion or so that it will cost to create six million low-income housing units," he declared.

As to the package of 26 million units, Mr. Christie said that allowing for higher costs and a somewhat different mixture of single-family and multi-family units, the total credits needed to support this level of building would be at least \$40-billion. This would

be double the mortgage requirement for today's new residential building.

"Projections of capital flows," he said, "show that the total of investible funds will not be growing at this rate, meaning that mortgages will require a bigger share of the credit pie, perhaps as much as one-third compared with today's one-fourth."

"And if the experience of the past few years is any indication of the housing industry's ability to attract financing when money is scarce, then our 10-year housing program may well run out of credit before it runs out of carpenters."

Reviewing the labor and productivity problems, Mr. Christie said that in 1968 about 3.25 million workers were involved in the creation of \$84-billion worth of residential and nonresidential construction. That averaged a little over \$25,000 of construction a man. In 10 years, measured at today's prices, the \$84-billion will be more than \$125-billion.

Ten years ago, he continued, 2.75-million workers turned out total construction valued at \$66-billion, again at 1968 prices.

This was \$24,000 worth of construction a worker. Since then the rate has grown an average of only 1 per cent a year, compared with a productivity growth rate of 2.5 per cent for the economy as a whole.

If there was an improvement in construction productivity beyond the 1-per-cent-a-year rate, the industry would need 4.5 million workers to meet the demands of 1978.

This, Mr. Christie said, implied the need for a net gain of nearly 1.25 million workers, or a growth rate in the work force of 3.25 per cent a year for the next 10 years, about twice as fast as the nation's total labor force will be expanding.

Mr. Christie cautioned that productivity measures were "crude at best," since there was no separate productivity index for the housing industry. If there were, it would probably show a better result than construction as a whole.

PREFABRICATION A FACTOR

One reason for this was said to be the expanding acceptance of prefabrication in home building. Another is the growth in production of mobile homes from 100,000 a year to more than 300,000 during the last decade.

Mr. Christie said mobile homes did not enter into the calculation of output per construction worker "simply because there units are not considered construction, nor are the people who build them considered construction workers."

The economist said he was convinced that there was more improvement in productivity than was shown by statistics. If the industry could count on an annual gain of 2 per cent, it would cut down the labor force requirement to meet the housing goal from 3.25 to 2.25 per cent.

Summing up his analysis, Mr. Christie said that instead of reaching the 3.3 million annual rate of housing starts in the final years of the program, the rate would flatten out to about 2.5 million in the middle nineteen-seventies. This would mean:

The 10-year total may fall short by perhaps three million units.

Manufactured units will play a large part, particularly in meeting the six-million-unit target of low-income, publicly sponsored, multi-family housing.

Housing costs will continue to rise sharply over the next decade.

There is need for substantial modification of building codes and union work rules. These may be the most critical areas of all.

SOME CRITICISMS

Dr. Reeder had this to say about improved productivity: "The answer lies not in new materials or dramatic breakthroughs in the building process, but in applying techniques that are already known in the industrial field."

The du Pont specialist asserted that the

techniques were rarely applied because most builders operated on too small a scale to utilize prefabrication and mass production of components and subassemblies.

Many governmental regulations, such as building codes and plumbing, electrical and mechanical codes as well as zoning ordinances hamper technological progress, Dr. Reeder said.

Some labor practices prevent the introduction of cost-saving technology and union work rules often make construction manpower inefficient and costly, he added. Another criticism was:

Lenders have been reluctant on occasion to provide mortgage funds for nontraditional dwellings and material suppliers may have been suspicious of innovations that threatened to displace their materials.

Finally, he said, consumers were not always enthusiastic about new materials and designs associated with modular or industrialized housing.

THE PRESIDENT'S DECISION ON THE ABM SYSTEM

Mr. MONDALE. Mr. President, we all know that a "thin" anti-ballistic-missile system is to be deployed in Montana and North Dakota. What we do not know—and what has never been satisfactorily explained—is why.

In a very thoughtful and penetrating editorial on Sunday, March 15, the St. Paul, Minn., Pioneer Press asks some questions on this subject which should be of interest to us all.

The Press points out, for instance:

Three different sets of justifications have been put forward for Sentinel. First it was the "Chinese threat" only which was to be met. Then the Pentagon's public relations idea was to defend populous cities. After these two arguments were shot full of holes by critics, the Nixon administration came up with the new excuse that Sentinel is needed to protect the missile sites away from the cities. The whole history of ABM advocacy is marked by such deviousness.

Mr. President, in the past few weeks, in widely scattered parts of our Nation, in the shadow of incredible affluence that many take for granted, I have seen hunger and despair and degrading poverty the like of which I would not believe could have existed, had I not seen it with my own eyes.

And the ABM, as the Press points out:

Will drain off more billions of the nation's resources into military hardware at a time when vast sums are needed to solve festering domestic problems.

I ask unanimous consent that this excellent editorial be printed in the RECORD.

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

NIXON'S DECISION ON ABM SYSTEM IS DISAPPOINTING

In a highly disappointing action, President Nixon has plunged ahead on the Sentinel antiballistic missile system.

This will not safeguard America against devastating nuclear attacks. It will not help cool down the nuclear arms race.

It will drain off more billions of the nation's resources into military hardware at a time when vast sums are needed to solve festering domestic problems. It may bring on another tragic round of escalation of nuclear armaments by the United States and Russia. It may in that way increase the danger of eventual catastrophe through war between the two great powers.

"The safety of our country," said the President, "requires that we should proceed now with the development and construction of the new system..." Yet in the same statement he makes this admission: "The heaviest defense system we considered, one designed to protect our major cities, still could not prevent a catastrophic level of U.S. fatalities from a deliberate all-out Soviet attack."

He added that such a heavy system "might look to an opponent like the prelude to an offensive strategy threatening the Soviet deterrent." Arguing that the lighter Sentinel system will not have similar effects is unconvincing.

The basic factor involved is a switch from reliance on the principle of deterrence, the "balance of terror" system prevailing for the past decade. At present the United States and the Soviet know that if the other launches a nuclear attack it will be followed by an equally devastating retaliation which would leave both countries in ruins.

The importance of this principle will not be changed by deployment of Sentinel, which the President admits cannot defend the people of the United States. History indicates that each defensive preparation is followed by increased offensive developments by an opponent to overcome the defense. If Russia builds an ABM designed to protect Moscow, the United States certainly will plan missile capabilities to overcome it. And vice versa. The Maginot Line concept of defense is even less applicable to nuclear warfare than to older conditions.

As for the unlikely danger of a threat from China, the principle of deterrence still holds. China knows an attack on America would bring its own obliteration. That remains the best guarantee.

Three different sets of justifications have been put forward for Sentinel. First it was the "Chinese threat" only which was to be met. Then the Pentagon's public relations idea was to defend populous cities. After these two arguments were shot full of holes by critics, the Nixon Administration came up with the new excuse that Sentinel is needed to protect missile sites away from the cities. The whole history of ABM advocacy is marked by such deviousness.

The conflict over ABM policy now will continue in Congress. Because of President Johnson's original embarkation on this route, the Executive Department has both authority and funds to make the beginning which President Nixon has ordered. A fight against further new appropriations, however, can be carried on in the House and Senate. Public sentiment will play an important part in what happens.

One possibility which Congress should consider is the establishment of a nongovernmental commission of qualified citizen advisers to make further studies and recommendations on nuclear strategies and policies.

Another aspect of the situation is future negotiations with the Soviet on nuclear armament controls. Just one day before Nixon's Sentinel decision, the Senate ratified the nuclear nonproliferation treaty by a vote of 83 to 15. The spirit of this agreement calls for restraint by the two world powers in their own armaments programs. The theory has been advanced that the Nixon Administration might use Sentinel as a bargaining ploy—if the Soviet cuts back its nuclear plans, the United States might do the same. This is a doubtful and tenuous approach, but there is a bare possibility it might bring results. We hope so.

STANDARDS OF DECENCY ON TELEVISION PROGRAMS

Mr. PEARSON. Mr. President, on March 16, 1969, Mr. Thad M. Sandstrom, general manager of WIBW-TV, Topeka, Kans., commented upon the character

and nature of a particular TV show. The program itself does not need further attention, but Mr. Sandstrom's comments concerning the common practice of off-color and double-meaning jokes does deserve attention. He appropriately finds them below the standards of decency, morality, and good taste. Mr. President, I think this is a worthy statement and an excellent comment upon one of the very serious problems concerning the power and influence of television, and I direct the attention of my colleagues to this most excellent TV editorial and ask unanimous consent that it be printed in the RECORD.

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

STANDARDS OF DECENCY

Last Sunday night, CBS and WIBW carried a re-run of an earlier "Smother's Brothers" broadcast. The program was scheduled to feature comedian Jackie Mason and folk singer Joan Baez, who has been widely publicized for her stand against the Vietnam war. In the unedited broadcast, Miss Baez chose an entertainment platform to plead the cause of her husband who will soon be going to prison as a draft dodger. Mason cracked some jokes that needed to go to the laundry. Smother's and his producers finished the show too late in the week for final review and editing.

CBS and its stations have insisted that every "Smother's Brothers" show be previewed in advance to try to make certain it conforms to the broadcast industry Television Code of Good Practices, and to attempt to eliminate off-color and double-meaning jokes. The broadcast wasn't ready in time for the regular preview on Friday . . . so CBS cancelled the nationwide telecast and substituted a re-run.

Now, Tommy Smother's is on his soapbox crying censorship and threatening to move his show to another network. "The Smother's Brothers Comedy Hour" is supposed to be entertainment—not news. Smother's apparently objects to conforming to basic standards of decency, morality and good taste. CBS is accused of "stifling creativity." What they mean is . . . CBS is insisting on cutting out the filth.

This week, a Senate committee has been questioning the network presidents because the networks supposedly are not doing enough to control sex and violence on TV. At the same time, CBS is in a first-class fight with the producers of a program with vast influence over millions of young viewers. The issue between CBS, its stations and the Smother's Brothers is simple. The networks and the stations are responsible for what goes on the air. They have an obligation to do everything they can to maintain high standards. Television has been deluged in recent months with "new" comedy shows like "The Smother's Brothers," "Rowan and Martin," "Jonathan Winters" and others. One program "Turn On," was in such poor taste that ABC cancelled it after one telecast. These shows thrive on music which attracts the young and on jokes which tear at the moral fibre of America. They appeal to millions of viewers . . . mostly younger ones. One of the reasons more Americans are not upset by shows like "The Smother's Brothers" and "Rowan and Martin" is that the blue jokes are often over their heads. But most kids understand them.

Television has an obligation to keep pace with the changing mores in America. But we question whether producers of shows like the "Smother's Brothers" should have a free hand, and be allowed to broadcast whatever the minds of Hollywood can think up.

Should TV be giving the decline in morals in America a push forward? We think not.

"The Smother's Brothers Show" scheduled for last Sunday will be on March 30 . . . AFTER it has been properly edited. Even then, many will be offended. Yet this week, we've had plenty of mail and phone calls at WIBW protesting the decision by CBS to postpone last Sunday's show nationwide. A minister of a United Methodist Church in Manhattan is among those who questioned what he termed "censorship" of the Smother's Brothers. Yet a few weeks ago, the Smother's Brothers raised a furor in the TV columns because the Program Practices Department of CBS insisted on deleting a line which took the name of Christ in vain.

Television goes into millions of homes. It has great influence. And TELEVISION broadcasters must exercise more caution in making certain programs do not offend. Television should not, in our opinion, aid in breaking down the morals of America.

For a long time, WIBW has been telling CBS we've had enough of the "Smother's Brothers." We applaud CBS for their courage. If Tommy Smother's and his brother don't want to live by the rules of an industry which is making them fantastically wealthy, let them go off the air and back to the night clubs.

TAX-DODGE FARMING

Mr. METCALF. Mr. President, I am sure that we are all aware that one of the finest newspapers in the country is the Wall Street Journal. But sometimes I think it well to reflect on just what it is that makes a newspaper great.

Just last week Mr. Ronald A. Buel, staff reporter of the Journal wrote perhaps the most comprehensive story that has been written to date on the subject of tax-dodge farming. I put that article into the CONGRESSIONAL RECORD on March 20, the day after it appeared in print. Mr. Buel independently probed into this whole area and gave many new and informative examples of people who are more interested in farming the Internal Revenue Code than they are the land. On January 22, I introduced S. 500, a bill designed to remove inequities between legitimate farm operators and the tax-dodge farmers who are in the business of farming mainly because of the tax advantages, which Mr. Buel so ably pointed out, that serve to put their non-farm income in a lower tax bracket.

The day after Mr. Buel's story appeared the Journal published an editorial that reflected exactly the opposite view from that just taken by one of its own reporters. This is why I regard the Wall Street Journal as a great newspaper. Its reporters are obviously not bound by the policy of its editorial page. In all fairness, I think that the editorial that appeared in the Wall Street Journal of March 20 should also be available to other Senators.

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

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

FARMING FOR FUN AND PROFIT

Some farm organizations and several Congressmen would like to crack down on citizens who alleged farm for fun, not profit. We find it a little difficult to share their concern.

Advocates of a crackdown contend that hundreds of wealthy Americans are buying farms and deliberately losing money. Since their farm losses can be deducted from their nonfarm income, the result is that they pay a lower Federal income tax.

In an effort to close this "loophole," legislation has been proposed to set a \$15,000-a-year ceiling on farm losses that can be deducted from other income. The Treasury Department estimates that such a ceiling would affect fewer than 14,000 farm operators but would bring the Government about \$145 million in additional taxes.

One objection to new legislation is that existing law already bars any deduction whatsoever for losses incurred on a farm actually run as a hobby. It isn't too difficult to tell whether a farm is run primarily for pleasure or profit; if the operator hires competent help and regularly tries to market his produce, the farm is plainly something more than a hobby.

Probing deeper into a farmer's motives is, to put it mildly, extremely tricky. The critical Congressmen surely aren't suggesting that all farmers, to qualify for normal tax treatment, have to hate their work.

Either full-time or part-time farms, moreover, can wind up losing money. Yet a loss is a loss, and an additional tax penalty for poor management or bad luck with the weather seems somewhat unfair.

Finally, the proposed \$15,000 ceiling on losses is clearly arbitrary and only too likely to produce perverse results. If the legislators insist on separating those who farm for fun from those who till the land for profit, the present law seems superior.

All in all, it sounds like an effort by farm interests to keep city dudes off the land. Even if the effort is understandable, it isn't a proper project for Congress.

Mr. METCALF. Mr. President, I would like to take just a few moments to comment on the editorial. First there is the comment that "some farm organizations and several Congressmen would like to crack down" on the tax-dodge farmer. I think it should be pointed out again that the principle of this legislation has the full support of all those who are sincerely interested in the working farmers of our Nation. For example, the National Farmers Union, the American Farm Bureau Federation, the National Grange, the National Farmers Organization, the National Council of Farmer Cooperatives, the National Association of Wheat Growers, the Cooperative League of the U.S.A., the National Association of Farmer Elected Committeemen, the Farmland Industries Cooperative, the Mid-Continent Farmers Association—formerly known as the Missouri Farmers Association—the AFL-CIO, the Industrial Union Department—AFL-CIO—the United Steelworkers, the South Texas Cotton and Grain Association, Inc., the Amalgamated Meat Cutters and Butcher Workmen, and the Farmers Grain Dealers Association, have all called for action to be taken now. In the Congress, a bipartisan group of members from at least 30 different State congressional delegations have specifically endorsed this legislation.

The editorial also comments:

One objection to new legislation is that existing law already bars any deduction whatsoever for losses incurred on a farm actually run as a hobby.

In answer to that here is the pertinent quote from the Treasury Department's 2-year study published on Feb-

ruary 5 as a joint print by the House Ways and Means and Senate Finance Committees:

The existing "hobby loss" provision of the Internal Revenue Code is ineffectual in dealing with this problem. While that provision disallows deductions for continuing heavy losses in a trade or business over a period of at least 5 consecutive years, the fact of a loss and its extent are measured by comparing the expenses of the business with the total income from the business including the full amount of capital gain income although only one-half of that income is subject to tax. Thus, to escape the hobby loss provision, it is merely necessary that the taxpayer realize capital gain farm income at least once every 5 years. If the capital gain income just equals the farm expenses for a year, the hobby loss provision is inapplicable for 5 years even though taxpayer will show a tax loss for that year equal to one-half of his farm expenses.

Next comes the criticism that "an additional tax penalty for poor management or bad luck with the weather seems somewhat unfair." Such a penalty would be unfair and this legislation was drafted with that danger in mind. That is why the bill in no event prevents the deduction of farm losses to the extent they relate to taxes, interest, the abandonment or theft of farm property, or losses of farm property arising from fire, storm, or other casualty, losses and expenses directly attributable to drought, and recognized losses from sales, exchanges, and involuntary conversions of farm property.

An exception is made for these deductions since they are in general deductions which would be allowed to anyone holding property without regard to whether it was being used in farming or because they represent deductions which are clearly beyond the control of the farmer; such as, losses from casualty and drought. Under the bill, if the total of these deductions is higher than \$15,000 then the higher figure may be used without any reduction because of nonfarm income above \$15,000. In other words, the \$15,000 limitation is directed solely at the type of deductions that are artificially created through the abuse of the special accounting rules designed for farmers.

It is not the purpose of this legislation to prevent outside capital from entering into farming. The problem is that high-bracket taxpayers, individuals as well as corporations, whose primary economic activity is other than farming, have entered into farming because by doing so they can then come under exceptions intended only for farmers. The tax-dodge farmer then elects the special farm accounting rules that enable him to deduct farm losses that are not true economic losses from his other high-bracket income. The result is large tax savings. As a matter of fact the savings can be so large that this form of investment is dangled in front of prospective clients of such management firms as Oppenheimer Industries, as an enticement to jump on the bandwagon.

Finally there is the criticism in the editorial that "the proposed \$15,000 ceiling on losses is clearly arbitrary and only too likely to produce perverse results." The \$15,000 ceiling is based on an anal-

ysis of available statistics of income which revealed an interesting phenomenon, that the average size of farm losses rise as nonfarm income increases. Does this mean that a given taxpayer's farming efficiency drops off as a sheer coincidence of his increased ability to earn other income?

Here is what Treasury's 2-year study had to say about the \$15,000 limitation:

If a taxpayer has more than \$15,000 of nonfarm income, his primary source of livelihood is not likely to be his farming efforts, and thus, he is not the type of farmer for whom the special accounting rules were devised.

In discussing the effect of the present situation on the farm economy Treasury points out:

When a taxpayer purchases and operates a farm for its tax benefits, the transaction leads to a distortion of the farm economy.

Yet the editorial alleges that any attempt to remedy the current situation "is not a proper subject for Congress."

This makes me wonder aloud: Where is your farm, Mr. Editor?

HERB KLEIN MAKES GOOD ON PLEDGE

Mr. SCOTT. Mr. President, on March 21, the Wall Street Journal published an article acquainting readers with the functions and success of Herbert G. Klein as communications director of the executive branch. The headline stated that, "Herb Klein Makes Good on Pledge, Opens Doors for Capital Newsmen," and in the body of the article a reporter was quoted as saying that—

Everybody knows you can appeal to Herb Klein on freedom of information.

At a time when public trust in Government is sorely needed, and when public dialog needs be reopened in all branches and at all levels of government, the fact that Herb Klein is succeeding in his mission of "getting more information out," is indeed heartening.

I ask unanimous consent to include in the RECORD the article from the Wall Street Journal.

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

NIXON'S MOUTHPIECE: HERB KLEIN MAKES GOOD ON PLEDGE, OPENS DOORS FOR CAPITAL NEWSMEN BUT HE SOMETIMES VERGES ON MANAGEMENT OF NEWS—WHAT IS LEFT FOR ZIEGLER? NO MORE PLEAS FOR "GOODIES"

(By John Pierson)

WASHINGTON.—Herb Klein has clout.

Not long ago, the Nixon Administration's Communications Director got a call from a reporter working on a story about "voluntarism"—President Nixon's program to enlist the help of private groups in solving social problems. The reporter hadn't been able to get in to see the man who's heading the effort, Secretary George Romney of the Department of Housing and Urban Development. Could Mr. Klein help him obtain an interview?

Mr. Klein said he would try. A couple of days later, the reporter got to see Mr. Romney.

The story, with variations, has been repeated dozens of times during the first two months of the Nixon Administration. Mr. Klein has been getting newsmen in to inter-

view otherwise-unavailable Cabinet members. He has encouraged high officials to meet the press and to appear on TV, and claims more than 100 such encounters have taken place so far. He has needed agencies to release facts they have become accustomed to sitting on; at his prodding, the Office of Education made public a letter sent to a New Jersey school district requiring submission of a desegregation plan.

Naturally, it hasn't escaped the skeptics' notice that if Mr. Klein has clout enough to make a department head see a reporter or an agency release information, then he has clout enough to prevent press contacts and suppress facts, should he or the President ever choose to do so.

So far, however, the soft-spoken Mr. Klein seems to have been using his newly created \$42,500-a-year position more to combat secrecy. While it's too soon to judge whether "truth will become the hallmark of the Nixon Administration," as he promised, he is making good on his more modest pledge "to get more information out."

Mr. Klein's ability to coax or squeeze more facts out of a reluctant bureaucracy stems in part from a long and close association with Mr. Nixon, dating back to 1946, which gives a Klein request some of the weight of a Presidential command. But this tie will count only so long as Mr. Nixon makes it clear that he, too, wants the "open Administration" Mr. Klein speaks of. According to Mr. Klein, the President is doing just that. "It's all because of the President's orders and not because of me," he says modestly.

Doubters maintain, however, that Mr. Nixon is encouraging candor not so much because he believes in it as because he wants to capitalize on public dissatisfaction with former President Johnson's secretive ways.

ROOM WITH A VIEW

An important asset in Mr. Klein's efforts is the able staff of 11 he quickly assembled. He directs it from a high-ceilinged, gold-carpeted room in the Executive Office Building just west of the White House. Over his shoulder and out the window is a picture-postcard view of the White House's north portico. A battered typewriter and a cluttered desk recall Mr. Klein's long career as a working newspaperman, culminating in the editorship of the San Diego Union. But a vase of daffodils and baby's breath bespeaks the presence of a prerequisite few reporters can boast—a secretary.

In fact, Mr. Klein has three secretaries in all. And off the reception room where they sit, strung out in five more offices, are four senior assistants, one junior assistant, one researcher and two other secretaries.

Each of the senior assistants stay in touch with several Government departments. Paul Costello, a former Boston newspaper reporter and public relations man, keeps an eye on the State, Defense, Post Office and Transportation Departments. Mrs. Virginia (Ginger) Savell, a long-time Republican aide from California, deals with the Department of Health, Education and Welfare and the Department of Housing and Urban Development as well as the Congressional leadership. Mrs. Margita White, a former aid to the GOP National Committee, handles the Treasury and Justice Departments and the Budget Bureau. Herbert Thompson, a former Associated Press reporter who was on the staff of Vice President Agnew when he was governor of Maryland, handles Mr. Agnew's press relations and stays in touch with the Commerce, Interior, Agricultural and Labor Departments.

A FULL DRESS BRIEFING

Every day, an information man in each department tells the appropriate Klein assistant about the news releases he expects to issue that day and in the days ahead. Recently, Joseph Loftus, special assistant to the Secretary of Labor for communications,

told Mr. Thompson that Secretary George Shultz was about ready to announce plans for reorganizing manpower programs. Mr. Klein raised the subject at a White House staff meeting and it was agreed that the manpower move warranted a Presidential statement and a full-dress briefing by Mr. Shultz at the White House.

In President Johnson's time, the White House didn't keep such close track of coming news releases. But it did require advance notice of all good news, no matter how trivial, in case LBJ himself wanted to put it out first. Now the departments are supposed to handle their own releases, and a man at the Department of Housing and Urban Development comments with satisfaction that Mr. Klein's office "isn't pestering us for the goodies."

Mr. Klein keeps up with things by attending meetings of the Cabinet and Urban Affairs Council. He is also on hand when Mr. Nixon meets with Republican Congressional leaders. He's regularly in touch with all the top White House staffers and sees the President "two or three times a day and then maybe not for two or three days," supplementing these meetings with phone calls and memos.

While conceding that Presidential Press Secretary Ronald Ziegler may know more about Mr. Nixon's "personal" doings, Mr. Klein says, without boastfulness, that he knows "more about what's going on in the departments than anyone else in the Executive branch." With this knowledge, he is in position to help pull together the information that goes into the big briefing book Mr. Nixon uses to prepare himself for press conferences. And Mr. Klein is in a good spot to "coordinate," as he puts it, the Administration's information activities.

Thus, when the Post Office and the Pentagon were about to announce that troops were being dispatched to unload mail from strikebound ships, he discovered that neither department had checked with the Labor Department, which was trying to settle the longshoremen's walkout. If an agreement were imminent, Mr. Klein feared, the troop announcement might upset it. A check revealed that a settlement was several days off. So the Post Office and Defense Departments went ahead with their news release.

Among other things, Mr. Klein acts as a public relations consultant to the departments. For example, he has been directing the campaign to win public and Congressional acceptance of Mr. Nixon's plan to take the politics out of postmaster appointments. He advised Postmaster General Winton Blount on the timing and substance of his press conference announcing the plan, talked to important Congressmen he knows, mailed out copies of Mr. Nixon's statement and transcripts of Mr. Blount's press conference to some 400 editorial writers, helped draft a statement for the Postmaster General to read to key postal personnel throughout the country over a special phone hookup and booked Mr. Blount on two TV news shows. More recently Mr. Klein sent editors a packet of Administration statements on the decision to build a modified antiballistic missile system.

TIPS FOR TV PERFORMERS

Mr. Klein has encouraged all Cabinet members and several other high Administration officials to go on TV, which he feels is "the best way to reach mass audiences." Those with little TV experience, such as Treasury Secretary David Kennedy, have been booked first on local shows to help them "get the feel of it." Before a Cabinet man goes on the air, Mr. Klein and Mrs. Savell brief him about political and Administration-wide matters. The nervous are encouraged to relax and laugh a bit.

Mr. Klein has also attended press conferences and steered greener Cabinet men through trouble areas. He brought a halt to

a session of Mr. Blount's when one reporter asked about a touchy subject: An investigation of contract awards. But at another Blount appearance, Mr. Klein did everyone a service when he handed the Postmaster General a note suggesting clarification of a muddled response about postmaster appointments.

While some of this activity may verge on "news management" designed to make this Administration look good, there are plenty of instances where Mr. Klein has helped to get information out.

He and Presidential Counselor Arthur F. Burns persuaded other White House officials to release summaries of Mr. Nixon's first 94 directives to the departments and agencies, unheard of in the previous Administration. And Mr. Klein pushed some reluctant Cabinet men into giving the press copies of the remarks they planned to make behind closed doors at the national governors' conference.

AN ERRONEOUS "LEAK"

His office is also in a position to give a reporter a good steer. When a prominent figure "leaked" to a newsman that he expected to be named Commissioner of Internal Revenue, Mrs. White warned against using the tips. As it turned out, her information was better than the would-be appointee's; another man, Atlanta attorney Randolph W. Thrower, was appointed to the post this week.

Mr. Klein has also been acting as a sort of one-man complaint bureau for reporters—"an 'ombudsman,' if I could pronounce the word," he says. When an information officer at the Interior Department wasn't returning a reporter's calls, the reporter complained to Mr. Klein; now the official returns his calls. The Oil Import Administration refused to make public certain import-quota allocations until, at the request of a trade journal, Mr. Klein intervened.

"Everybody knows you can appeal to Herb Klein on freedom of information," says one newsman.

Part of Mr. Klein's leverage with the departments stems from the fact that the information chiefs at the Agriculture, Interior, Commerce and Health, Education and Welfare Departments have all worked for him or are friends of his. He helped recruit others. In addition to constant phone talks with the men in the departments, Mr. Klein meets with all of them every two weeks. At the first such session, he had Bruce Ladd, a former Congressman aide, speak on the Freedom of Information Act.

The relationship that still seems unclear is that of Mr. Klein and Mr. Ziegler, who holds the title of White House Press Secretary. Washington is wondering who really is the White House Press Secretary. The 29-year-old Mr. Ziegler, a former Los Angeles ad executive? Or the 50-year-old Mr. Klein, veteran journalist and confidant of the President?

Mr. Ziegler has the title and an office in the White House, only a few steps from Mr. Nixon's, where he conducts twice-a-day briefings for the press. "I have the President and the White House," he says in a voice as crisp as his starched white shirt: "Herb makes information available throughout the Executive branch, which obviously relates to the White House."

But Mr. Klein has been performing some functions that traditionally belonged to the Press Secretary. He has been setting up some of the interviews and handling some of the press briefings given by Counselor Burns, urban affairs adviser Daniel P. Moynihan, economic adviser Paul McCracken and other White House staffers. He and his assistants have helped write many White House press releases. One visitor to Mr. Klein's office reports that their conversation was interrupted again and again by calls from Mr. Ziegler asking advice.

On the other hand, one newsman, noting that Mr. Klein inhabits an office outside the White House, contends that the Director of Communications is "only on the fringes of things." This reporter adds: "You're nobody in the press area unless you're the Press Secretary. Only he has the visibility, the ear of the President and the authority in Government."

This raises the question of whether Mr. Klein will, in the long run, be able to maintain his effectiveness—his clout—and thus keep the Nixon Administration as open as it seems to be now.

As time goes by, the departments' information staffs are sure to shape up, and Cabinet men may be calling less on Mr. Klein for help. Furthermore, his appointees in the departments are bound to develop their own relationships with their bosses and new departmental loyalties that could conflict with Mr. Klein's Administration-wide view.

The most crucial question, however, is not how long Mr. Klein can keep Government information flowing out freely but how long Mr. Nixon will. It may be easier to be candid with press and public now than during the rougher times that surely lie ahead.

"They're all great for telling it like it is, as long as it makes them look good," says one reporter. "But the first leak that hurts them... that's the end of the open Administration."

THE GOLDEN SPIKE CENTENNIAL CELEBRATION

Mr. JACKSON. Mr. President, the Golden Spike Centennial Celebration is only 7 weeks away. On May 10, at Promontory, in the State of Utah, the Nation will commemorate the one hundredth anniversary of the linking of the United States from sea to sea by transcontinental railroad.

I am hopeful that many Members of this body will be able to attend this important historical event. It offers us an opportunity not only to commemorate the leadership and vision which produced the railroad and the endurance of the men who laid the rails, but gives us a time and a place also to pay tribute to the modern railroad industry, and to the men and women who are a part of it.

The ceremonies at Promontory Point will be filled with drama and pageantry. The events of May 10, 1869, will be faithfully reenacted. Replicas of the Central Pacific's Jupiter and the Union Pacific's No. 119 will clank their snouts together, as they did 100 years ago, and the original golden spike will again be driven into a laurel railroad tie. At precisely 1:47 p.m., a telegraph key, hopefully the original one, will click out three dots, representing the hammer blows, and the message "done" will be sent over the wire as it was to President Grant and a waiting nation 100 years ago.

During the course of the ceremonies, the National Park Service will dedicate the visitor's center museum at the Golden Spike National Historical Site, and a number of other commemorative events will take place.

I think it appropriate to point out that the breadth and scope of the planning for the Golden Spike Centennial, and much of the success I am sure the day will have, is due to legislation introduced by the distinguished Senator from Utah (Mr. Moss) and enacted by Congress.

The bill which established the expanded Golden Spike Historical Site (S. 26) was introduced by Senator Moss in the first session of the 89th Congress, reported favorably by the Committee on Interior and Insular Affairs, and became public law on July 12, 1965. This has made possible the development of the site by the National Park Service.

The joint resolution which established the Golden Spike Centennial Celebration Commission, Senate Joint Resolution 10, which has planned the celebration in cooperation with the Utah Centennial Commission, with the railroad industry and with other groups throughout the country, was introduced by Senator Moss in the first session of the 90th Congress, and became public law on August 7, 1967. He has served as the Commission's vice chairman.

And finally, the bill which provided for the striking of the Golden Spike Centennial Medal (S. 1909), the sale of which is financing the celebration to a large extent, was introduced by Senator Moss in the 90th Congress and became public law in May of 1968. Therefore, much of the credit for what is happening should and must go to Senator Moss.

Mr. President, the driving of the golden spike 100 years ago was not only an event of national importance, but it was a turning point in our history. It marked the end of one era and the beginning of another one. It should be roundly and brilliantly celebrated in this, its centennial year, and I am confident it will be.

THE SAFEGUARD ABM SYSTEM

Mr. BAKER. Mr. President, I have spoken out many times in favor of the concept of a limited antimissile defense. I am, of course, extremely pleased and encouraged by the President's decision to deploy the phased Safeguard system.

The editorial reaction of the Nation's press has, by and large, been favorable to the modified system. I myself am confident that a large majority of the American people favor the President's decision. I ask unanimous consent that an editorial from the Memphis Commercial Appeal appearing on March 23, 1969, be printed in the RECORD.

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

WHO IS RIGHT ON ABM?

Now that the debate over the antiballistic missile proposal has been aired before both the Armed Services Committee and the Foreign Relations Committee of the Senate, Congress must decide what is the best course for the nation.

What Congress must decide really is who is right.

What if Defense Secretary Melvin Laird is wrong in his assessment of the potential of the threat posed by the Soviet Union's missile capability or the possibility of Communist China acquiring some potential in this field and using it irresponsibly? Then United States taxpayers are being asked to spend a tremendous amount of money without real security or perhaps wastefully.

The concern that he might be wrong was heightened by the hypothesis posed by Senator Albert Gore (D-Tenn.). He wants to know why the ABM interceptors are neces-

sary if to use them the United States must have a detection system that will inform the military that a nuclear missile is headed toward this country. He suggests that if an incoming missile can be detected, our own retaliatory attack can be fired before it is destroyed.

But what if Laird is right? Tensions between the United States and the Soviet Union have been reduced recently. But past experience teaches that there is no assurance that reasonableness is a constant thing in the Kremlin. There is still a strong belief that the militarists in Moscow are striving for a harder policy and that there might even be a return to a sort of Stalinism there. If such a regime should move into power and holds a substantial first-strike capability, would it be tempted to use it against the United States? Relations with Communist China are even more uncertain than those with the Soviet Union and the instability of the Peking government is even greater than that of the Kremlin.

And what of the other side of the Gore argument? What does it gain us if we fail to intercept an enemy missile and fire our retaliatory missiles before they are destroyed? Is mutual obliteration the objective? Or, worse still, what if the enemy missiles wipe out a large part of the United States and the retaliatory missiles fail to accomplish the same purpose on the enemy because it has an effective ABM system?

It would appear the wisest course is one of prudence.

The proposal at present is for a limited ABM system to protect certain of our nation's retaliatory missile sites from destruction.

If that is the honest intention of the administration, then it would seem reasonable as a sort of insurance policy for national defense. It would be no guarantee against severe damage by an irresponsible foreign power intent upon inflicting such damage. It would, however, serve as a deterrent to even an irresponsible government on the ground that it would increase the likelihood that the aggressor would also suffer severe damage.

Whether that sort of knowledge would be sufficient to eliminate the threat it is impossible for anyone to say at this time.

Under the circumstances, prudence would seem to dictate a policy of limited action which will be kept under constant review for adjustment upward or downward as later knowledge and events dictate. Such a limited defensive measure would have the added advantage, as Secretary Laird has already noted, of giving the United States some bargaining power when it begins discussions with the Soviet Union on disarmament. Such disarmament remains the true ultimate objective of this nation.

WASTE IN DEFENSE SPENDING

Mr. HART. Mr. President, I invite attention to an article written by the able Knight newspaper correspondent, Saul Friedman, regarding waste in defense spending.

We are all well aware that military spending does not receive the same scrutiny that is lavished on domestic spending.

There seems to be, in fact, an entirely different set of rules regarding defense spending as opposed to HEW or HUD, for example—with the latter two budgets provoking serious cost questions.

Is it illogical that we should study more closely waste in a department which annually spends 41 percent of our national budget?

Mr. Friedman's article paints a vivid picture.

He points out, for example, that \$9 billion was spent on 66 projects before they were scrapped as unnecessary.

What kind of scrutiny went into congressional consideration of these proposals?

He cites the millions poured into development of two atomic airplanes—one Air Force and one Navy—which were abandoned last year.

How carefully did we look at these proposals?

And more millions spent on missile systems, likewise down the drain as obsolete.

Far less costly mismanagement practices by any other agency would immediately bring a cry of outrage from this body.

Why then are we silent over Pentagon waste of over \$10 billion.

It seems to me that it is high time we stop okaying these kinds of gigantic military expenditures without first giving Pentagon proposals more than a passing glance.

I ask unanimous consent that Mr. Friedman's article, published in the Miami, Fla., Herald, be printed in the RECORD.

I have no doubt, given the subject matter, that great effort was involved on Mr. Friedman's part. The country is fortunate to have his report.

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

SPENT ON MILITARY "WHITE ELEPHANTS"— HOW PENTAGON WASTED OVER \$10 BILLION (By Saul Friedman)

WASHINGTON.—Like a herd of white elephants, military projects which cost more than \$10.5 billion during the last 15 years are now acknowledged by the Pentagon to be worthless.

And there is considerable doubt among some arms experts about the necessity of other weapons systems now in use, which cost billions more.

Pentagon supporters have always argued that waste and built-in obsolescence are inevitable in the arms field. It's the price the nation must pay to remain secure against threat.

But for the first time since the Pentagon became almost untouchable, this assertion is being widely challenged. It has become central to the debate over the anti-ballistic missile (ABM).

Sen. William Proxmire (D., Wis.) said in a Senate speech, recently: "The President and the Congress and, indeed, the country have lost control over military spending . . . we are paying far too much for the military hardware we buy . . . We often do not get the weapons and products we pay the excessive prices for . . . Weapons systems routinely do not meet the contract standards and specifications . . ."

"After World War II . . . nothing was too good for the military. We have followed a policy of 'gold plating' . . . The military has had a blank check . . . The result is a system not unlike the medieval knight who was so encased in armor that he was unable to move . . . the day of the blank check for military spending must end."

SYMINGTON HITS WASTE

The Pentagon could have expected criticism from Proxmire. He is one of its old antagonists.

But a few days earlier, one of the defense department's best supporters, Sen. Stuart Symington (D., Mo.), a former Air Force

secretary, told the Senate: "Many billions of dollars have been expended on major missile systems that were never even placed into production; that is, were abandoned as obsolete or unworkable before the development work on them had been completed."

What's more, Symington said, "Over \$15 billion of taxpayers' money has been invested in missile systems once produced and deployed but now abandoned, in many cases because in due course it was found they did not work."

Last Nov. 1, Sen. Richard B. Russell (D., Ga.), the most powerful friend the military has in Congress, made a rather significant admission during a speech on the ABM.

"One of the most serious mistakes I ever made (as a member of the defense appropriations subcommittee) was in allotting vast sums to the Navy for missile frigates before we knew we had a missile that would work on them," Russell said.

None of three missiles the Navy tried—the Tartar, the Talos and the Terrier—worked well.

"I made a mistake," Russell added. "It was an honest mistake . . . it probably cost the taxpayers \$1 billion."

FEW PROTESTS

If someone in the Senate found a \$100,000 mistake in the poverty program, it would probably have raised a cry for someone's head.

But there wasn't a peep of protest about the billion dollar mistake because in this age of rapidly advancing technology and hot competition for military contracts, such mistakes have become common at the Pentagon.

Indeed, despite assurances from the Pentagon, and three costly attempts to fix them, Talos, Terrier and Tartar still do not measure up to specifications, a source said.

There are two breeds of white elephants which have come thundering out of the Pentagon since its military budgets became huge during the Korean War.

The first are those projects, which after being highly touted by the military, its friends in Congress and industry, were cancelled at some stage in their development because they were unnecessary or did not work as they should.

The second are those weapons systems which go on and on, continuing to cost millions, although they have outlived their usefulness.

After several requests, the Pentagon has made available a list of "major projects terminated during the past 15 years." The list is not generally circulated and is typed on plain white paper without the usual Pentagon letterhead.

SEVEN NOW WORTHLESS

According to the list, more than \$9 billion was spent on 66 projects before they were abandoned as unnecessary, unworkable, or useless. Among them were 19 different aircraft projects and 28 different missile systems.

In 1965, then secretary of Defense Robert S. McNamara made a similar list available to a closed hearing of the Senate Appropriations Committee. It included 59 projects which had cost about \$6.8 billion. This means that, by Pentagon figures, seven projects costing more than \$2 billion have been deemed worthless in the past three years or so.

The Pentagon figures, however, are not complete. The cost of several projects was apparently underestimated. For example, the amount spent on Dyna-Soar (an airplane re-entry vehicle) was given as \$405 million. McNamara has testified Dyna-Soar cost more than \$800 million before it was dropped.

Nor does the list include about \$500 million spent by the Atomic Energy Commission for nuclear materials on the ill-fated atomic airplane, or more than \$600 million for the Navy version of the TFX—the F-111B, which was abandoned last year.

Therefore, not including considerable, but secret AEC costs for nuclear warheads on missile projects which were cancelled, a conservative estimate of the programs abandoned during the last 15 years is \$10,533,700,000.

EXOTIC NAMES, EXOTIC PRICES

The missile systems were named after gods, birds, a mythical animal out of Alice in Wonderland, and a Greek philosopher who prized love and beauty. The prices for these mistakes were equally exotic.

Among the ten Air Force missile projects cancelled were: Navaho, which cost \$670 million; Snark, \$677.4 million; Rascal, \$448 million; the land based Talos, \$118 million; and the mobile Minuteman, \$108.4 million. None cost less than \$65 million.

The dozen cancelled Navy missiles, which ranged in cost from \$12.5 million to \$225 million, included: Sparrow I and Sparrow II, Regulus II, Petrel, Corvus, Eagle, Meteor, Rigel, Dove, Triton, Oriole, and Typhon.

The Army, which for years has been battling the Air Force and Navy for missiles it can call its own, had six of its projects cancelled after nearly \$400 million was spent. The missiles were called Hermes, Dart, Loki, Terrier, Mauler, and Plato.

The Pentagon list also included tanks, trucks, an atomic mortar, and several electronics systems. It did not include cancellations and mistakes on small arms, ammunition, and bases.

Conversations with arms experts and sources on armed services committee staffs disclose other projects which have been quietly cancelled or allowed to become dormant.

BOMBER BLOOPER COST \$3 BILLION

The Air Force, for example, spent about \$300 million on a communications satellite called ADVENT before the project was given to the National Aeronautics and Space Administration and a public corporation.

Scores of millions were also spent on atomic artillery, from bazookas and recoilless rifles to cannons. Originally deployed in Europe, sources say, they are now considered too vulnerable and have been pulled away from lines of defense.

The most expensive white elephant on the Pentagon list was the B-70 bomber, cancelled in 1967 over objections in Congress and among the Joint Chiefs of Staff. The Defense Department says \$1.5 billion was spent on the project, but a member of the House Armed Services Committee says \$3 billion would be more accurate.

For that price two prototype bombers were built. One crashed while posing for publicity pictures aimed at keeping the project going. The other one has been taken to an air museum in Ohio, where it will become an artifact more expensive than the Great Pyramid.

The other breed of white elephants—weapons systems which persist beyond their need—is more difficult to find. They are covered by a background overgrowth of technology, Pentagon claims, industry propaganda, cold war fears, and secrecy.

A major example is the nation's anti-aircraft defense system, which over the years has cost upwards of \$30 billion. And each year costs more than \$2 billion to operate and maintain. Congressional Quarterly and a former Pentagon official have suggested this annual expense could be dispensed with.

ICBM REPLACED BOMBER DEFENSE

The bomber defense system consists of a complex radar detection system called Semi-automatic Ground Environment (SAGE), and two types of missiles—Bomarc, and Nike-Hercules. SAGE has already cost \$18 billion, and each year about \$1 billion more is spent paying for improving and extending it. The missiles have cost at least \$12 billion, not counting the price of the war heads (about \$500,000 each). Each year more than \$850

million is spent to maintain and improve the missiles.

The nation began deploying its bomber defense system shortly after the Second World War to counter a Soviet bomber threat. But beginning in 1957, when the Soviets launched their first Sputnik, American intelligence and arms experts informed Congress and the Pentagon that the intercontinental ballistic missile (ICBM) was the threat for the future.

The U.S. began building ICBMs, but because the Soviets still had a big bomber fleet, deployment of anti-aircraft missiles continued. American intelligence has apparently proved correct, and as the Soviet ICBM force has grown, the bomber threat has declined.

By 1961, a former staff member of the House Armed Services Committee said, it had become evident that a Soviet attack would probably come with missiles, not bombers. Like McNamara and his "which kids," the Russians had learned that bombers were too slow, too vulnerable, and unnecessary for the destruction of an enemy.

Nevertheless, beginning that year the Army armed its anti-aircraft missiles with expensive nuclear warheads. Since then, aside from the closing of 25 Nike-Hercules sites last year, the anti-aircraft system has continued to grow to almost the same degree that the bomber threat has declined. Several experts, including former White House science advisor Jerome Wiesner, question whether it would have worked.

PRESTIGE RIVALRY AMONG SERVICES

Once a weapons system is entrenched, said Rep. Lucian Nedzi, a member of the House Armed Services Committee, it can be dislodged only by the President or his secretary of defense, and then usually only in exchange for newer, more exotic systems. Congress, overwhelmed by political pressure and Pentagon jargons, is helpless, he said.

Inter-service rivalry for prestige, congressmen and senators with installations and defense manufacturers in their districts, local chambers of commerce, and a new breed of traveling drummers called "strategic systems salesmen" (they are called the "SSS" by the Pentagon wags) all combine to put pressure on the Pentagon and Congress to keep old weapons systems and buy new ones.

There is, of course, one other pressure—the fear of the Soviet Union and international communism. This enables Pentagon supporters to argue, as does Chairman L. Mendel Rivers (D., S.C.), of the House Armed Services Committee: "I think the American people will always be willing to pay the price for having too much defense, rather than risk the inestimable cost of having too little."

With these pressures built into the weapons buying system, industry's salesmen and lobbyists (often former officers), and their scientists bring their ideas to the Pentagon, Dr. Foster once testified backed by rationales supplied for a price by consultants.

"We see threats on the horizon, possible threats, usually not something the enemy has done, but something we have thought ourselves he might do," Foster said, explaining how weapons are conceived.

Roback and other experts on military procurement acknowledge that many weapons become obsolete soon after, or even before, they are deployed.

BUILT BECAUSE OF THE THREAT

But Roback maintains this is inherent in the burgeoning technology of arms.

"Everything you build is going to be obsolete sooner or later, but you build it because of a threat or a possible threat," Roback said.

Against this argument, critical observers of the Pentagon like physicist Ralph Lapp, a worker on the first atom bomb project and former assistant director of the Argonne National Laboratory, said it is not necessary

to overreact to every Soviet threat, real or imagined, or every technological gimmick. "Quick, major breakthroughs which would give one side or the other a major advantage are no longer possible," Lapp said. "Therefore we should continue research and development, and spend even more on it. But we don't need to take the candy store approach to buying and deploying weapons—'Gimme some of these and some of those.'"

Unless the new offensive being mounted against the Pentagon forces a change in defense procurement policies, the Brookings Institution forecasts a new round of multi-billion dollar weapons systems.

The Minuteman ICBMs are to be modernized and replaced by newer versions at an estimated cost of \$4.6 billion; Polaris submarines are to be converted to carry Poseidon missiles at a cost of \$2.5 billion; four nuclear powered aircraft carriers are to be built for at least \$2.16 billion; and further in the future Pentagon planners see new manned bombers able to hurl missiles at an enemy, a manned orbiting laboratory, and more multi-warhead missiles.

Not even their strongest proponents can say with certainty that some or all of them won't be the white elephants of the future.

BYELORUSSIAN INDEPENDENCE DAY

Mr. JAVITS. Mr. President, today marks the 51st anniversary of Byelorussian independence—an anniversary of great importance for American citizens of Byelorussian descent. They are a loyal group who have been doing everything they can to protest Soviet oppression, and to regain freedom in Byelorussia.

On March 25, 1918, the freedom-loving Byelorussian people proclaimed their sovereignty and established the Byelorussian Democratic Republic with its capital in the historic city of Minsk. However, this freedom was enjoyed for a short time only, for despite all of the sacrifices made by its people the young Byelorussian state was unable to preserve its independence against the onslaught of Soviet Communist forces which overran the country early in 1921.

Since that brutal takeover many millions of Byelorussians have been forced to live under the oppressive Soviet totalitarian regime. But the flame of freedom continues to burn brightly in the hearts of these captive people, in spite of harsh restrictions, deportations, imprisonment, and other repressive measures, and because their hope for independence is still strong, it is extremely important that the United States keep alive this hope of freedom. My respect for the self-determination of the Byelorussian people is well known, and I take this opportunity to reaffirm my support of efforts on their behalf and on behalf of the freedom of all the peoples of the captive nations.

SCHOOL DESEGREGATION: WE MUST RESTORE MOMENTUM AND CREDIBILITY

Mr. WILLIAMS of New Jersey. Mr. President, if we are stop the terrible drift toward separate white and black societies, chronicled in the Kerner Commission report, we have no more effective instrument than our public schools. If we can start there to teach youngsters of different races to live and work together, then we have a chance of avoiding a na-

tional catastrophe. The schools are crucial to any solution of our domestic crisis. Those of us who make the laws must make it absolutely clear that the elimination of dual school systems in both the North and South is essential to any effort to bring us together into one harmonious society.

That is the intention of Congress, and the courts have upheld that intention. It is tragic that the administration has not yet told us, unequivocally, that it, too, wants to end racially segregated schools. As of this moment many of the statements coming from the Department of Health, Education, and Welfare have been ambiguous, to say the least. We now face new threats to the enforcement of the Civil Rights Act of 1964, particularly title VI, in which we authorized the Department to cut off Federal funds to any school district that refuses to desegregate.

Scarcely a day passes that we do not get fresh evidence of this vacillation. Others have already inserted much of the earlier evidence in the RECORD. The Washington Post for March 23, in the latest story of this kind, reports that there is presently a memorandum before HEW Secretary Robert H. Finch from his future General Counsel suggesting that the school desegregation guidelines should not be rewritten—they should, instead, be "quietly bent."

I hope Secretary Finch will announce publicly that he has no intention of taking this advice. He has already stated in a reply he made to the late Ralph McGill that he will "not turn back the clock" on desegregation. Last week he gave similar assurances to leaders of the leadership conference on civil rights, the coalition of national civil rights, labor, religious, and civic groups who have coordinated so many national campaigns in support of major civil rights and social welfare legislation.

He told the officials of this group that he intends to enforce the law and that the guidelines will not be rewritten. He told them, too, that the fall of 1969 is still the target deadline for the submittal of school desegregation plans. But that is not enough. He must tell all of us. He and the President must tell the Nation that they are committed to an unbending enforcement of the law as enacted by Congress and upheld by the Supreme Court. Silence allows doubt to grow among those of us who want to see this country fulfill its promise of full equality in an integrated society. Silence allows hope to grow in the hearts of those who cling to the injustices of the past.

I wish Secretary Finch would heed the advice of a former HEW official who had much to do with developing the desegregation guidelines and trying to get them observed—Peter Libassi, who formerly directed HEW's Office of Civil Rights and is now a vice president of the Urban Coalition. In a speech he gave to the 21st annual conference of the National Civil Liberties Clearing House on Friday, March 21, he made these observations:

The system of enforcement must be fair and built solidly on the law. The rights of school officials must be protected. Once HEW policy is based on what the law is, there must be no retreat. That policy is quite simple: "If a

school district violates the Constitution it should not get Federal funds."

Once you build an internal system of enforcement that works, "leave it alone." Let it operate. Once the staff is trained and the quasi-judicial system of examiners and review boards set up, let it do its work. Do not pull cases up for special consideration. If you do that, you break the momentum of enforcement and hurt your credibility. And the whole object of your enforcement effort is to increase the momentum of desegregation and to establish your credibility with the district officials.

You must mean what you say. You must not threaten or bully. You can speak softly, but you must explain the consequences of violation and you must follow through. He said:

It is difficult to build up momentum and credibility but easy to destroy them.

While it is tragically true that more Negro children go to segregated schools than attended them at the time of the Supreme Court decision of 1954, that is a result of population growth. At present, half a million black children are in integrated schools. Twenty-five percent of the black children in the South have escaped the dual school system.

Mr. President, we see that momentum failing today and the credibility of HEW undermined through hesitation and lack of clarity. School districts that were ready to comply with the law are now drawing back. In South Carolina, for instance, 11 out of 33 districts that had submitted acceptable plans for desegregation have now notified HEW that they either want to withdraw those plans or implement them over a longer period of time than they originally agreed to.

Secretary Finch and those who now assume the obligation of enforcement must recognize the crisis they are helping to create. They must speak out now or we shall see an even greater loss of momentum—a loss of credibility that strikes despair into the hearts of parents who want to see an end to segregation. We will be one society and one people, or we shall fail as a society. Secretary Finch must acknowledge this in what he says and in what he does. I do not question his honesty nor the sincerity of his intentions. But I am sure he does not want to carry on his conscience the awful burden of entering history as the man who destroyed the effort to integrate our schools. He owes it to the Nation to say he will enforce the law and to ask our help in carrying out his task.

ELECTORAL COLLEGE—A CLEAR AND PRESENT DANGER

Mr. BAYH. Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a series of outstanding articles and editorials published by the McClatchy newspapers of California. The series deals with our archaic electoral college system and is aptly entitled "The Counterfeit Ballot," because, in truth, the American people do not elect the President. Furthermore, it is possible under the electoral college system that a popular vote winner can, through the mysterious arithmetic of

the electoral vote, be transformed into an electoral loser. As Reporter Martin Smith so vividly pointed out, "The Counterfeit Ballot could result in the selection of a brand X candidate."

Mr. President, I ask unanimous consent to also have printed at the appropriate place in my remarks a column on the dilemma of electoral reform by the distinguished Washington Post writer, Merlo Pusey. Mr. Pusey asks the pointed question: "Is the old wreck worth patching up?" I was pleased to see this outstanding constitutional scholar conclude that it would be "better to work a little harder a little longer for a new model that is sound in every particular before resigning ourselves to costly repairs to an obsolete mechanism that would never be satisfactory." In short, Mr. Pusey believes that we should elect our Presidents as we do all of our other public officials—by direct popular vote.

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

THE COUNTERFEIT BALLOT

"NOTHING BUT THE BEST" IS NEEDED IN
REFORMING ELECTORAL COLLEGE

US Sen. Birch Bayh, D-Ind., chairman of the Senate constitutional amendments subcommittee, made one of the best remarks about proposals to junk the antiquated Electoral College and replace it with a method more responsive to the public wishes. At the opening of hearings on the subject in Washington, DC, he told his subcommittee:

"Nothing short of the best method will suffice. What is at stake here is the vitality of our political institutions and their responsiveness to the needs of the American people. I strongly believe that direct popular election is the best electoral system with no ifs, ands or buts."

The movement toward reform of the Electoral College system began many years ago. Attempts at improvement often were beaten before they were sponsored by an intransigent leadership in Congress which was leery about giving the general public a more say in the selection of the president and vice president.

The ground swell favoring change has bubbled up with more force than ever and, therefore, this session of Congress may finally produce results. Vox populi vox Dei (the voice of the people is the voice of God.)

The series of articles in The Bee entitled "The Counterfeit Ballot," written by Martin Smith, Bee state Capitol staff writer, demonstrates the voice of the public is demanding action. This may be the year it will be heard. It should be, for it is a work postponed for too many generations.

The series zeroed in on the situation which almost developed in the 1968 election, which was viewed with horror by millions of television watchers. During the counting of the ballot, the outcome was indecisive and there were all sorts of speculations about the possible consequences. There were fears there would be no majority vote winner and the selection of the president would go to the House of Representatives. It was suspected the House would become deadlocked and subjected to the blackmail tactics of the George Wallace-types.

"The United States," Smith reported, "had teetered briefly on the brink of disastrous governmental instability, then veered back safely for another four years."

This happens every four years because American voters do not elect their presidents. The voters only choose members of the Electoral College who, in turn, choose the presidents and vice presidents according to their will.

If, regardless of how many popular votes a

candidate might have, neither he nor any other has an Electoral College majority, the choice of the president is left up to the House of Representatives—where the politicking would be intense.

In the House the individual members do not not cast direct ballots either—each state has one vote regardless of population.

This ridiculous situation has been tolerated too long.

It should be changed before the next general election.

President Richard M. Nixon, perhaps more than any other man, holds the key to reform. US Sen. James O. Eastland, D-Miss., chairman of the Senate Judiciary Committee, said if the President pushes electoral reform, reform will be forthcoming. In Nixon be it said: "Yours is the leadership."

PUBLIC WANTS POPULAR PRESIDENTIAL VOTE, NOT WINDOW DRESSING "REFORM"

The process of reform of such magnitude as the proposed abolishment of the Electoral College is time consuming and arduous. It requires persistent public pressure to make sure it does not become bogged down in the semantics of special interest pleadings.

That the public wants its representatives in Congress to act is clear. Almost every major survey of citizen sentiment shows the choice is for a popular election of the president and vice president without any in-betweens. The voters do not want their senators and representatives to dream up some fancy window-dressing replacement for the Electoral College in the false name of "reform." They want to have their votes cast directly for those they prefer to lead the country. They want each vote to count equally.

The recent series of articles in The Bee, entitled "The Counterfeit Ballot" and prepared by Martin Smith, Bee Capitol staff writer, pointed out national polls in 1948 and again in 1960 showed the public—by a healthy 2-1 margin—wanted the Electoral College eliminated.

And instead of dwindling, the percentage climbed dramatically higher by 1968. A Harris Survey last November showed an overwhelming 79 per cent of those polled favored direct election of presidents and vice presidents and only 11 per cent opposed elimination of the Electoral College.

So great is this expression of the public's will the Congress should be quick to respond. After all, the Congress acts for the people and if the people want the government to be brought closer to home, to the grass roots as it were, then the congressmen should be most anxious to fulfill the people's request.

Perhaps one of the reasons the Congress has not acted before this is the public apathy which developed between presidential elections. But this time the public is more aroused than ever before. The anxious hours of election night last November which were shared by millions of viewers of television made more people aware of the dangers inherent in the present system.

The politicians no longer can ignore the public on this issue.

In this dangerous age of instant conflict which can embroil the nation in situations of frightful consequences, the nation cannot afford a moment without positive leadership. The possibility of having an "acting president" or one who has been previously rejected by a majority of the popular vote is too perilous to be tolerated.

Before a national popular presidential election can be established, both houses of Congress would have to approve by a two-thirds vote a constitutional amendment which would then have to be ratified by three-fourths of the 50 states. This task is so great the machinery should be placed in motion as soon as possible.

The Congress should start the wheels moving and the public should make sure they keep on turning so the presidential election

of 1972 will be in truth a reflection of the will of the public.

NIXON IS THE ONE TO LEAD VOTE REFORM

A new administration, even one elected by a narrow margin, has advantages not enjoyed by the old in its first months in office. It can ride the buoyant winds of change, progress and reform with equanimity, assured of the chance of success where failure ruled before. The direction of change depends upon the head of the new regime. He sets the course; he establishes the leadership; he determines the emphasis.

President Richard M. Nixon almost exclusively holds the key to the problem of meeting the public demand for its rightful desire to have a direct voice in electing presidents and vice presidents. He and his advisers must be aware of the people's wish for a direct popular national vote. Nixon should convert that wish into reality by urging that Congress also hear the public's outcry.

Millions of people go to the polls every four years thinking they are casting their votes for the candidates of their choice. But this "sacred franchise" is not so divine after all because the voters, in fact, do not choose the winners among the various party nominees. Their votes go to "electors" who meet later to pick the president and vice president. No law binds the electors of the Electoral College to vote for the persons who were picked by the majority of the voters. They can vote for any person they want based on their own personal wishes. Over the years, several have done this, thwarting the will of the public.

Several years ago the American Bar Association, through a special commission on Electoral College reform, declared while there may be no "perfect way" to elect a president, the direct, nationwide vote is the best of all possible alternatives. The bar commission termed the present system "archaic, undemocratic, complex, ambiguous, indirect and dangerous."

There is no need to perpetuate this ludicrous situation.

The people have spoken—they want a national popular primary with a national popular runoff election. Many responsible organizations, including the bar association, the United States Chamber of Commerce and organized labor, want the Electoral College junked.

Countless measures have been introduced in Congress session after session seeking reform. The McClatchy newspapers for decades have advocated the simplest, most representative way to give every voter the fullest voice in his government is to give him the direct ballot. Anything short of the direct ballot is a fraud. The recent series of articles published by the McClatchy newspapers documented the shortcomings of the present method in "The Counterfeit Ballot."

All this leads to the present. Congress, knowing the people's wants, and the new administration, having the opportunity to enunciate, finally could institute elimination of the Electoral College and establishment of the direct popular vote.

There certainly is no need to wait any longer. There is no reason to provide a "substitute" for the Electoral College, or a modification which would act to continue this "iron curtain" which divides the people from the presidency.

ACTING PRESIDENT WAS CHANCE UNDER ARCHAIC VOTING SYSTEM (By Martin Smith)

It all sounded so strange that election night. The voting trend was indecisive, and the choice of the president might be left to the House of Representatives under the archaic constitutional procedures established nearly two centuries ago.

A deadlock in the House appeared to be a real possibility. The television pundits were talking of the chance an acting president might be necessary to take over the reins of

government if the House could not reach a decision by Jan. 20.

An acting president? It sounded as if they were talking about a Central American banana republic, not about the United States. But they were.

VOTERS DECIDED

It did not turn out that way, of course. Hubert H. Humphrey ran more strongly than expected, but George Wallace ran weaker and Richard M. Nixon won a majority of the Electoral College votes.

Once more, in the view of those who for decades have been warning that the nation's presidential election system is in need of basic revisions, the United States had teetered briefly on the brink of disastrous governmental instability, then veered back safely for another four years.

It is a drama occurring in one form or another every four years because—and this needs repeating—American voters do not elect their presidents. The voters only choose members of the Electoral College, who, in turn, choose the presidents and vice presidents.

TROUBLE ARISES

It is a system which only worked, more or less, the way it was supposed to in the first two elections in which it was employed. The third time around, in 1796, the system began to cause trouble.

Individual electors are expected to vote for the candidate on whose slate they ran, but they do not have to do so. Dr. Lloyd W. Bailey of North Carolina proved that again last month.

He was one of the 538 individuals—members of the Electoral College—who decided who should be the president of the United States for the term starting tomorrow. Bailey is a John Birch, which is his privilege, and although he supposedly was elected by North Carolinians to vote for Richard M. Nixon for president, he instead cast his vote in the Electoral College for George Wallace. As events turned out, that was Bailey's privilege, too.

SECOND, THIRD CHOICE

The system, coupled with an undemocratic, boss-controlled method of selecting party candidates, makes possible the election of a president who actually may be the second—or third—choice of most American voters.

United States Sen. Birch Bayh, D-Indiana, called this year's election another "brush with catastrophe."

The potential horrors of the present system long have been known. Sometimes the horrors have come to pass.

Three times in the 19th century—in 1824, in 1876 and in 1888—a candidate has captured fewer popular votes than an opponent but still has gone on to become president.

CLOSE CALLS

So far this has not occurred in the present century, but there have been three close calls—in 1948, in 1960 and again last year.

If, regardless of how many popular votes a candidate might have, neither he nor any opponent has an Electoral College majority, the choice of a president is left up to the House of Representatives, where the politicking for support would be intense.

A deadlock in the House always would be a possibility. Congressmen, when called on to elect a president, do not vote as individuals. Instead, each state is accorded one vote—no matter what its population is.

ONE VERSUS THIRTY-EIGHT

Nevada's single congressman would decide how his state's one vote for president would be cast, while California's 38 congressmen would decide whom their state's one vote would support.

In the opinion of many political scientists and also many hardheaded practical politicians, the worst possibility is that a cloud

would hang over the head of some future president who won the office under what were regarded as dubious circumstances.

Stanford University political science Prof. Ray Wolfinger has warned that, under these circumstances, considerable numbers of the population "might feel freer to disobey the law."

OMINOUS TALK

It is ominous talk. But it is based upon real dangers.

An acting president? A president regarded by most Americans as a usurper?

It could happen because of the Electoral College.

ELECTORAL COLLEGE SYSTEM FALTERED IN 3RD ELECTION

(By Martin Smith)

The founding fathers offered an attractive rationale for the Electoral College system of selecting presidents.

Although the system simply was the result of a political compromise, the framers of the Constitution argued it offered a positive good. The system, as they saw it, would permit the very best men in the nation to sit down every four years and calmly, without rancor and partisan considerations, decide who would make the best president.

This vision quickly proved to be a mirage.

The founding fathers themselves promoted the development of political partisanship. The presidential electors were regarded as faceless individuals. They were unnecessary and sometimes troublesome middlemen in the process by which presidents were selected.

UNEXPECTED VOTE

In 1796 one of the Pennsylvania electors voted for Thomas Jefferson for president when everyone thought he had been committed to vote for John Adams. An angry Federalist politician wrote:

"What, do I chuse Samuel Miles to determine for me whether John Adams or Thomas Jefferson shall be president? No! I chuse him to act, not to think."

Other individual electors occasionally have broken their faith by thinking.

The most recent was Dr. Lloyd W. Bailey of Rocky Mount, N.C., who, although he was elected as part of Richard M. Nixon's slate of electors, chose instead to cast his vote for George Wallace for president.

One elector broke loose from Harry S. Truman's Tennessee slate of electors in 1948. Adlai Stevenson lost one of his Alabama electors in 1956.

AMBITIOUS SCHEME

The most ambitious renegade was an Oklahoman who had been elected in 1960 to cast his Electoral College ballot for Nixon. Instead, the elector promoted an unsuccessful project to persuade other electors to desert Nixon and John F. Kennedy and support instead, a strong conservative for the presidency.

His scheme simply was a variation of attempts by Southern conservatives since World War II to force the election into the House of Representatives where Alabama's voice would count every bit as much as New York's.

Strom Thurmond ran for president in 1948 in the hope the election would go to the house where a major party candidate then might have to bow to dictates from Dixie on race questions.

Thurmond failed, as did George Wallace who ran last year with more or less the same idea.

But Wallace's movement remains as a threat to the two-party system which most political scientists think has been a mainstay of political stability in an increasingly troubled nation.

Soon after Wallace announced his presidential candidacy last year, a Democratic congressman called for modifications of the

Electoral College system to provide for a runoff election if no one candidate received a majority of the electors.

But it was a Republican, U.S. Rep. Clark MacGregor of Minnesota who called for abolishing the Electoral College and replacing it with a popular vote.

"The Wallace candidacy is a cynical attempt to capitalize upon the vagaries of our presidential election system to get a stranglehold on national policy," warned MacGregor.

"The American people would not wish us to stand by idly while a minority presidential candidate attempts to blackjack either major party candidate into such an unholy alliance."

WALLACE ASSESSMENT

Robert H. Finch, the incoming secretary of health, education and welfare, who was until recently California's lieutenant governor, assessed the Wallace candidacy in 1972 and observed that the former Alabama governor has "a pretty good piece of political machinery going for himself."

Finch acknowledges the process by which the United States Constitution is amended is an exceedingly slow-moving one, but he sees the Wallace threat as providing "a greater catalyst for change now than ever before."

CAMPAIGNING NIXON MOVED CLOSER TO POPULAR VOTE IDEA

(By Martin Smith)

U.S. Sen. James O. Eastland, the conservative Mississippi Democrat who, as chairman of the Senate Judiciary Committee, will have a lot to say about any changes in the system of electing presidents, has predicted the system will be revised—if the new president wants revision.

"If the next president pushes electoral reform, we'll get it," said Eastland. "If he doesn't, I don't assume so."

The new president is Richard M. Nixon who indicated during the campaign he favors changes in the system. He said once he was not proposing abolition of the Electoral College, but he also said he thinks the man with the most popular votes should become president.

NO DETAILS OFFERED

Nixon has not offered any detailed recommendations for revising the system but in his most extensive statement on the issue, he said on Sept. 3 in Cleveland, Ohio:

"I am not suggesting we go so far as the direct election of the president. But I do believe that in a particular state the fact that one man may win the state by a few thousand votes and then get all the electoral votes of that state—I think that, in effect, disenfranchises a lot of other people who may have voted on the other side. I would rather have proportional representation in the Electoral College."

MOVES CLOSER

But later in the campaign, Nixon seemed to be moving closer to the idea of deciding the presidential election by popular vote.

On Oct. 15: "I think that if the man who wins the popular vote is denied the presidency, the man who gets the presidency would have very great difficulty in governing."

On Oct. 21: "Whoever wins the popular vote should be the next president of the United States."

On Oct. 30, while challenging Democratic rival Hubert Humphrey to accept the decision of the popular vote: "I say again, the candidate who gets the most votes should be the next president. I stand ready to accept the decision of the electorate."

FINCH PREDICTIONS

Former California Lt. Gov. Robert H. Finch, a close friend and adviser of Nixon's and chosen by the president to be secretary of health, education and welfare, predicted in a Sacra-

mento interview that Nixon will offer specific proposals for changing the presidential election system.

Finch said he does not know yet what forms these proposals will take. Speaking just for himself, however, Finch said he likes the idea of retaining the Electoral College but having most of the electors chosen by individual congressional districts. This would result in the electoral votes of most states being split among leading candidates.

Finch said this proposal "has great appeal to me because it would tend to develop a viable two-party system in the South. There would be an enormous incentive to try to develop strong congressional candidates in those Southern states."

FOUR PLANS

The congressional district plan is only one of four basic proposals expected to go before Congress at the 1969 session for changing the method by which American presidents are selected.

The other three basic plans:

—Retaining the Electoral College but simply apportioning each state's electoral votes on a percentage basis to reflect the popular vote in the state. The present winner-take-all system would be eliminated.

—Retaining the Electoral College system and also its winner-take-all provision so that a state's entire slate of electors still would go to the winner of the popular vote, but eliminating the office of elector. An automatic state unit electoral vote system would be substituted for the individual electors.

—Simply abolishing the Electoral College and deciding the presidential elections by a nationwide popular vote.

This last proposal has been given new support as the result of a special study by an American Bar Association commission which strongly recommended that a popular vote decide presidential elections.

INDIANA SENATOR SEES ONLY ONE WAY:

JUNK ELECTOR COLLEGE

(By Martin Smith)

U.S. Sen. Birch Bayh, D-Indiana, has been calling for reforms in the Electoral College system since he first was elected to the Senate in 1962.

But for a long time he opposed any plan to eliminate the college entirely and substitute in its place a direct popular vote for president.

Bayh changed his mind in 1967.

He called for going all the way and eliminating the Electoral College entirely in favor of a popular vote.

NEW ENGINE NEEDED

"Mere procedural changes in the present system would be like shifting around the parts of a creaky and dangerous automobile engine, making it no less creaky and no less dangerous," he warned.

"What we may need is a new engine, because we are in a new age."

What caused Bayh to shift his view is a report issued by a special American Bar Association commission which after a detailed study concluded:

"The Electoral College method of electing a president of the United States is archaic, undemocratic, complex, ambiguous, indirect and dangerous....

"While there may be no perfect method of electing a president we believe that direct nationwide popular method is the best of all possible methods."

The commission, headed by Robert G. Storey, president of the Southwestern Legal Foundation and dean emeritus of the Southern Methodist University Law School in Dallas, offered detailed recommendations on how presidential elections might be decided by popular vote.

It recommended that a party's presidential and vice presidential candidates continue to

run as a team. The presidential candidate and his running mate who captured the most popular votes would win—provided they had at least 40 per cent of the popular vote.

If no ticket won 40 per cent of the popular vote, then a runoff election would be held between the two tickets with the highest number of votes.

DATE SETTING PROCEDURE

Congress would have the power to set the dates for regular and runoff elections, but individual state legislatures would have the power to provide for places and manner of the elections. Congress, however, would retain reserve powers to overrule the state legislatures.

Persons qualified under state law to vote for members of Congress would vote in presidential elections except that a state would be empowered to make even fewer restrictive requirements for presidential voters.

Congress also would be given a reserve power to provide for uniform age and residence requirements.

Among those on the 15-member commission were leading legal scholars and attorneys, including Paul Freund, a constitutional law professor at Harvard Law School; four former ABA presidents; two state governors, and Herman Phleger, a San Francisco attorney and former adviser to the U.S. State Department.

They returned an eight-count indictment against the Electoral College system, charging it:

—"Allows a person to become president with fewer popular votes than his major opponent.

—"Grants all of a state's electoral votes to the winner of the most popular votes in the state, thereby cancelling all minority votes cast in the state.

—"Makes it possible for presidential electors to vote against the national candidates of the party.

—"Awards all of a state's electoral votes to the popular winner in the state, regardless of the turnout in the state.

—"Assigns to each state at least three electoral votes regardless of its size.

—"Fails to take into account population changes in a state between censuses.

—"Employs an unrepresentative system of voting for president in the House of Representatives.

—"Allows for the possibility of a president and vice president from differing political parties."

THE 12TH AMENDMENT CITED

The 12th amendment to the Constitution in 1804 was intended to eliminate this last possibility but the amendment did not shut the door completely on such a turn of events.

For example, if the 1968 presidential election had been thrown into the House of Representatives Republican Richard M. Nixon might well have been the ultimate choice. But the choice of the vice president would have been left to the United States Senate. Many observers think it likely that the senators would have chosen one of their colleagues, U.S. Sen. Edmund Muskie, the Democratic vice presidential nominee, for vice president instead of Spiro T. Agnew, the Republican nominee.

The ABA report has been made at a possible turning point in history—when the defects in the present system for electing presidents are becoming increasingly apparent to the public.

ELECTORAL COLLEGE DRAWS GOVERNORS' DISSATISFACTION

(By Martin Smith)

The Electoral College has existed for more than 180 years, although Americans have been dissatisfied with it for much of that time.

Few persons think it will be easy to replace it with a direct popular vote in the selection

of presidents and vice presidents. But public unhappiness with the antiquated Electoral College is greater than ever, and many political leaders agree now is the time to eliminate it.

In 1948 and again in 1960 national polls indicated the public, by a 2-1 margin, wanted the Electoral College eliminated. The percentage of those opposed to it has climbed dramatically. Last November a Harris Survey showed that an overwhelming 79 per cent of those polled favored direct election of presidents and vice presidents. Only 11 per cent opposed elimination of the Electoral College.

Dissatisfaction with the system is widespread and increasing, but there is dissent, too.

While some Southern white conservatives are reluctant to eliminate the Electoral College completely, preferring instead to tinker with and retain the present system, an important minority group also shows a cautious if different attitude on the issue.

Clarence Mitchell, secretary of the National Association for the Advancement of Colored People, has told a U.S. Senate subcommittee his organization flatly opposes any move to divide a state's electors according to popular vote percentages within that state. This is one of the reform-but-retain proposals being heard in the debate over the Electoral College.

MINORITY FACTORS

Minority groups see an advantage for themselves in the winner-take-all system by which a candidate captures a state's entire slate of electors by winning that state's popular vote, no matter by how small a margin. Nominees now regard major groups of minority voters as possibly deciding factors in swinging some states. Minorities justify this possible advantage as necessary to offset the bloc of Southern white segregationist states.

Mitchell, however, also has told U.S. Sen. Birch Bayh, D-Indiana, the American Bar Association proposal to eliminate the Electoral College completely in favor of a direct popular vote is an excellent one.

But Mitchell added the NAACP would support the recommendations for a direct popular vote "only if there are absolute and fool-proof safeguards against discrimination in registering and voting."

If there can be guarantees that minority groups will not be prevented from participating in a direct popular vote for president, the NAACP will support the ABA recommendations. But if the present system is to be retained, the proposal to divide a state's electors will only make existing inequities even worse, in the NAACP view.

REWRITING IS SLOW

Rewriting the Constitution is a slow-moving process. The usual way is for an amendment to be approved by a two-thirds vote of each house of Congress, and then be ratified by three-fourths of the legislatures of the 50 states.

The McClatchy newspapers sent inquiries to governors of all 50 states, seeking their views on the present system of electing presidents and vice presidents. Not all replied. Some of those who did said they had not reached a decision yet on proposed changes. Some thought the Electoral College might be retained if basically overhauled.

But not one of the governors said he likes the system the way it is. There was significant voices from both major parties calling for its outright abolition in favor of direct popular votes.

One of the most outspoken was Pennsylvania Republican Gov. Raymond P. Shafer. He noted that one of his state's delegates to the 1787 Constitutional Convention, James Wilson, thought even then that American presidents should be chosen by direct election.

"It is time that we add our strength to the lone voice of that great Pennsylvanian," said Shafer. "I will recommend that our General Assembly, when it next convenes, lead the nation in a call to Congress for a constitutional amendment to abolish the Electoral College."

REPLIES FROM OTHERS

Other governors who replied or otherwise expressed themselves in favor of outright abolition of the Electoral College included Democrats Warren E. Hearnes of Missouri and William L. Guy of North Dakota and Republicans Richard B. Ogilvie of Illinois, John A. Love of Colorado, Russell W. Peterson of Delaware and Tom McCall of Oregon.

One who replied when he still was a governor of Maryland but since has assumed another office is Vice President Spiro T. Agnew.

"There is no question in my mind that basic reform of this outdated process is necessary," said Agnew. "Maryland is one of the few states with a statute binding electors to cast their votes for the winner of the state's presidential election but even the constitutionality of this law is dubious."

UNRUH TAKES STAND

The strongest voice in California in favor of eliminating the Electoral College is Assemblyman Jess Unruh. He is asking the state legislature to urge Congress to begin the process by which the Constitution can be amended to provide for a direct popular vote for president and vice president.

"Today it is clear, as it has been for more than a century, that the Electoral College envisioned by the framers (of the Constitution) bears no relation to their intent, if indeed it ever did," Unruh has commented.

ELECTORATE IS COMPETENT

"... No modern politician who values his profession dares to argue that the American electorate is incompetent to elect the president of the United States. If this is so, all rational argument against popular presidential elections disappears. The Electoral College is a useless and dangerous appendage to our body politic. It must be removed."

No matter how low the Electoral College ranks in the public esteem, the surgery proposed by Unruh and other prominent Democratic and Republican leaders will not be easy to accomplish.

Nearly everyone agrees that some surgery is necessary. So far, there is insufficient agreement as to its extent, and this could renew the Electoral College's lease on life.

DISASTER COULD OCCUR

Then, the disaster that most observers fear may occur: The Electoral College once again could award the presidency to a man who was the only runnerup in the popular vote.

The Counterfeit Ballot could result in the selection of a Brand X president.

IS THE OLD WRECK WORTH PATCHING UP? (By Merlo J. Pusey)

The dilemma of Congress as it surveys the weaknesses of our electoral system is not dissimilar to that of a motorist as he contemplates the 1958 wreck in his driveway. Shall he have it repaired at substantial cost and disregard the fact that it would still be a risky means of transportation? Or shall he recognize that it is obsolete as well as badly worn and fork out the price for a new model?

Some eminent witnesses before the House Judiciary Committee are contending that only mechanical repairs to the electoral system are essential. The extravagance of ordering a new model might offend the folks back home and cause the whole thing to be rejected. This was essentially the argument of Attorney General Mitchell the other day.

There will be little if any quarrel with the

repairs that Mr. Mitchell and President Nixon wish to make. First, they want to do away with individual electors. Last November George Wallace took the country much closer than it wanted to be to the possibility of third-party electors actually selecting the President of the United States. There can be no doubt about it. The dummies who under the present system, stand between the President and the people must go.

The second repair for which Mr. Mitchell spoke is that the Presidency go to the top man if he receives 40 per cent of the vote—instead of the electoral-vote majority required at present. Third, the Administration plan calls for a run-off in case no candidate receives as much as 40 per cent.

Then there are a number of repairs designed to reduce uncertainties under the present system. If a presidential candidate who had received a clear electoral-vote plurality should die before the votes were counted, the successful vice presidential candidate would become President. If the winning vice presidential candidate should die before the votes were counted, the incoming President could fill the vacancy under the terms of the Twenty-fifth Amendment.

If both the winning presidential and vice presidential candidates should die before the electoral votes were counted, Congress would be authorized to order a new election. Congress would also be given power to provide for the possible death or withdrawal of a presidential or vice presidential candidate prior to the election.

Undoubtedly these would be useful repairs. But the question remains as to whether our ancient tottering electoral system is worth the time and effort that would be necessary to patch it up in this fashion. For with all the "mechanical" changes outlined by the Attorney General, it would retain critical weaknesses.

The foremost of these is the possibility that the so-called proportional system, which both the President and Mr. Mitchell regard as a satisfactory alternative to direct popular election of the President, might hand defeat to the candidate winning the highest popular vote.

There are some who believe that the danger of elevating the popular vote loser to the White House would be increased under the proportional system. With all its defects, the electoral college system, as it is currently employed, gives an advantage to the large states as well as to the small states. The small-state advantage is readily apparent. Alaska and Delaware, for example, have three electors each (one for each Senator and Representative) although a distribution of electors on the basis of population would give them only one apiece, or less. They would keep this advantage under the proportional system, and all electoral votes would be divided among the candidates in accord with their standing in the popular vote.

Under the present system this favoritism of the small states is offset in some measure by the general-ticket arrangement which gives the winning candidate in each state all the electoral votes of that state. A candidate may, for example, win only a slight plurality in New York and California, but the result is to give him all the 83 electoral votes of those states. Candidates from the big states thus have an inside track, and the presidential campaigns tend to center in the large states favorable to them.

Under the proposed proportional system, this big-state advantage would be largely gone, for electoral votes would be divided to reflect each candidate's popular strength. The small-state advantage would remain. So it would be possible for a candidate with special standing in the small states to obtain a winning electoral percentage without a popular majority.

Several studies indicate that Richard Nixon would have won in 1960 over John F. Kennedy if the proportional system had been in effect. In 1968 the proportional system would have given Mr. Nixon a fairly substantial edge, in part because most of the small states were in the Nixon column. It is interesting to note that a gain of 1.6 per cent in the votes for Vice President Humphrey would have made him the popular vote winner, but it would have taken a 2.74 per cent gain in his electoral vote under the proportional system to make him a winner.

This point calls for more detailed analysis. To what extent would the elimination of the big state advantage through the general ticket system magnify the effects of the little-state advantage? If the splitting of electoral votes would indeed increase the likelihood of electing a President who is not the choice of the people, the proposed amendment would to that extent, be moving away from electoral reform, not toward it.

This critical defect in the proportional system, even though the risk has not been precisely measured and may not be susceptible to precise measurement, has turned most of the reformers to the proposal for direct popular election of the President. It might be better to work a little harder a little longer for a new model that is sound in every particular before resigning ourselves to costly repairs to an obsolete mechanism that would never be satisfactory.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

INCREASING THE PUBLIC DEBT LIMIT

Mr. KENNEDY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 113, H.R. 8508.

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

The LEGISLATIVE CLERK. Calendar No. 113, H.R. 8508, to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. LONG. Mr. President, at the outset of the consideration of the pending bill, let me say that some of us have plans for later in the day. For that reason I propose to insist on the germaneness rule. I ask the Chair whether that rule provides that during the first 3 hours of consideration of the bill the rule of germaneness is in effect.

The ACTING PRESIDENT pro tempore. Under the rule of germaneness, for the first 3 hours that rule applies.

Mr. LONG. I direct the attention of the staffs of the majority and minority to the fact that, as manager of the bill, I shall insist on the germaneness rule. If a Senator enters the Chamber, it would be well to have that Senator informed, rather than to embarrass him by my insisting on the germaneness rule. If a Senator is so advised it will make it easier for both of us. It is our purpose

to proceed to action on the bill, so that Senators who have other plans can be about their business. Senators who have extraneous speeches can make them after action on the bill.

Mr. SCOTT. Mr. President, if the Senator will yield, I wish to join in the expression of the distinguished Senator that we confine ourselves to our consideration of the bill.

Mr. LONG. I thank the Senator. I am hopeful that, at least on this bill, we make the germaneness rule mean what it was hoped to mean. I say that because members of the committee felt this matter should be voted on some time in the immediate future. Therefore, the committee made it clear that we would vote the bill out of committee as it passed the House; and with regard to amendments on the overall problem that might be suggested later, we would reserve them for some later date. Various members of the committee had suggestions, but were not insisting on amendments, including even some that passed both the House and the Senate last year.

Mr. President, the bill before us today, H.R. 8508, is a bill to increase the public debt limit.

Probably the very first question a person is likely to ask in the case of a bill of this type is, Why is any debt limit increase needed at all when we are operating under a balanced budget? The budget for the fiscal year 1969, for example, in the last budget document shows a budget surplus of \$2.4 billion. The same budget document shows a surplus of \$3.4 billion for the fiscal year 1970.

While it is perfectly true that the unified budget—which is the budget which everyone refers to—is expected to be balanced for the fiscal years 1969 and 1970, what we used to call the administrative budget, or what the budget document now calls the Federal funds, is not in balance for these 2 fiscal years.

As is indicated in the committee report, the administrative budget, or Federal funds budget, according to the official budget estimates, shows a deficit of \$7 billion for the fiscal year 1969 and a deficit of \$6.8 billion for the fiscal year 1970.

With these administrative budget deficits, the only reason why the unified budget shows surpluses for these years is that the unified budget takes into account the surpluses in the various trust funds, primarily the social security trust funds. The surpluses for 1969 and 1970 in the trust funds amount to \$9.4 billion in the fiscal year 1969 and to \$10.3 billion in the fiscal year 1970. These surpluses in the trust funds more than offset the deficits in the administrative budget. Because of this there are small surpluses in the unified budget, with which concept all of us are familiar.

From the standpoint of the public debt limitation, however, it is the administrative budget, or Federal funds, which are important, and not the unified budget. This is true because the present debt limitation, with the exception of certain agency debt, reflects the total debt of the Federal Government, including both that

held by the public and also that held by the trust funds.

Briefly, the bill before us provides a permanent debt limitation of \$365 billion, but also provides a temporary additional limitation of \$12 billion that will expire on June 30, 1970. In other words, under the bill, the total debt limitation will be \$377 billion until June 30, 1970, at which time the limitation will drop to \$365 billion.

Let me also give the debt limitation under present law so that one can compare the two sets of figures. Under present law, except for 1 day a year—namely, June 30 of each year—the debt limitation is \$365 billion. On that 1 day of each year—June 30—the debt limitation, under present law, is \$358 billion. In other words, the permanent limitation under the bill as reported by your committee is the same as the present applicable limitation for 364 days of the year.

In arriving at the public debt limit requirement provided in this bill, we used the traditional methods in making this determination. We asked the Treasury to prepare for us a table showing the debt limitation requirements on the 15th and last day of each month on the basis of their best current estimate of receipts and expenditures. In this it was assumed that the minimum operating cash balance would be \$4 billion—even though the average cash balance we maintained this last year was \$5.1 billion—and assuming a leeway of only \$3 billion for contingencies.

At least a \$3 billion contingency allowance has traditionally been provided, because receipts and expenditures, even with the best intentions in making estimates, can vary appreciably from the budget figures. This may occur because a given receipt item is difficult to forecast or because expenditures turn out in some particular category to be larger than expected, or occur earlier during the year than anticipated.

In addition, there is always the prospect that Congress may not exactly follow the recommendations of the past administration. There are at least \$1.6 billion of items of this type which are taken into account in the figures I have given. For example, it is assumed in these figures that the \$500 million postal rate increase referred to in the budget is enacted. On the receipt side of the budget, there are included \$400 million of user charges which, if not enacted, will result in lower receipts by this amount.

All of these items taken together indicate the \$3 billion contingency allowance is quite conservative. The last time we allowed \$12 billion for contingencies, and this time the Secretary of Treasury, when he appeared before the House, requested \$8 billion for contingencies. The bill reduces this \$8 billion to \$3 billion.

Table 2 in the committee report shows the required debt limitation computed on the basis I have indicated. If one will examine it, he will see that the figure for June 30, 1970, with the \$3 billion contingency allowance, amounts to \$364.4 billion—or is within less than a billion

dollars of the permanent debt limitation which the bill before the Senate makes applicable after the close of business on that date.

Another way of arriving at this figure for the permanent debt limitation is by adding to the expected June 30, 1969, debt the deficit I referred to earlier in the administrative budget for the fiscal year 1970. This amounts to \$6.8 billion, and when added to the anticipated debt on June 30, 1969, of \$354.6 billion, gives exactly \$364.4 billion, the debt for June 30, 1970, which I have already referred to.

Let me turn now to why we need a supplementary allowance of \$12 billion up to the end of the fiscal year 1970. Federal expenditures during a year are spread relatively evenly throughout the entire year. Receipts, on the other hand, flow into the Treasury with periodic peaks, depending upon the various tax collection dates.

Although withheld taxes flow into the Treasury on a relatively even basis throughout the year, corporate income tax collections, which are paid on a quarterly basis, and declarations of individuals, which are also paid on a quarterly basis, result in the periodic peaks throughout the year that I have referred to. The two biggest peaks in collections, of course, occur shortly after the due date for the corporate and individual income tax returns on March 15 and April 15 of each year.

All of this means that in practically every year we run a higher deficit—or smaller surplus—throughout the first part of the year than in the last part of the fiscal year. As a result, debt requirements build up in each year until about March 15, or April 15, and then fall off again. This explains why we need the additional \$12 billion leeway during the fiscal year 1970, as well as before April 15 of the current year.

If Senators will again turn to table 2 in the committee report, they will see that on March 15, 1970, it is estimated that the debt, subject to limitation on that date, will amount to \$377 billion, taking a \$3 billion contingency allowance into account. This is exactly what the supplementary allowance would provide for the fiscal year 1970. The peak debt requirement on April 15 is only slightly less—\$376.7 billion.

This is certainly a tight limitation, and I do not see how, given the present budget, we can get by on anything less. In fact, it is entirely possible that we may have to be here before the end of the fiscal year 1970 should budget prospects not turn out as favorably as now hoped.

It is important that we act upon this bill promptly, because the debt is likely to be very close to the ceiling—too close in fact—during the mid-April period.

The situation then is likely to be even worse than our experience in mid-March. On the 14th of March, the Secretary of the Treasury informed the committee we had a debt subject to limitation of \$364,717 million. In other words, we were within \$283 million of the statutory ceiling, not much more

than a third of 1 day's expenditures, and even to do this the cash balance had to be reduced to a level of \$2.4 billion.

On April 15 the Secretary of the Treasury informed the committee that we can stay under the existing \$365 billion ceiling only by drawing our cash balances down to a level of about \$1.8 billion, a figure which is much too low for contingencies which might occur and which is much too low for good debt management practice. It is for this reason that I

urge the Senate to act promptly on this bill and also not to amend it. Although there were some items the committee would have liked to have added to the bill, we refrained from doing so because of our desire to speed this bill on its way to the President without the necessity of a time-consuming conference. We wanted to be sure that adequate funds will be available to manage our debt in the period immediately ahead.

Before concluding, I would like to say that while I know it is popular to bemoan

every increase in the debt limit—and surely none of us enjoys increasing the debt limit—nevertheless it seems to me that we should keep this matter in perspective. For that reason, I would like to include in the record at this point two tables prepared for me by the Treasury Department, Office of Debt Analysis. I ask unanimous consent that the two tables be inserted at this point.

There being no objection, the tables were ordered to be printed in the Record, as follows:

TABLE I.—ESTIMATED TOTAL GOVERNMENT AND PRIVATE DEBT, BY MAJOR CATEGORIES

[Dollar amounts in billions]

Dec. 31	Private			State and local	Federal			Total	Percent Federal of total
	Individual	Corporate ¹	Total		Public	Agency	Total		
1929	\$72.9	\$107.0	\$179.9	\$17.8	\$16.3	\$1.2	\$17.5	\$215.2	8
1930	71.8	107.4	179.2	18.9	16.0	1.3	17.3	215.4	8
1931	64.9	100.3	165.2	19.5	17.8	1.3	19.1	203.8	9
1932	57.1	96.1	153.2	19.7	20.8	1.2	22.0	194.9	11
1933	51.0	92.4	143.4	19.5	23.8	1.5	25.3	188.2	13
1934	49.8	90.8	140.4	19.2	28.5	4.8	33.3	192.9	17
1935	49.7	89.8	139.5	19.6	30.6	5.6	36.2	195.3	19
1936	50.6	90.9	141.5	19.6	34.4	5.9	40.3	201.4	20
1937	51.1	90.2	141.3	19.6	37.3	5.8	43.1	204.0	21
1938	50.0	86.8	136.8	19.8	39.4	6.2	45.6	202.2	22
1939	50.8	86.8	137.6	20.1	41.9	6.9	48.8	206.5	24
1940	53.0	89.0	142.0	20.2	45.0	7.2	52.2	214.4	24
1941	55.6	97.5	153.1	20.0	57.9	7.7	65.6	238.7	27
1942	49.9	106.3	156.2	19.2	108.2	5.5	113.7	289.1	39
1943	48.8	110.3	159.1	18.1	165.9	5.1	171.0	348.2	49
1944	50.7	109.0	159.7	17.1	230.6	3.0	233.6	410.4	57
1945	54.7	99.5	154.2	16.0	278.1	1.5	279.6	449.8	62
1946	59.9	109.3	169.2	16.1	259.1	1.6	260.7	446.0	58
1947	69.4	128.9	198.3	17.5	256.9	1.7	257.6	473.4	54
1948	80.6	139.4	220.0	19.6	252.8	1.0	253.8	493.4	51
1949	90.4	140.3	230.7	22.2	257.1	1.8	257.9	510.8	50
1950	104.2	167.7	271.9	25.3	256.7	1.1	257.8	555.0	46
1951	114.0	191.9	305.9	28.0	259.4	1.4	260.2	594.1	44
1952	128.9	202.9	331.8	31.0	267.4	1.4	268.3	631.1	42
1953	142.7	212.9	355.6	35.0	275.2	1.8	276.0	666.6	41
1954	156.5	217.6	374.1	40.2	278.8	1.4	279.5	693.8	40
1955	179.5	253.9	433.4	45.3	280.8	1.4	282.2	760.9	37
1956	194.8	277.3	472.1	50.0	276.6	1.7	278.3	800.4	35
1957	206.7	295.8	502.5	54.6	274.9	3.2	278.1	835.2	33
1958	222.0	312.0	534.0	59.8	282.9	2.4	285.3	879.1	32
1959	244.3	341.4	585.7	64.9	290.8	5.7	296.5	947.1	31
1960	262.9	365.1	628.0	70.2	290.2	6.4	296.6	994.8	30
1961	284.4	391.5	675.9	77.3	296.2	6.8	303.0	1,056.2	29
1962	311.8	421.5	733.3	84.9	303.5	7.8	311.3	1,129.5	28
1963	345.7	456.7	802.4	90.7	309.3	8.1	317.4	1,210.5	26
1964	380.2	497.9	878.1	97.7	317.9	9.1	327.0	1,302.8	25
1965	416.3	550.1	966.4	104.7	320.9	9.8	330.7	1,401.8	24
1966	447.3	607.9	1,055.2	111.6	329.3	14.0	343.3	1,510.1	23
1967	477.0	650.0	1,127.0	122.0	344.7	20.2	364.9	1,613.9	23
1968	517.8	724.1	1,241.9	132.3	358.0	15.1	373.1	1,747.3	21

¹ Includes dept of federally sponsored agencies excluded from the budget which amounted to \$700,000,000 on Dec. 31, 1947; \$9,000,000,000 on Dec. 31, 1967; and \$21,300,000,000 on Dec. 31, 1968.

Source: Commerce and Treasury Departments; Office of the Secretary of the Treasury, Office of Debt Analysis, Mar. 21, 1969.

TABLE II.—TOTAL GOVERNMENT AND PRIVATE DEBT RELATED TO GROSS NATIONAL PRODUCT

End of calendar year	Gross national product ¹ (in billions)	Ratios of debt to gross national product (in percent)					End of calendar year	Gross national product ¹ (in billions)	Ratios of debt to gross national product (in percent)				
		Federal	State and local	Corporate	Individual and non- corporate	Total			Federal	State and local	Corporate	Individual and non- corporate	Total
1929	\$96.7	18.1	18.4	110.7	75.4	222.5	1949	\$260.5	99.0	8.5	53.9	34.7	196.1
1930	83.1	20.8	22.7	129.2	86.4	259.2	1950	311.2	82.8	8.1	53.9	33.5	178.3
1931	66.9	28.6	29.1	149.9	97.0	304.6	1951	338.2	76.9	8.3	56.7	33.7	175.7
1932	56.8	38.7	34.7	169.2	100.5	343.1	1952	361.0	74.3	8.6	56.2	35.7	174.8
1933	60.3	42.0	32.3	153.2	84.6	312.1	1953	360.8	76.5	9.7	59.0	39.6	184.8
1934	68.6	48.1	28.0	132.1	72.6	280.8	1954	379.8	73.6	10.6	57.3	41.2	182.7
1935	77.4	46.8	25.3	116.0	64.2	252.3	1955	409.7	68.9	11.1	62.0	43.8	185.7
1936	86.5	46.6	22.7	105.1	58.5	232.8	1956	433.2	64.2	11.5	64.0	45.0	184.8
1937	87.6	49.2	22.4	103.0	58.3	232.9	1957	438.1	63.5	12.5	67.5	47.2	190.6
1938	87.6	52.1	22.6	99.1	57.1	230.8	1958	469.2	60.8	12.7	66.5	47.3	187.4
1939	94.8	51.5	21.2	91.6	53.6	217.8	1959	496.8	59.7	13.1	68.7	49.2	190.6
1940	107.6	48.5	18.8	82.7	49.3	199.3	1960	503.4	58.9	13.9	72.5	52.2	197.6
1941	138.8	47.3	14.4	70.2	40.1	172.0	1961	542.8	55.8	14.2	72.1	52.4	194.6
1942	179.0	63.5	10.7	59.4	27.9	161.5	1962	574.7	54.2	14.8	73.3	54.3	196.5
1943	202.4	84.5	8.9	54.5	24.1	172.0	1963	611.8	51.9	14.8	74.6	56.5	197.9
1944	217.4	107.5	7.9	50.1	23.3	188.8	1964	654.0	50.0	14.9	76.1	58.1	199.2
1945	196.0	142.6	8.2	50.8	27.9	229.5	1965	719.2	46.0	14.6	76.5	57.9	194.9
1946	221.4	117.8	7.3	49.4	27.1	201.4	1966	770.2	44.6	14.5	78.9	58.1	196.1
1947	245.0	105.1	7.1	52.6	28.3	193.2	1967	821.1	44.4	14.9	79.2	58.1	196.6
1948	261.2	97.2	7.5	53.4	30.9	188.9	1968	(²)	(²)	(²)	(²)	(²)	(²)

¹ Implied level end of year, calculated as the average of the 4th and 1st calendar quarters at seasonally adjusted annual rates for the years 1939 through present. Prior to 1939, averages of 2 calendar year figures as the best approximations of Dec. 31 levels.

² Not available.

Mr. LONG. Mr. President, these tables show the estimated total Government and private debt by major categories from 1929 to as near the present as figures are available. The first table shows private, State, local, and Federal debt in terms of actual dollar amounts. This table shows that the total private and Government debt by the end of 1968 amounted to \$1.7 trillion. Only 21 percent of this, however, represented Federal debt, and if one will examine the table I have inserted in the RECORD, he will note that the Federal debt as a percent of total debt has been declining steadily from the high of 62 percent of total debt reached in 1945 shortly after the end of the war to the 21 percent in 1968—relatively speaking, only one-third of what it was, as a percentage of the debt, in 1968.

Already the Federal debt in terms of percentages is back to the 1937 level.

The second table I have inserted also shows the Government and private debt from 1929 up to as near the present as figures are fully available, namely, 1967, but in this case these debt figures are shown as percentages of the gross national product for the same years. This table shows that as a percent of gross national product, the Federal debt has been decreasing almost year by year since 1944. This is probably the best measure of the burden of the debt since it shows the debt as percentage of everything we produce in this country. In 1967, the Federal debt was slightly over 44 percent of the gross national product. On this basis the debt in 1945 again expressed in terms of relationship to the gross national product was about 3½ times the size of the debt in 1967, which of course is a very fine improvement, and, in perspective, makes our situation look much brighter than some might think.

I am not trying to say that our debt is not larger than I would like to have it today. I would prefer to be able to say we have no debt at all, but I do think it is important to keep some perspective on this point. This Nation is in a very strong position, and, while we have a substantial debt, we are in a position to carry it.

Therefore, Mr. President, I urge the passage of this bill.

Mr. President, I have stated that I would insist on germaneness during the 3 hours it may be in effect; and I hope Senators who did not know of that will be apprised of it, so that we can stay with the bill until action is completed.

Mr. DIRKSEN. Mr. President, I ask for recognition.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, ever since the late distinguished Senator from Virginia, Harry Byrd, Sr., as chairman of the Committee on Finance, invited me, if I so desired, if it was agreeable with the committee on committees on my side, and if I enjoyed that much seniority, to come and be an active member of that committee—I do not know how long ago that was; I hesitate to think that far back—but, Mr. President,

ever since I can remember, the debt ceiling has been a matter of some controversy in that committee and on the Senate floor. Year after year, we go through this exercise, which sometimes strikes me as a bit of futility, for a very simple reason: when the Treasury officials calculate about what they need by way of a contingent cash reserve at all times, inasmuch as the daily expenditure is about \$750 million, they can project and see how close they get to the ceiling that is imposed by statute, and then, if it gets altogether too close, in the interests of our fiscal integrity and our monetary safety, the debt limit must be raised; and that, of course, is the function of Congress.

Sometimes we have raised it more and sometimes we have raised it less. But regardless of what the fiscal ledger might have been, I think the equation is rather simple: When you get perilously close to that debt ceiling, and there is some uncertainty, at certain seasons of the year, about your income tax collections, then the wise and prudent thing to do is to lift the debt ceiling.

We have hit upon a rather fancy attitude on this matter. We concluded, at some time way back, that perhaps it would be a good thing to do to have a temporary ceiling and a permanent ceiling, and, in due course, after we get over that difficult peak, to revert to the permanent debt ceiling. That is involved here, as it has been for a good long time; so we raise the debt ceiling today simply because we must do so, in the interests of our fiscal integrity.

There is no mystery about it: we continue to spend for a thousand and one diverse purposes, and in due time the spending catches up, and then the debt ceiling must be raised.

It has rather interesting to go back a number of years to those halcyon days when the debt limit was only about \$40 billion. But progressively it has gone up. When we got into the complex business of carrying on a world war, and then the Korean war, the debt finally skyrocketed, by billions and billions of dollars. It goes up and up and up, even as spending goes up, and I have often wondered whether we would ever see the time when there would be an actual reduction in our permanent public debt.

Back in 1945 and 1946, when we had a Joint Committee on the Reorganization of Congress, we provided, among other things, for a legislative budget. There was to be a committee consisting of the members of the House Ways and Means Committee and Appropriations, and the Senate Finance Committee and Appropriations.

I remember the first meeting. We thought it was a novelty, and 107 Members of the House of Representatives and the Senate appeared in one of the committee rooms. We promptly designated Senator Taft of Ohio as the chairman.

Of course, it was evident that the committee was entirely too big and unwieldy; so we soon agreed upon a smaller committee, consisting of 20 or 25 members.

We labored for a time with this legislative budget; but what intrigued me was that when we were supposed to be all

through, and would have reported a legislative budget, if we went beyond the Presidential budget, we also had to report a tax bill, and if the legislative budget was under, then there had to be an agreement that what we might have saved would be applied to the public debt.

That was 23 years ago. Nothing ever happened, and nothing has been applied to the public debt. So, in the war terminology of today, that debt escalates and escalates; and I apprehend that if we continue to spend in proportion as we have done over a long period of years, the debt will continue to go up, and obviously, it has got to be reflected in the form of Treasury notes, bills, and bonds, which have to be sold to the public or to fiduciaries, banks, or insurance companies.

That means that, for practical purposes, the Treasury has to finance in the same market where business and industry must peddle their bonds; and when all is said and done, if you have got enough takers for money, and there is not quite enough to go around, the inevitable result is going to be an increase in the interest rate.

Only 10 days ago, the banks in New York indicated that the prime rate would go from 7 to 7½ percent. That means to their best customers, who always pay off their notes: they are going to have to pay 7½ percent for borrowing money.

The prime rate in Great Britain today is 8 percent. And I apprehend that probably we will see an 8 percent rate before too long at the rate we are going and in view of the intensity of the inflation fever and the inflation psychology that is gripping the country.

This is a difficult matter, but we cannot have our cake and eat it too. If this Congress is going to spend the money, then there ought not to be a single vote against an increase in the debt limit. We are the reason for it. We are the cause. We have set in motion the facts out of which that debt goes up and up, and the ceiling has to go up and up in the interest of our fiscal solidarity and our safety.

I do not know whether there will be a rollcall vote on the bill or not. I heard mentioned in the Finance Committee that there might be a Senator who probably would not vote for the debt increase. I thought he might be around to make a little speech on the subject and then ask for a rollcall vote. And, in the absence of a show of sufficient hands, he could ask for a quorum and then renew his request.

I will stick up my hand for a rollcall vote if that is the way it is, because I have no hesitation in going on record in this matter. The problem is very simple. The need is very great. And I for one am ready to meet it headon. So, if there is going to be a rollcall vote, I want to be present.

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

Mr. DIRKSEN. I yield.

Mr. LONG. Mr. President, there have been requests for a rollcall vote. When we get to a vote, I will ask for the yeas and nays.

In light of the changes made in the measure in the House of Representatives I do not see for the life of me why anyone on either side of the aisle would vote

against this increase in the debt limit. If one looks at the matter from the point of view of the Democrats, the budget spending that has occurred and has required a debt limit increase occurred under the previous administration. And the budget was prepared under a previous administration.

If one looks at it from the point of view of a Republican, no matter how much he might bemoan the necessity of doing this, it was not his administration that brought it about. But I would think he would want to give his own administration enough fiscal elbow room to see what they can do.

In either event, I think one would vote to increase the debt limit.

Mr. DIRKSEN. Precisely so. And the day for lamentation is long past.

I trust the quorum bells will be rung. I find it necessary to be off the floor for a while, but I would like to manifest my interest by holding up my hand.

Mr. WILLIAMS of Delaware. Mr. President, today the Senate is dealing with the question of raising the debt ceiling by \$12 billion, and in addition the administration has just sent to the Congress a request that the 10 percent surcharge be extended for another year. I am disturbed, however, that no greater emphasis is being placed upon the need to hold down spending.

I recognize that the President's message promises some cut in the 1970 budget; and I appreciate this step, but I wish the amount were specified.

I regret very much, however, to see perpetuated the same claims of a budget surplus based on the premise that trust fund receipts can be treated as normal revenue. These trust funds do not belong to the Federal Government, and under the law they cannot be utilized to defray the normal operating expenses of the Government.

This method of claiming a surplus when in reality we are operating at a huge deficit was highly criticized when practiced by the Johnson administration, and it is subject to the same criticism today; namely, that it serves only to mislead the American taxpayers as to the true cost of operating the many programs of this Government.

War, crime, and inflation, are the three major problems confronting our country today, and while we would all place the need for a solution to the Vietnam war as of primary importance, nevertheless the question of inflation is the No. 1 domestic problem.

In fact, any decisions made either escalating or deescalating the war in Vietnam or any solutions proposed to solve the problem of crime must all be weighed as to their impact on our economy and the effect they would have on our efforts to check the spiral of inflation.

Today, I shall present my views on this latter problem of inflation; first, as to some of the causes and second, as to the steps which must be taken to cope effectively with this problem.

One of the major contributing factors to inflation has been the high spending policies of governments, both at the Federal and at the State levels and the high level of spending by consumers and pri-

vate industry, much of which is financed by expanded debt.

Failure on the part of the Federal Government to tell the American people the truth about the extent of its own deficit spending policies has been one of the major faults. For the past 5 years the American taxpayers have been deluded into a false sense of security by an administration which by juggling its accounting practices was reporting surpluses when in reality it was creating staggering deficits. These are the causes; but what is the solution?

When we approach the solution to any problem, it is necessary to recognize that the problem exists, determine its causes, and then decide what steps need to be taken for correction.

No one needs to be told that the problem of inflation exists today.

Inflation today is not just a threat but a reality as is evidenced by the ever-rising costs of living. Interest rates are at the highest level in the past 100 years, and our Federal Government is still operating at a deficit averaging over \$500 million per month—expenditures other than trust funds.

On January 29, 1969, as appearing in the CONGRESSIONAL RECORD on pages 2188 to 2194. I outlined the budget situation and pointed out that instead of a \$2.4 billion surplus for fiscal year 1969 and a \$3.4 billion for fiscal year 1970 our Government under the budget submitted by President Johnson will actually be operating with a deficit of \$6.9 billion in 1969 and \$10.7 billion in 1970. Instead of a \$5.8 billion surplus as claimed in the next 18 months we are actually confronted with a deficit of over \$17.5 billion.

To arrive at its boasted surplus the previous administration manipulated the accounts for the Commodity Credit Corporation and then claimed for accounting purposes that all trust fund receipts could be treated as normal revenue of the U.S. Government. That is wrong. The Government acts only as the trustee, and under the law these receipts cannot be commingled with the regular income of the Government.

Even that \$17.5 billion deficit figure does not take into consideration other major discrepancies in the 1970 budget; for example, in this budget as submitted on January 15, 1969, the revenue from the Government's royalties in offshore oil, is overestimated by at least \$350 million. The cost of the existing Veterans' Administration programs now mandatory under law are underestimated by around \$250 million. The interest on the national debt is underestimated by at least \$500 million. The cost of the salary increases which have already been approved or which are now pending are underestimated by at least \$1 billion. New revenue of \$519 million is claimed as the result of raising postage rates from 6 to 7 cents, and \$400 million extra revenue is claimed from new user charges, both of which measures have yet to be enacted. Taking these factors, totaling around \$3 billion, into consideration it means that we are actually confronted with a deficit in the next 18 months of around \$20 billion.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. CURTIS. Mr. President, word was given to the country that there was going to be a surplus on June 30, 1969, and a predicted surplus on June 30, 1970.

If we remove all the iffy items—and I refer to such things as a prospective raise in postal rates that has not been enacted into law, and other items that are entirely speculative, all of which items were segregated in trust funds and not intermingled with the general funds—what is the Senator's best estimate of the true situation at the end of the fiscal year on June 30, 1969, with regard to whether there will be a surplus or deficit?

Mr. WILLIAMS of Delaware. At the end of this fiscal year the deficit would be around \$7 billion. In the next fiscal year if the gimmicks were eliminated the deficit would be around \$10.7 billion.

For the Federal Government to include these trust funds for accounting purposes as though they were normal revenue would be just as erroneous as it would be for a private corporation, in making its annual report to the stockholders, to include in its report the accumulations in the corporation's pension trust funds. The corporation would have no right to use the pension fund accumulations to defray the operating costs of the corporation. Neither does the Federal Government have any right, under the law, to use the proceeds of pension funds to defray the normal operating costs of the Government.

To include these for accounting purposes serves only one purpose: That is, to mislead the taxpayers as to the true financial picture.

The reason why trust funds are accumulating reserves at this time is that a large percentage of the country's labor force is comprised of younger people, young men and women who are paying into the social security trust fund or the railroad retirement fund. They are being taxed today for the purpose of building up an equity when they reach the age of 65. Since the larger percentage of the labor force are younger people, that means that the funds are being built up today to take care of the cost of paying pensions to those people when they reach retirement age.

For the Federal Government to assume that it can count those funds as though they were normal revenue and to spend that revenue today would mean that the Government was deliberately planning to bankrupt the funds. Certainly no one would stand for that.

Mr. CURTIS. Mr. President, I am sure that the Senator from Delaware will agree with me that it is all right to give consideration to social security taxes and other taxes that go into the trust funds for the purpose of measuring the entire amount of money that the Federal Government is taking from the people, but the trust funds certainly should not be included among the funds which are available for general spending and should not, therefore, be included in determining the amount of the debt limit.

Mr. WILLIAMS of Delaware. The Senator is correct. Our committee has always had to take such factors into consideration. It has always had to consider how much the Government as a whole is taking in at the moment as related to how much it is putting back into the economy. To that extent I support the principle of a unified budget, so as to get that picture before us. The Committee on Finance has always done that when it considered the subject of taxes.

We also have to take into consideration in evaluating the Federal tax rate the amount that State and local governments are taking from the same taxpayers in the various income brackets. All those factors must be taken into consideration. But that does not mean that we use that total figure and report it as though it were revenue available to the Government to pay the operating costs of the Government.

Mr. CURTIS. No; it should not be used to show a false position, to show that the Government is living within its income, when in reality the debt is being increased, and when, at the very time the calculation was made, it was said that there would be a surplus at June 30, 1969, and a surplus at June 30, 1970.

In the fine print, so to speak, the Treasury was being contradictory by asking for the very bill before us today, to wit, the raising of the debt limit. Is that not correct?

Mr. WILLIAMS of Delaware. The Senator is correct. It is rather significant that the original request of the Treasury Department as to the amount needed to carry it through the next 18-month period was for a \$17 billion increase in the debt limit, which would be about the amount of the projected deficit, assuming it is not possible to roll back any of the spending. That was just about the same amount as the projected deficit of the Johnson budget that was submitted on January 15. That shows that the Treasury itself recognized that there was a bona fide deficit. The House, feeling that at least a \$5 billion reduction in projected spending plans could be attained, reduced this request to \$12 billion.

Certainly it would not be necessary to go to the bank and ask for an extended line of credit to borrow money to finance a surplus. It is utterly ridiculous for any official of the Government in Washington to come before us and say, "We actually expect to have a surplus of \$1, \$2, or \$3 billion a year, but at the same time we have to borrow money to extend our line of credit by \$12 billion, so we have to borrow \$12 billion to finance the surplus."

That is utterly ridiculous. Any sixth-grade student who made such a suggestion would get a mark of zero in mathematics. I am surprised that anyone would try to offer that line of reasoning to the American people.

Mr. CURTIS. Coming back to the assumption that if we leave out the "iffy" items in the budget, there is likely to be a \$10 billion deficit next year, is that assumption based upon a continuation of the surtax?

Mr. WILLIAMS of Delaware. Yes; all estimates are based on a continuation of the surtax at 10 percent and also upon the assumption that the cost of financing all the programs recommended in the budget will be continued without any change whatever. I certainly hope that later assumptions will not prove to be true. Those expenditures must be reduced.

Mr. CURTIS. I am thoroughly convinced that in the past administration and in the present administration, some well-intentioned persons have been drawn into the support of the so-called unified budget and have expressed a desire to fix the debt ceiling on that basis. They were well intentioned. They meant to recommend sound financing to the American people. However, I believe they have overlooked some very real problems.

First, to invest social security funds in Government bonds creates many problems under the very best of management, because it is the individual who is obligated to pay the benefit who is borrowing the money. It is the guardian who is borrowing his ward's money.

So even if the fund is managed with the greatest of skill, many questions and many problems are raised. The alternatives are not clear. Certainly we would not want the trustee of the social security fund to invest those funds in stocks, because in a short while the Government would control many of the country's major corporations. There are good reasons why the law has required that such funds be invested in Government bonds. But I believe that if the officials take the position that excludes bonds held by the social security fund as a part of the debt coming within the limit, there will be some unexpected political repercussions.

I think it will cause an uneasiness on the part of current beneficiaries of social security, it will cause an uneasiness on the part of those who someday will be applying for benefits, and I am convinced it will cause an uneasiness on the part of millions of Americans who are paying into the fund month after month.

Is it not true that social security taxes have reached a rather high rate?

Mr. WILLIAMS of Delaware. There is no question about that fact. They have reached a rate higher than many of the most ardent supporters of that program had said could be sustained, and yet the question arises: Are we going to keep raising those trust fund taxes higher than necessary in order to build up an imaginary surplus for the Government?

Mr. CURTIS. Is it not true that there are millions and millions of Americans paying more money in social security taxes than all other Federal taxes?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. CURTIS. So, in addition to this well-intentioned proposal submitted by honest people in both administrations, I think it carries a political danger that the beneficiaries and future beneficiaries are going to be uneasy; and it well could start a revolt among social security taxpayers and a demand for a lessening of the tax. Is that correct?

Mr. WILLIAMS of Delaware. That is right.

Mr. CURTIS. I thank the distinguished Senator for yielding. I wish to commend the Senator for his clear understanding and courageous presentation of the true budget picture, not only today but also throughout the past month. I think the Senator has rendered a service not only to the country but also to people who disagree with him.

Mr. WILLIAMS of Delaware. I appreciate the comments of the Senator from Nebraska.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point excerpts from the testimony given before our committee under date of March 24 of this year, at which time I was engaged in a colloquy with both the Senator from Massachusetts (Mr. KENNEDY) and the Director of the Budget, Mr. Mayo, concerning the actual deficit.

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

Senator WILLIAMS. And based upon the accounting principles that we operated under prior to the last 3 or 4 years, you actually are confronted with a prospective deficit in 1969 and 1970 of around \$7 billion instead of a surplus, isn't that a fact?

Secretary KENNEDY. Well, I don't know what definition you are using of—

Senator WILLIAMS. I am using the same definition we have used for 175 years before this Great Society came in and before your definition, your confirmation of it.

Secretary KENNEDY. You have had three kinds of budget surpluses and deficits before, and now with a unified budget we use the one that has the impact on the economy, as you well know. If you want to relate it to the figures you are quoting that are in the budget message, Mr. Mayo has them.

Senator WILLIAMS. And they are a prospective \$17 billion?

Mr. MAYO. They show a current deficit \$6,962,000,000 and for the year beginning July 1, \$6,848,000,000. Together that would be a total of \$13.8 billion.

Senator WILLIAMS. That is correct, and then when you take the manipulation of Commodity Credit it brings it up to \$17 billion. It is a fact that is where you got your \$17 billion request raising the debt ceiling, was really in recognition of the fact that you do have and are confronted with a \$17 billion deficit—that is assuming we don't cut back or change anything.

Mr. WILLIAMS of Delaware. Mr. President, in this colloquy it will be noted that the Director of the Budget confirmed the fact that the deficit for the 2 fiscal years 1969 and 1970 will be \$13.8 billions; however, when we take into consideration the nearly \$3 billion in manipulations of the Commodity Credit Corporation accounts it brings the actual projected deficit for the 2 years to \$17 billion. These estimates are based on the assumption that we accept the budget as it was submitted on January 15.

Further evidence of this inflation is shown in the most recent report wherein it is indicated that private industry in 1969 is planning for a 14-percent increase in capital investment for new plants.

This 14-percent expansion in plant capacity will result in a tremendously increased demand for new capital investment, and this accelerated demand for new money will have a tendency to push our interest rates even higher than the

7½ percent prime rate recently established.

A shortage of capital with the resulting high interest is already having a serious effect on new home construction, and the operation of many small businesses are being jeopardized. State and local governments are being severely handicapped in borrowing for their needs.

Many States are now having to increase their statutory ceiling on interest rates both for private lending and for the sale of their revenue bonds. Just last week the State of Michigan passed a bill to raise the mortgage-rate ceiling to 9 percent. The cost of living is at an all-time high and climbing higher each month.

This accelerated spiral of inflation can no longer be ignored, and the hour is already late for starting the corrections. No longer can this situation be tolerated. Action must be taken now, or it will be too late.

It was in recognition of this delicate financial situation that I strongly protested earlier congressional action in raising the salaries of Members of Congress and other top officials of Government from 40 to 70 percent, and I still think this was a serious mistake.

How can either Congress or the executive branch appeal to organized labor or private industry, asking them to hold the line on both wages and prices in order to help combat this inflation when they have just raised their own salaries by 40 percent?

The Government is the largest employer in America, and its officials have a responsibility to set the example and demonstrate that they are willing to practice what they preach.

It should be noted that when these salary increases become fully effective for both the military and civilian personnel of the Government the additional cost will approximate \$4.5 billion, or in other words they will absorb about one-half of the revenue that can be derived from the extension of the 10-percent surcharge.

If the additional \$9 or \$10 billion in revenue to be derived from the surcharge extension is to be used only to finance increased salaries and to expand some of the spending programs then its effect as a brake on inflation will be zero.

The question now is, what steps can we take to cope with this threat of inflation? I shall list six steps which in my opinion represent the minimum action we must take:

First. Either by Executive order or by congressional action declare a moratorium on new public works projects and public construction accompanied by a reappraisal of all existing projects to determine to what extent they can be slowed down or postponed.

Second. Repeal the 7-percent investment credit. It just does not make sense to subsidize and encourage accelerated expansion of new plant capacity when both materials and money are in such short supply and when our existing plant capacity is only being 84-percent utilized.

Third. Initiate a new savings bond program for the small investors of America,

paying them 6-percent interest—maximum purchases could be limited to either \$1,200 or \$2,400 per year. This would siphon millions from the current consumer spending and direct the money into private savings.

Fourth. Extend the surcharge rate for the fiscal year 1970 at 7 percent instead of the recommended 10 percent. With a 10-percent rate in effect for the first half of the year and a 7-percent rate for the latter half it would in effect still be an 8½-percent rate for the full year or 1 percent higher than last year's rate for individuals.

Fifth. Extend a mandatory ceiling on expenditures for fiscal 1970 providing for a reduction of at least \$5.3 below the \$195.3 billion projected spending rates in the 1970 Johnson budget message. The ceiling on Federal employment enacted last year which was permanent law must remain in effect, and some of last year's exemptions should be repealed.

Sixth. Repeal the 4¼-percent ceiling on long-term Government bonds.

I shall now discuss each of these points in greater detail.

First. A moratorium on all new public works programs and new public construction.

This moratorium would affect all projects unless certification is made by the appropriate board that such project is essential to the war effort or to our national economy. Unless so certified all new construction projects would be held in abeyance pending the end of the Vietnam war or until such time as our financial situation is brought under control.

At the same time all existing public works projects should be reappraised to determine to what extent the work can be slowed down or held in abeyance without jeopardizing our national security or resulting in an uneconomical loss of money.

There is a precedent for such action. Under an executive order in World War II and again during the Korean war such a moratorium on public works was in effect, and such action should have been taken immediately upon the outbreak of the war in Vietnam. Why should we not tighten our belts on the home front? We just cannot afford to finance a full-scale war and have business as usual.

This moratorium could reduce the expenditures of government by at least one billion; and what is equally important, it would reduce some of the inflationary pressure.

Second. Repeal the 7-percent investment credit.

This 7-percent tax credit is back-door financing for the purpose of providing an indirect subsidy to encourage the expansion of the plant capacity of private industry at a time when this additional capacity is not needed and at a time when we do not have adequate investment capital with which to finance it.

The repeal of the investment credit would have dual benefits. First, it would reduce the pressure on an overheated economy; and second, it would provide approximately \$3.3 billion additional revenue to the Federal Government of which \$2.8 billion will come from corporations and \$500 million from individ-

uals. However, all of this \$3.3 billion will not materialize in the first fiscal year.

Mr. LONG. Mr. President, will the Senator from Delaware yield at that point?

Mr. WILLIAMS of Delaware. I yield to the Senator from Louisiana.

Mr. LONG. I wish to compliment the Senator for the suggestion he is making. As between simply extending the 10-percent surcharge and the particular suggestion the Senator is making to suspend the investment credit, I think his approach would be better. It would do more to restrict inflation and I think, on balance, would do greater tax equity and justice to the taxpayers. I believe that, so far as the rank and file of Americans are concerned, they would applaud that approach rather than the other.

Now I may have some additional suggestions to make myself, following the same general line of departure, but I do think that the investment tax credit is doing more than any single thing to overheat the economy in times of inflation. In other words, it is really pouring gasoline on the fire. That expression, by the way, is not original with me. At the time that President Johnson suggested the investment credit be suspended, I believe he used that expression in discussing the matter with some Members of the Senate—if not publicly, at least that was the expression he used about the investment credit under this kind of condition.

I believe that it is, undoubtedly, doing more to drive credit into the hands of those able to get it and making it available only at tremendously high interest charges to those who need it badly to build homes and provide for their essential personal needs.

Mr. WILLIAMS of Delaware. I thank the Senator from Louisiana, and he is right. I am not debating the merits or demerits of the principle of the investment credit; there may be times when we need it. The point is, we do not need this added incentive today. Private investment for new plant expansion or modernization has expanded about 24 percent in the past 15 to 18 months. Certainly at this time that is creating an excessive demand not only on the materials necessary to build plants, which is inflationary, but also for capital to finance plant expansion at a time when money is scarce and when the interest rate is already being pushed through the roof.

The way to control inflation is to remove some of the pressures. By reducing some of the demand for money we could then look for lower interest rates, but we must slacken the demand at this time. We have an overheated economy.

As I mentioned to the chairman, I am not offering this package as part of the pending bill, but it will be before our committee later. I think these additional measures must be considered in the context when we are extending the debt ceiling, to extend the debt ceiling is only taking care of an immediate situation.

It does not cure the problem which is excessive spending. Expenditures must be reduced if we are to reduce the cause of

inflation. We have no choice. First we should consider the causes of inflation—what is creating the problem so that we can deal with it. That is the reason I am discussing a series of recommended steps for later action.

Mr. LONG. If the Senator from Delaware will permit me to trespass for a moment further on his time—

Mr. WILLIAMS of Delaware. Surely.

Mr. LONG. Here we are, in an inflationary economy, with a war on our hands, facing a tax credit to provide an almost compelling incentive, from the profit point of view, to greatly expand plant and equipment, when to do so means that we are making credit so difficult for homeowners and small businessmen and others to provide for their essential needs, so that the interest rates are almost usurious.

Here people are, being required to borrow at such a high interest rate that they will pay almost twice as much for interest as they pay for the house by the time they get through paying it with a long-term mortgage. Under these conditions when we look at the tax credit, we find that it is heating up the economy at a time when the economy can not stand the heat. Every argument that can be made that we should stimulate the economy, to stimulate employment, and the building of new plants, and new investments, falls right on its face when we look at the inflationary pressures which exist in the economy of this country today.

I agree with the Senator that this would be a better answer to the problem to suspend the investment tax credit than it would be to continue the 10-percent surtax.

Mr. WILLIAMS of Delaware. I certainly concur.

Mr. President, the third step I recommend is to initiate a new savings bond program paying at least 6 percent to the small investors.

The present trend toward increasing wages in all segments of the labor force means additional consumer spending. As a step toward siphoning off some of this consumer buying power, the Government should initiate a new bond sales program for the small investor allowing him to benefit from today's high-interest rates. With today's 4¼-percent ceiling, he is just not buying series E bonds. These new savings bonds should bear interest at an annual rate of not less than 6 percent and should be fully guaranteed as to principal should the holder need to redeem them prior to maturity.

To limit this attractive feature to the small investor these bonds could be non-transferable and could be limited to \$1,200 or \$2,400 per year.

This higher rate on savings bonds is only fair. Our Government is already paying more than 6 percent on its borrowings today; and why should not the workman be paid a comparable rate of interest? In addition, as an instrument toward siphoning off excess purchasing power, it would have a definite impact on inflation. At the same time, some adjustment must be made on the outstanding series E bonds.

Mr. DIRKSEN. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Illinois.

Mr. DIRKSEN. With reference to the savings bonds, some of those at the lower interest rate of 2¼ percent were issued many years ago—some of them for 1972 maturity. It could be that they go beyond that time. I think we can gather from that that older people are holding those lower interest savings bonds today, and getting such a small return compared with what the rate is today.

My understanding is that there are a total of about \$8 billion worth of these bonds. About one-half of them have been put through the trust funds and the other half is in the hands of the public.

What kind of relief does the Senator propose for those who are holding those bonds today? They are the real victims of this inflation.

Mr. WILLIAMS of Delaware. In the face of today's inflation all owners of Government bonds or industrial bonds are victimized. But I was referring to the owners of series E bonds. These are limited to small investors. The public does hold some of the outstanding low coupon bonds which mature from 1972 to as far as 1990. There are some a little longer than that.

However, a survey I conducted about a year or so ago showed that the overwhelming percentage of this type of bonds was held by institutional investors or by banks. I do not think the Senator will find that the small investors own to any large extent that type of bond. At the time those bonds were issued they were sold at par, at 2.5 and 2.75 percent interest, and at that time the small investor could invest up to \$10,000 in series E bonds, which paid around 2½ or 3 percent. He would get more interest plus a guarantee on principal on the E bonds. Therefore it was the small investors who were buying E bonds. To be frank, I do not see how we could deal with that situation except to stop this inflation with its erosion, not of their interest, but of their capital. But the administration has had a policy of limiting the purchase of series E bonds to the small investor and trying to keep the interest rates somewhat in line with the prevailing rates.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. DIRKSEN. Perhaps the question the Senator from Delaware addressed to the Secretary of the Treasury this week should be pursued and we ought to ascertain where these small bonds with the small interest rates are, and see whether or not some assistance should be rendered to those people. If they cannot get it from that source, obviously they will have to become participants in welfare programs. So the matter is as broad as it is long. We do it either way. I would rather do it by the interest route, because then they receive that income with dignity.

Mr. WILLIAMS of Delaware. As I have said so many times, spiraling inflation—of which higher interest rates are only one of the barometers or indicators—has gradually been pauperizing the aged or retired people of this country, whether they live on interest from Government bonds, pension accounts, or social se-

curity payments. This gradual erosion of their income is the No. 1 problem of our country. I think our committee should put it on its agenda as the No. 1 problem to be studied.

My suggestion made here today for a more realistic savings bond program would have the additional salutary effect of siphoning out of the spending stream some of the money going into consumer spending, and to that extent it would reduce inflationary pressures, which I think is equally important at this particular time.

I was encouraged earlier this week when the Secretary of the Treasury indicated sympathy for a new approach to that problem.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. COOK. With reference to the remarks of the Senator from Delaware on the series E bonds, is not the Senator saying in effect that the fact is that the people buying those bonds are really being shortchanged relative to the institutional investor and the large investor, and what we will see is a decrease in the income of the individual buying bonds monthly unless the interest competes with the interest being made available to the individual or institution buying bonds in larger amounts?

Mr. WILLIAMS of Delaware. That is right, especially when we bear in mind that the purchase of series E bonds has dropped below the redemption of them. I understand a bond sales program is being conducted among the boys serving in Vietnam urging them to invest their money in those bonds. Why should not they be paid the same rate of interest that every other man in America can receive if he has a minimum amount of \$1,000 to invest at one time?

It is interesting to note that bonds being sold by some of our agencies—bonds which carry the guarantee of the Government of the United States, bear a rate of interest which amounts to 6½ or 6¾ percent and oftentimes are sold in denominations of \$5,000. I think it is unfair.

Mr. COOK. Will the Senator yield for another question?

Mr. WILLIAMS of Delaware. I yield.

Mr. COOK. Would the Senator agree that, even with the proposed increase in the debt limit of \$12 billion, and the Government issuing notes paying 6½ or 6¾ percent, the average individual will not be able to buy them?

Mr. WILLIAMS of Delaware. That is right. The buyer of a regular Government bond has to put up \$1,000 at one time. If he has only \$900 he has to invest it in bonds paying 4¼ percent interest.

Mr. COOK. I thank the Senator.

Mr. WILLIAMS of Delaware. My fourth point is to extend the surcharge at 7 percent.

When we take into consideration the \$3.3 billion additional revenue from the repeal of the 7 percent investment credit and the savings that will result from a moratorium on public works the surcharge would then need only to be extended at 7 percent for fiscal 1970 instead of at the proposed 10 percent. This still means a rate of 8½ percent for calendar year 1969.

That is due to the fact that the rate would be 10 percent for the first half of the year, and with 7 percent for the last half this would make an overall 8.5 percent.

Fifth, I have suggested the inactment of a mandatory ceiling of \$190 billion on Government spending for fiscal 1970.

The repeal of the investment credit and the extension of the surcharge should be accompanied by an additional section which again places a ceiling on Government expenditures for fiscal 1970. There should be a limit of not over \$190 billion as compared to the \$195.3 billion presented in the unified budget. This would mean a mandatory reduction of at least \$5.3 billion in the projected expenditures as outlined in the budget of the last administration.

While the \$3.3 billion additional revenue derived from the repeal of the investment credit along with the extension of the surcharge at the rate of 8½ percent for the calendar year 1969 is about equal to the revenue effects of the extension of the full 10 percent surcharge alone, the overall impact on the economy in controlling inflation will be much greater as a result of this combination, particularly when it is accompanied by a moratorium on all new public construction and public works projects and a mandatory ceiling on expenditures of \$5.3 billion below the projected levels.

The sixth suggestion is to repeal the 4¼ percent interest rate ceiling on long-term Government bonds.

The repeal of the 4¼ percent ceiling on long-term bonds will have no effect on the above-referred-to package, but the ceiling is a farce and should have been eliminated long ago. Moreover, while this ceiling has had the effect of monetizing the debt it has had no effect on holding down interest rates.

These six steps outline the minimum action which in my opinion should be taken immediately. Money is a commodity, and interest rates are the prices of that commodity in the market places; and the only way to reduce the price—or interest rate—is to reduce the demand.

I am not proposing this package as a cure-all for our financial problems. It is only the first step, and it would need to be backed up by the proper fiscal restraint as Congress considers the appropriation bills later this year. However, I am firmly convinced that congressional approval of the above-outlined package would go far toward acting as a check on this inflationary spiral. Such fiscal restraint would mean a reduction in the demand for new money, leading toward a reduction of interest rates and a leveling off of consumer prices.

It has been estimated that each 1-percent increase in the annual rate of inflation adds an additional \$1 billion to the cost of operating the Government; therefore, by each 1 percent that we reduce this inflationary spiral we automatically lower the cost of Government proportionately, thereby moving toward the day when we cannot only talk of a balanced budget, but also talk of reduced taxes while at the same time, what is even more important, maintaining the purchasing power of the dollar.

Legislation dealing with tax reform to equalize more nearly our burden of taxation is long overdue, but it not being included as a part of this recommendation since it is understood that a special bill dealing with this subject will be coming over from the House of Representatives at an early date.

Mr. President, I am having drafted a proposed bill which will embrace the recommendations outlined in these six points. This bill will be introduced at a later date for referral to our committee and will be available for consideration together with the proposed extension of the 10-percent excise taxes.

Mr. President, I ask unanimous consent to have printed in the RECORD the following articles:

An article entitled "Outlay Boom Holds Danger," written by J. A. Livingston and published in the Washington Sunday Star of March 23, 1969.

An article entitled "Business Loans Won't Slow Down," published in Business Week of March 22, 1969.

An article entitled "Investment Tax Credit," written by Paul A. Samuelson and published in this week's issue of Newsweek, wherein he concurs that the investment tax credit should be suspended.

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

[From the Sunday Star, Mar. 23, 1969]

OUTLAY BOOM HOLDS DANGER

(By J. A. Livingston)

The persistent rise in business expectations—the ever-increasing commitment of corporate executives to expansion—disconcerts President Nixon's economic advisers. The slowdown they hope for isn't materializing.

The recent Commerce Department-Securities and Exchange Commission data on expenditures for plant and equipment indicate a capital goods boom is in the making. Therein lurks danger.

The 15 percent jump in planned outlays—from the fourth quarter of 1968 to the third quarter this year—can be interpreted in two ways:

1. Businessmen have now become permanently committed to inflation. They doubt that President Nixon will be willing or able to check it. At the first rise in unemployment, he'll repeat President Johnson's performance in 1968: React too soon.

Credit will be made easier. Spending will increase. Renewed expansion will reinstall faith in permanent inflation.

2. Businessmen are responding to immediate pressures. They can't produce and distribute goods fast enough to meet the needs of customers. They can't get skilled help. Therefore, they enlarge facilities and introduce labor-saving machinery.

TWO SETS OF FIGURES

But plant utilization isn't rising. According to Federal Reserve Board data, manufacturing companies are operating at 84 percent of capacity, down from nearly 91 percent in early 1966. The inference is drawn that new installations will only add to overcapacity.

Data compiled by the University of Pennsylvania's Wharton School don't corroborate this entirely. They show that the decline in utilization from the 1966 high has been moderate—less than two points. Their inference is that some industries are surely pushing against an output ceiling. Therefore, expansion plans aren't an inflation hedge—a race to beat advances in cost.

Here are the two sets of figures on percentage utilization of capacity:

[In percent]

Year and quarter	FRB	Wharton School
1966:		
2d.....	90.8	96.3
3d.....	90.6	96.0
4th.....	90.0	95.5
1967:		
1st.....	87.1	94.0
2d.....	84.9	93.0
3d.....	84.1	92.6
4th.....	84.8	93.4
1968:		
1st.....	84.9	94.1
2d.....	84.8	93.3
3d.....	84.0	93.8
4th.....	84.2	94.4

In relation to projected plant outlays, retail sales lag. For eight months dollar volume has increased very slowly. And because of price increases, merchandise actually handled may have declined.

IT HAPPENED BEFORE

So we have these divergencies: Plant and equipment outlays are up sharply, plants operating below capacity and retail sales are traveling in a straight line.

The inference here is either retail sales must rise or industry will have more plant than it can profitably use. In that event a fall in contract awards for construction and equipment will follow. And fast. This happened in 1937-38 and in 1929. And rising interest rates—tighter credit—had an impact both times.

In 1929, the stock market got out of hand. Interest rates were forced up to check speculation.

In 1937, banks had large excess reserves. The Federal Reserve Board reduced them by raising reserve requirements. The reaction was excessive. Banks had ample excess reserves and lending capacity, but the financial and business community was in a worrisome mood.

NIXON VERSUS ROOSEVELT

That man in the White House—Franklin D. Roosevelt—wasn't regarded as friendly. The stock market collapsed. Retrenchment set in. Steel operations, for example, plummeted 56 percent from 1937 to 1938.

The mood today is quite the opposite. Businessmen are sure that President Nixon won't countenance a rise in unemployment. And investors "know" that inflation is here to stay. Bonds are bad to buy, stocks are protection.

Warnings from Washington are ignored. Tight Federal Reserve policy is looked upon as a temporary restraint which will be promptly removed when it begins to work as intended.

This worries the President's advisers. Their efforts to check a boom—to head it off from rollicking into a bust—are not taken seriously.

Will the bust they're trying to prevent be the only convincer?

[From Business Week, Mar. 22, 1969]

BUSINESS LOANS WON'T SLOW DOWN—SPENDING SPREE GOES ON

Despite high-priced money and admonitions from Washington, companies are still raising capital investment plans. Competition and new technology are among the driving forces.

Despite soaring interest rates, business borrowing shows little letup. But the Federal Reserve Board still has cards to play in effort to slow economy.

Classic monetary theory holds that when money gets expensive enough, people will stop borrowing, and, in turn, reduce spending.

This week, with money more costly by far

than ever before, that bit of theory was undergoing its most severe test.

If today's super-high interest rates do knife into borrowing, then the Federal Reserve probably will win its fight to slow the economy, and the rate of inflation, without triggering a recession.

If business and consumers keep on borrowing as they have been, still more restraint—monetary and perhaps fiscal as well—will be needed. Then the financial markets could wind up in trouble, with the economy pushed into a tailspin.

At midweek, it still wasn't at all clear how things ultimately will go. So far, though it is hard to find much concrete evidence that record-high interest rates—or anything else the Fed has tried—are working out the way they are supposed to.

GOING UP

Interest rates haven't simply been moving up, they have been zooming:

Commercial banks last Monday raised their prime rate from 7% to 7½%, the fourth increase since last Dec. 2. Morgan Guaranty Trust Co. of New York led the way this time.

Bond market rates have climbed by around ¼ of 1% over the past three months, with the cost of selling a municipal bond up by more than ¼ of 1% in just two weeks.

Only Treasury bill rates have been moving down lately. But Treasury bills are a traditional haven for short-term funds when other markets turn scary—and both the stock and bond markets have looked scary lately.

LITTLE EFFECT

The Fed's tight money policy shows up in other areas as well.

The nation's money supply—demand deposits and currency—is up by 6% over a year ago. But it has risen at only a 3.5% annual rate over three months ago. A number of economists insist that changes in the money supply, not in interest rates, really determine what happens to the economy. Fed policy would seem to be restrictive by anyone's standards.

But, as a Business Week spotcheck of corporate executives shows even this degree of restraint doesn't seem to be swaying very many people.

Some borrowers have turned away from the bond markets recently. Corporations have put off at least \$100-million of issues that were due to come to market in March. In the municipal bond markets, where the absence of bank buying has thrown dealers into a fret, more than \$250-million worth of issues have been postponed this month.

HIGH DEMAND

Yet, the demand for bond market money continues strong; corporations still plan to sell around \$800-million in bonds this month against \$766-million in March, 1968. Bond dealers, moreover, figure that many of the called-off issues have merely been postponed until market conditions stabilize.

The demand for bank money continues strong—bank lending to business customers is growing at an 18% annual rate these days.

Even the mortgage market—typically the first victim of tight money—is looking perkier than most observers had expected. Housing starts still are running at a fast 1.7-million-unit annual rate. The flow of new money into savings and loan associations and mutual savings banks has slowed but not stopped as it did in 1966.

MATTER OF TIME

The situation could change, of course—and in a hurry.

The new 7½% prime rate, for instance, is largely just a reflection of the growing shortage of money at the banks. Most money market rates are higher than the banks can pay; the banking system has lost \$5-billion in certificate of deposit money since early December. Banks have been borrowing heavily in the Eurodollar market. But Euro-

dollars are costly—around 8%—and increasingly hard to get.

Banks are trying new money-raising techniques. Morgan Guaranty, for one, has started selling participations in its loan portfolio. But the pinch is still hurting.

"Homebuilding," says a New York City bank economist, "is going to be hit. It's just a matter of time."

Already, the municipal bond market is a shambles—with rates far higher now than a great many municipalities are allowed to pay. This has developed, as one bond dealer points out, "without any significant selling of municipal bonds by the banks."

TWO WAYS OUT

Yet the Fed is far from being off the hook. Eventually the present degree of restraint probably will work through the economy, with some borrowers priced out of the marketplace and others turned away for lack of funds. But that will take time—how much time not even Fed policymakers can say.

The Fed does have a couple of avenues open to it. It has a good excuse now for again raising its discount rate—last raised on Dec. 18 from 5¼% to 5½%. As it is, the discount window is now a cheap source of money for banks; a higher discount rate would simply bring this rate in line with other short-term rates. At the same time, the Fed might raise its Regulation Q ceiling on what banks can pay for money—thus giving banks some room to compete for time deposits. A higher discount rate, without a higher Q ceiling, would really hurt the banks—forcing them to start dumping their holdings of municipal bonds in earnest.

Or the Fed could freeze hundreds of millions of dollars in bank money by raising the level of reserves banks must keep against deposits.

Scarce money, high interest rates, and government admonition apparently are not deterring business from pushing ahead with massive capital spending plans for 1969.

This is the almost unanimous conclusion drawn from talks Business Week reporters had with top executives following Monday's hike in the prime rate. And business determination to press on with big spending plans sets the stage for the great economic drama of 1969.

The quarterly capital spending survey of the Commerce Dept. and the Securities & Exchange Commission indicates that businessmen plan to boost their expenditures by 14%—and the government wants to bring that down. Mainly through tight money (page 33), the government hopes to reduce the figure to what it sees as a less inflationary and more sustainable growth—perhaps 7%.

GNP PICTURE

In contrast, executives see high capital spending as a way to fight inflation. It gives them the new technology needed to cut costs. And they feel they will have the financing no matter what is done to further tighten credit. The outcome of this war over capital spending has enormous implications for the business outlook.

Washington's expectation of a 1969 gross national product of \$920-billion is based on a capital spending increase about half as big as the 14% figure now on the books. If this GNP figure proves out, profits would be about level, unemployment would rise slightly, and the rate of price increase would probably taper from its present 4½% to about 3½% by yearend.

A capital spending increase of around 14% would radically alter this picture. Total GNP would probably be close to \$930-million for the year—profits would increase but unemployment would stay at its present level, and price increases wouldn't taper off at all. By the end of the year, the U.S. economy would still be in a roaring boom. The 14% capital spending increase implies a fourth-quarter

GNP of about \$955-billion, a full \$20-billion above the fourth-quarter rate implied by the government's projections.

Plans can and do change, but judging by what companies are now saying about the firmness of their decisions, the government will have a hard time changing them.

MOTIVES

The principal motives leading companies to these decisions seem to be three: the lure of expected long-term growth, the need to economize on labor costs, and the opportunities presented by new products.

Says Harold M. Williams, chairman of the finance committee of Norton Simon, Inc.: "Historically, the capital outlays we defer turn out to be our most expensive ones. There's little to indicate the benefits of waiting."

Robert Wingerter, president of Libbey-Owens-Ford Co., objects to Federal Reserve Board suggestions that high capital spending is inflationary when some capacity is idle, and says: "These figures [showing that some 17% of manufacturing capacity is now idle] are just to support the current line of propaganda. Most of the idle capacity is just not efficient. Much of the higher capital spending being forecast by manufacturers is caused by a desire to reduce costs by improving inefficient manufacturing facilities."

Says Henry G. Parks, president of H. G. Parks, Inc., "After all, there is such a thing as competition. And we're planning on a growth that will double in three years."

"Businessmen take a two-to-five year look at family formations and can't help getting pretty optimistic when they look beyond the current crop of short-range problems," says Paul Harmon, manager of economic research for Armco Steel Corp.

Scott Paper Co. plans a 10% increase in capital outlays this year, mainly to economize on labor costs. "Our plans include some labor saving equipment that might be considered marginal under slower wage increases, say about 4%," says G. L. Chamberlin, vice-president and controller. But his company is committed to a two-year labor contract that calls for 6% annual wage hikes. This helps push the decision in favor of some new projects "like automatic packing equipment which will eliminate handlers."

NEW TOOLS

For other companies, new technology, whether to cut costs or to introduce new products, is the dominant motive for spending. At Libbey-Owens-Ford, President Wingerter talks of the cost savings involved in shifting over to float processing plants for glass manufacturing "which eliminates costly grinding and polishing operations."

James F. Bere, president of Borg-Warner Corp., is scheduling a 33% increase in capital spending this year in part to update tape-controlled machine tools. The same kind of technological pressure influences Morris J. Vollmer, vice-president of finance for A. O. Smith Corp. His company plans a 30% to 40% increase in outlays this year, and most of this, says Vollmer, "is not for expansion but merely to keep abreast of advanced technology."

VITAL POINT

But whatever their motive for capital spending, big companies are agreeing on one vital point: The financing needed to carry out plans is already in the bag.

At Bucyrus-Erie Co., capital appropriations will be about one-third higher than in 1968. "Our plan is to use cash flow," says Norris K. Ekstrom, vice-president of finance. "We look for sufficient payback so that cash flow will pay for capital improvement. If we do increase our debt in the process, it will be a very temporary increase." Eastman-Kodak Co. is planning a 24.8% increase for 1969. "We pay as we go," says Robert Miller, vice-president of finance at Kodak.

Minnesota Mining & Mfg. Co. expects to be

able to finance its spending plans out of cash flow for years to come. These plans call for a 10% hike this year and "probably 15% to 20% in 1970," says Irwin R. Hansen, vice-president of finance.

Big companies that won't be able to make it out of cash flow alone say that the outside financing they need is already lined up. O. W. Armstrong, treasurer of Phillips Petroleum Co., where capital expenditures will run "15% to 20% above last year" talks of "a revolving line of bank credit utilized off and on since 1966. We are just now getting to where we'll eventually use it all up, but it will take us into 1970."

ONE PROBLEM

With financing already in place, companies see only one serious threat to their high capital spending plans: getting caught with excess capacity in the event of a business downturn.

This is exactly the danger that is stressed by such government officials as Council of Economic Advisers Chairman Paul W. McCracken, when talking of the need for realism in business planning for a new economic environment. But companies also know that the Administration has coupled its pledge to get inflation under control with a promise that price stability won't be purchased at the expense of high unemployment.

Companies tend to think less about the short-term slowdown (needed to get inflation under control) than about the long-term high employment pledge. "Nixon is going to tighten up some, but not enough to halt inflation," says George C. Sells, president of General Shale Products Corp. "It's here to stay forever if politicians want to be re-elected."

For these reasons, a policy designed to bring inflation under control gradually tends to focus almost wholly on the capital spending plans of business.

It's just this kind of attitude that the new Administration is trying to change. When it first came to Washington two months ago, its new policy team proclaimed that fiscal restraint coupled with tight money meant that economic policy—in McCracken's words—was "on the right track." Their forecast, moreover, was for a gradual cooling of the economy.

What has happened in the two months that followed, has shaken business confidence in this outlook. Instead of slowing down from the fourth quarter, the U.S. economy has probably accelerated in the past two months. Government officials now estimate the final sales component of GNP—the best measure of total demand in the economy—will be up \$20-million or more this quarter, compared to a subdued \$13.3-billion rise in the final quarter of 1968.

The upgrading of capital spending plans, from a 10% rise in December to the 14% rise now reported, is the natural response to unexpectedly good business.

Clearly, companies are upgrading plans because they still have more confidence in the forces propelling the economy up than in the measures designed to rein it in.

[From Newsweek magazine]

PAUL A. SAMUELSON ON INVESTMENT TAX CREDIT

Inflation watchers were rocked last week by news from the SEC and Commerce Department that businessmen intend to increase their plant and equipment investments by almost 14 per cent.

The new outlook for excessive investment spending should, in my opinion, cause President Nixon to suspend the 7 per cent investment credit temporarily. Here's why:

1. The economy is still on an inflationary binge. To bring the rate of price increase down from 4 per cent toward a more moderate figure of, say, 3 per cent, some actions are going to be needed. Every weapon counts.

2. Already the Federal Reserve is being called upon to take Draconian measures to fight inflation. This will mean not only painfully higher interest rates; it will also bring in most of the discomfort associated with the money crunch of 1966—uneven rationing of credit between new and old business, growing and stagnant business, small and large business.

3. Experience demonstrates that tight money takes for its principal casualty the housing industry. When there is a scramble for more resources than the total resources available, it is right that housing should share in the restraint. But it is not, in my judgment, good national policy to have housing starts cut by 40 or 50 per cent as happened in 1966. In the 1970s, with their bumper crop of young marrieds, we shall pay in higher rents and zooming residential costs for any serious diminution of home construction in the waning years of the Vietnam war.

4. Admittedly, inflation could be fought by adding onto the present surcharge another 5 or 10 per cent tax. But I see no evidence that this would be politically popular or feasible. Nor is it clear that consumer spending is the prime villain in the present inflationary scenario.

5. Admittedly, inflation could be fought by still further tightening of the Federal Reserve money screw. And the impact of such tightness on the housing industry could be alleviated by special financial subsidies to home construction through the Federal housing agencies, through the U.S. Treasury, or through the Federal Reserve. Since all such measures will add to the nominal public debt, I don't expect that anything but tokenism would, in fact, be politically feasible in this area.

Even if it were possible to cushion the impact of tight money on residential housing, to get the same restriction of aggregate demand from enforced reductions on plant and equipment spending would, I suspect, require very high interest rates. These will cause difficulties for our partners abroad. And they may hang on to plague us in the years to come when the winds may be blowing up deflation rather than inflation.

6. In September of 1966, to alleviate the money crunch and moderate what looked like an excessive fixed investment boom, the Johnson Administration did suspend the 7 per cent investment tax credit. Almost at once relief was felt in the money markets of the country. On the whole (despite the protests of the Treasury, which naturally found it a headache), the operation seems to have been a successful one in accomplishing its purpose—namely, ensuring against an over-exuberant fixed investment boom.

So historical experience, as well as the common-sense view that firms will invest less when their returns from doing so are reduced, justifies suspending the tax credit.

What are the possible arguments against suspension of the tax credit?

1. The Nixon Administration might be regarded as a pro-business Administration. Why should it take from business this accustomed source of profit?

2. Perhaps the inflationary danger is being exaggerated. Perhaps it will involve overkill if suspension of the investment tax credit reduces investment severely.

3. Vigorous growth requires as much capital formation as we can get. Adjusting to inflation by reducing investment will reduce our future capacity to produce an enlarged total of real national product.

4. It is a bad thing to use variations in the investment tax credit as a deliberate weapon of stabilization. Why? Because it is plain immoral. Because it involves discretion by government, which is wicked. Because it disturbs business planning.

5. Suspension creates administrative problems for the Treasury.

In economics, every decision involves pros and cons. Judgment is necessary. My advice to Mr. Nixon: suspend the investment tax credit.

Mr. HARTKE. Mr. President, we are called upon today to once again raise the legal ceiling on the national debt. The measure before us provides for a permanent ceiling of \$365 billion, as well as additional temporary borrowing authority of \$12 billion. Such temporary authority would have the effect of making the limit \$377 billion for fiscal 1970. The permanent limit at present stands at \$358 billion, while the temporary ceiling permitted within each fiscal year is \$365 billion.

During my tenure in the Senate, I have always believed that the ever-increasing obligations of this country should be comported with apparent fiscal responsibility. As long as we operate our Federal Government under the national debt concept I think it wise that we conform, whenever possible, to ceiling limits. However, it is not my belief that the need for fiscal responsibility can, or should, supercede the need for social and economic responsibility. And that I believe to be the issue here today. I have no desire to see this country put in a position where it cannot meet its just monetary obligations. But neither do I wish to see this Government renege on its patently more important obligation to the daily wage earner who today is beset on all sides by debilitating inflation.

I cannot endorse a measure which would have the effect of allowing the Federal Government to meet its obligations with procedural ease while ignoring the very real economic problems that are today faced by the vast majority of our citizens. What solace can be found in this bill for the low- and middle-income Americans who are plagued by rising prices on essentials and soaring interest rates? What encouragement can be discovered for the small businessman who finds himself increasingly belabored by the effects of inflation? Where in this measure lies hope for our elderly who must oftentimes make do on fixed incomes which are now being eaten into by cancerous inflation? The simple answer is that this bill does not afford relief to those who are most seriously in need of it. Rather it allows our Government to routinely meet what is viewed as its fiscal obligation while effectively ignoring the all too obvious economic ills which afflict most of our citizens. There can, in fact, be very little doubt that this measure, providing as it does the prerequisite to an increase in governmental spending, will contribute directly to an acceleration in the inflationary trend. Not only will an absolute increase in Federal spending contribute significantly to the problem but now the Federal Government itself is forced by the Federal Reserve Board to pay higher interest rates for the money that it must borrow in order to fund an increase in governmental operations. Thus, a cause and effect relationship is established; for the Government, in order to meet the demands of an inflationary society, is forced to borrow money as a prelude to increased

spending. These funds can be obtained however, only at exorbitant interest rates which have resulted from the institution of improvident Federal monetary policy. Needless to say, this increase in interest rates, while it might very well deter a middle-aged couple from buying their first home because mortgage rates are too high, will not prevent the Government from obtaining additional funds regardless of the cost.

I would, Mr. President, be inclined to cast my vote for this measure, albeit reluctantly, if there were some definite assurance from the administration that it would soon take constructive steps to remedy the obvious inequities in our tax structure. It has been conservatively estimated that \$6 billion is lost each year through the use of legal, but inequitable, tax avoidance devices. Yet in the hearings before the Committee on Finance I asked this very question, and they specifically indicated that whatever tax reforms are to be proposed, if any, certainly cannot hope to be acted upon this year.

Certainly the additional revenue that would be brought in upon an implementation of reform measures would go far to slow the inflationary trend. It is too much, then, that a quid pro quo be asked of the Executive? If it is true that one reason the national debt is so high is because billions of dollars in potential tax revenue are lost through tax loopholes each year, it would appear most reasonable that these loopholes be eliminated now.

As well, there is no doubt in my mind that very considerable reductions could be made in the budget for fiscal 1970. It is undeniable that excessive governmental spending is in large part responsible for the inflation that we labor under today. Last year, when the budget for fiscal 1969 was under our consideration, I proposed reductions in spending which amounted to more than \$7 billion. I expect that like reductions could be made in the budget for fiscal 1970 without compromising either our defense posture of necessary domestic programs. Military expenditures in particular should come under close scrutiny. The current debate over the proposed ABM system is, I think, indicative of an inquisitive mood that has influenced the thinking of many of us in the Senate. Previously sacrosanct areas in the budget are sure to be more carefully considered in this session of Congress. It is to be expected that reductions in governmental spending, especially in the defense area, would have the salutary effect of stemming inflation. This would be true even if the funds so saved were in part, diverted into nonmilitary domestic programs.

What I have said so far necessarily presupposes that certain monetary and fiscal policies first instituted by the Johnson administration, and since confirmed and made more rigorous by the present administration, are not having their intended effect. And that I believe to be the case. I have seen no concrete evidence that these economic controls have begun to take hold, the feeble protestations of the administration's spokesmen, notwith-

standing. President Nixon announced yesterday that he will request an extension of the 10-percent surcharge. Yet there is no significant indication that the surcharge device has been effective in curbing consumer spending.

In fact, all indications are to the contrary. At the same time President Nixon was announcing his intention to ask for a surtax extension, the Labor Department was releasing its consumer price index figures for February. The index for February indicates that consumer prices continued rising last month at the fastest rate in 17 years, rising four-tenths of 1 percent. Mr. Arnold Chase, Assistant Commissioner of the Bureau of Labor Statistics, in commenting on this increase made what must surely be a classic understatement when he said:

The effects of the fiscal restraints have been delayed longer than most people expected.

Mr. Chase commented further that it was the homeowner who was hardest hit by this increase for he now pays more for everything from mortgage payments to babysitter fees.

The Federal Reserve Board but recently once again raised the prime interest rate to an historic high, but where is the indication that its tight money policy is slowing down the economy? It is abundantly clear that capital investment by business is a major cause of worsening inflation, but where is there any indication that the rate of industrial expansion is being restricted?

In short, it is my belief that the current fiscal and monetary policies of this administration are both unwise and unworkable. They have affected most seriously those elements in our society that are least able to shoulder the additional economic burden imposed by these policies, while leaving the Federal Government and big business relatively unrestricted.

Mr. President, this measure, and the action to be taken thereupon, presents us with a most crucial question. And that is, What are our national priorities to be? Must we favor fiscal responsibility at the expense of social and economic responsibility? Will we furnish the key for an increase in governmental spending that will in time further exacerbate our problems of inflation with the result that the economic position of the low- and middle-income wage earner is further compromised? Or will we demand that the National Government impose appropriate spending restraints upon itself before we consent to increasing the debt limit? As well, should we not require that the President indicate his intention to more efficiently restrict industrial expansion, before we endorse a measure that will surely contribute to an increase in the rate of industrial development?

In the absence of such assurances, I am unable to give my support to this measure. I want to make it perfectly clear that there are two points before us today. They are the surtax and the debt limit.

I opposed the imposition of the surtax and said then that I thought it would not work. It has not worked. It has been one of the chief fuels that have inflated our economy.

There is absolutely no evidence to indicate that the surtax has made the slightest contribution toward reducing inflation.

When the proposal was first brought up it was said that the measure was necessary to bring down the cost of living.

The cost of living is now at an all-time high, and the 10-percent surtax has actually added to our problem.

It was said at the time the measure was before Congress that it would hold down interest rates. Yet, interest rates are now at an historic high.

It was said then that if we were to pass the surtax, it would not be necessary to come back to Congress during the period of the imposition of the surtax and ask for an additional increase in the debt limit. Yet, here we are doing exactly that. And the chairman of the Finance Committee is arguing on behalf of the Republican administration that we should give them this advantage.

The ranking member of the Committee on Finance, the distinguished senior Senator from Delaware (Mr. WILLIAMS), is really saying that the present administration has not done all of the things that he recommended last year, and for which he criticized the Johnson administration.

I think we should bypass the entire matter. I do not think we would have to forfeit on our obligations.

It would be a tight squeeze. However, we are on a monetary merry-go-round. Someone will have to get us off that merry-go-round.

The Government will get its money at whatever price it has to pay.

Big business will get its money, and it will pay whatever it has to pay.

Of course, the interest payment is deductible. That means that, to that extent, the money they would have to pay the Federal Government would be reduced. Therefore, the Government itself will pay the cost of the interest paid by big business.

That is of no benefit to us. But what about the little man? What about the small wage earner? What about those people that the Senator from Nebraska (Mr. CURTIS) was talking about? What about the people on social security? What about the person who finds out that he has a lower standard of living than he had a year ago in spite of the fact that his wages have been increased? That man finds that he has a significantly lower income even with the increase in wages. There has been an increase in taxes, an increase in social security tax, and an increase in the cost of living. That man has less left now than when he started out last year.

As far as services are concerned, hospital costs are increasing. Any claim that we can reduce the cost and the demand for hospital services by continuing the surtax is fallacious. Those costs are not based upon the law of demand and supply. We cannot keep people from going in the hospitals when they are sick.

The question which must be determined and which we must face is whether we are going to close hospitals in New York City, for example, because cities can no longer raise the money to pay the

bills. Are we going to close schools, as they did in Youngstown, Ohio, because they could no longer pay for the schools? Are they going to refuse to build any additional schools, to pay teachers' salaries, and to pay for garbage collection and all of the other expenses borne by local governments?

That is the issue, plus the overriding fact that we are spending between \$3.5 and \$4 million an hour to pay for a war in Vietnam which this country has been promised would be brought to an end. I would like to follow the leadership of my chairman and vote to extend the debt limit. I am certain that the debt limit will be extended by the \$12 billion. However, I think it is a mistake.

We should have some guidelines as to where the country is going. People want to know where the country is going. They should be told. They should be told before we act, for we cannot turn the clock back.

Mr. President, I am going to do my best to make my voice heard by voting against an increase of the debt limit.

(The following colloquy, which occurred during the address by the Senator from Delaware (Mr. WILLIAMS) is printed, by unanimous consent, at this point in the RECORD.)

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

Mr. WILLIAMS of Delaware. I yield.

Mr. GRIFFIN. I commend the Senator from Delaware for the great service he has performed in analyzing the budget left by the Johnson administration and also in presenting what I consider to be a sensible program for controlling inflation. Today, as on many other occasions, the distinguished Senator from Delaware has pointed out the importance of keeping some sensible control on the number of Federal employees.

Not too long after I first came to the Congress, in 1956, I had occasion, while I was a member of the other body, and when it was considering an agricultural appropriation bill, to offer an amendment that at no time should the number of employees in the Department of Agriculture be allowed to exceed the number of farmers in America.

Since that amendment was offered, we have kept track of what has happened to the number of employees in the Department of Agriculture and what has happened to the number of farmers in America. One of my constituents, who does an excellent job of research, provided me with the latest figures. I think they would be interesting figures to insert in the RECORD.

In 1956 there were 7,869,000 farmers in America, and there were 89,398 employees in the Department of Agriculture.

In 1969, the number of farmers had gone down from 7,869,000 to 4,638,000—a 41-percent decrease in the number of farmers in America. But the number of employees in the Department of Agriculture has increased. There are now 212,113 employees in the Department of Agriculture, or an increase of 137 percent.

He has put it in other terms. In 1956 there were 88 farmers for every employee in the Department of Agriculture, and today there are only 22 farmers for

every employee in the Department of Agriculture.

Perhaps at the time the amendment was offered, it may not have seemed important, but we are gradually approaching the time when that amendment may be needed.

Mr. WILLIAMS of Delaware. I appreciate the remarks of the Senator from Michigan. I am wondering whether some groups are not finding it more profitable to cultivate the Federal Treasury than to cultivate the farm. Perhaps we had better examine the situation to see if their services are needed as badly as they say. Last year we incorporated a provision in the Expenditure Control Act which would provide some rollback in the number of Federal employees. I think it is high time that we take some action to bring the costs of this Government under control so we can live within the income, not of the Government's but of the taxpayers' who have to pay the bill. We are certainly living beyond what they can afford at the present time.

(This marks the end of the colloquy which occurred during the address by the Senator from Delaware (Mr. WILLIAMS), and which was ordered to be printed in the RECORD at this point.)

Mr. BYRD of Virginia. Mr. President, it seems to me that the debt limitation is a tool—one of several tools—which can be useful in attempting to bring under control our uncontrolled Government spending. Let us look back for a moment to see how the national debt has been increased and by what amounts in recent years.

During the 8 years of the Truman administration—8 years minus 3 months—the national debt increased by \$33 billion. During the 8 years of the Eisenhower administration, the national debt increased by \$23 billion.

That brings us to the 8 years of the Kennedy-Johnson administrations. During that period of time, the national debt increased by \$70 billion.

It was in June 1967, when Congress approved an increase of \$22 billion in the debt ceiling. On the floor of the Senate, in 1 day, the Senate approved what the House had previously approved—an increase of \$22 billion in the debt ceiling. I suggested on the floor of the Senate that day that that was taking the lid off Government spending; that that was saying, in effect, to the departments of Government, to the President, and to Congress, "The lid is off, boys. Hold your hats. Here we go again."

I say that that action by the Senate, and previously by the House of Representatives, in June 1967, did a great deal toward bringing about a \$25 billion deficit for the last fiscal year of our Government. I say that that action by the Senate and House of Representatives, advocated by the President, added billions of dollars to the cost of Government and took billions of dollars out of the pockets of the taxpayers.

That brings us to the pending proposed legislation.

I do not contend that all our problems can be solved by a tight debt ceiling. I do believe, however, that the debt ceiling is

a tool—one of several useful tools—that must be used if we are to control the uncontrollable Government spending. In the latter part of February, the President and the Secretary of the Treasury made two requests of Congress: first, that the money which the Government borrows from trust funds be eliminated from the national debt limitation; second, that the debt ceiling be increased by \$17 billion. I opposed both of those recommendations before the House Committee on Ways and Means.

Were Congress to approve the administration's request for changing the computation of the debt, the Government would be permitted to spend \$40 billion more than it takes in during the next 4 years, without the additional deficit being subject to debt limitation. Think of that, Mr. President. Were the original proposal approved, the proposal submitted by Secretary of the Treasury Kennedy, the Government during the next 4 years could spend \$40 billion more than it takes in, and that amount would not be subject to the debt limitation.

Fortunately, the Committee on Ways and Means, next the House of Representatives, and yesterday the Senate Committee on Finance refused to remove trust-fund borrowing from the debt limitation. I applaud this action. I am also pleased that the House itself and the Senate Committee on Finance have reduced the proposed ceiling increase by \$5 billion.

I recognize that a good case can be made for some increase in the ceiling. I recognize that; although the Secretary of the Treasury himself testified that by using the \$4 billion cash operating balance he could get by without any increase in the debt ceiling during the next few months. But I could support a reasonable increase. I do not, however, approve raising the ceiling by \$12 billion.

Estimates prepared by the Treasury Department itself indicate and make clear—I assume their estimates are correct—that it would be March 15, 1970—next year—before the public debt would reach \$374 billion, which is \$3 billion below what the new ceiling contemplates.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the projected figures contained in the committee report on page 3.

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

TABLE 2.—ESTIMATED PUBLIC DEBT SUBJECT TO PRESENT LIMITATION (BASED ON CONSTANT MINIMUM OPERATING CASH BALANCE OF \$4,000,000,000) FISCAL YEARS 1969 AND 1970

(With and without a \$3,000,000,000 contingency allowance)

[In billions]			
	Operating cash balance (excluding free gold)	Public debt subject to limitation	Public debt subject to limitation with \$3,000,000,000 contingency allowance
Fiscal year 1969:			
Mar. 31.....	\$4.0	\$362.1	\$365.1
Apr. 15.....	4.0	367.2	370.2
Apr. 30.....	4.0	356.9	359.9
May 15.....	4.0	361.1	364.1
May 31.....	4.0	361.9	364.9
June 15.....	4.0	362.7	365.7
June 30.....	4.0	354.6	357.6

TABLE 2.—ESTIMATED PUBLIC DEBT SUBJECT TO PRESENT LIMITATION (BASED ON CONSTANT MINIMUM OPERATING CASH BALANCE OF \$4,000,000,000) FISCAL YEARS 1969 AND 1970—Continued

(With and without a \$3,000,000,000 contingency allowance)

(In billions)

Fiscal year 1970:	Operating cash balance (excluding free gold)	Public debt subject to limitation	Public debt subject to limitation with \$3,000,000,000 contingency allowance
July 15.....	\$4.0	\$359.4	\$362.4
July 31.....	4.0	358.3	361.3
Aug. 15.....	4.0	362.8	365.8
Aug. 31.....	4.0	363.3	366.3
Sept. 15.....	4.0	367.6	370.6
Sept. 30.....	4.0	360.6	363.6
Oct. 15.....	4.0	365.9	368.9
Oct. 31.....	4.0	366.0	369.0
Nov. 15.....	4.0	370.7	373.7
Nov. 30.....	4.0	368.4	371.4
Dec. 15.....	4.0	373.3	376.3
Dec. 31.....	4.0	366.6	369.6
Jan. 15.....	4.0	371.7	374.7
Jan. 31.....	4.0	367.3	370.3
Feb. 15.....	4.0	370.2	373.2
Feb. 28.....	4.0	368.7	371.7
Mar. 15.....	4.0	374.0	377.0
Mar. 31.....	4.0	369.5	372.5
Apr. 15.....	4.0	373.7	376.7
Apr. 30.....	4.0	365.4	368.4
May 15.....	4.0	370.6	373.6
May 31.....	4.0	369.2	372.2
June 15.....	4.0	368.3	371.3
June 30.....	4.0	361.4	364.4

Source: Treasury Department.

Mr. BYRD of Virginia. Mr. President, I do not deal with the contingency fund for two reasons. First, the Government holds \$4 billion as a cash operating balance. Second, what is a contingency? If there should be a contingency, if emergencies should occur, the administration can then come to Congress and seek whatever change is necessary as a result of the emergencies or the contingencies.

But if we take the administration's own figures, it will be a year from now—March 1970—before the national debt will reach \$374 billion. Yet today the proposal is to put the ceiling at \$377 billion.

Mr. President, I am convinced that if significant economy efforts are made, and these economy efforts have been promised, there is no need for a \$12 billion increase in the debt limitation.

While many people may scoff at the debt ceiling, it serves several useful purposes. As I mentioned before, it is a tool, one of several tools, to help keep Government spending under control and to help keep the pressure on Congress, the President, the executive branch, and department heads to hold down the swollen Government spending.

The debt ceiling serves another good purpose. It focuses public attention every time the President has to come to Congress and ask for an increase in the debt ceiling. It focuses public attention on the fact that the Government is not living within its income. It focuses public attention on the need to set our financial house in order. I think the debt ceiling serves a good purpose.

Mr. President, somehow we must get Government spending under control. The people who are being hurt most by this inflationary spiral are those people in the low-income brackets and in the middle-income brackets because the ma-

jority of the personal income taxes paid into our Government are paid by those who earn \$15,000 or less.

It has not been many days—only 2 weeks ago—since the prime interest rate went to 7.5 percent, the highest interest rate in over 100 years. I contend that a major reason for that increase is all of the Government borrowing, the competition of Government to borrow more and more funds, and individuals and businesses must compete with the Government in this regard. Unless firm steps are taken to curb inflation, the housewife's dollar will buy less and less. I do believe that those housewives who will go to the market every Thursday, or Friday, or Saturday, and try to make purchases, realize without having a lot of statistics thrown at them, just what has happened to the purchasing power of the dollar.

However, to use the statistics, for every \$20 bill that an individual had a year ago, that \$20 bill is now worth \$19; or to state it another way, that \$20 bill will buy goods to the tune of \$19.

Now, the more we raise the debt limit the more leeway we give all branches of Government to spend in tax funds. To me, a very significant figure in the budget is the interest on the national debt. That interest which is under consideration by Congress, is \$16 billion. The Director of the Budget testified that during fiscal 1970 that figure will be increased by a half-billion dollars, or, to put it another way, \$500 million.

In the upcoming budget beginning July 1, the interest on the national debt—just the interest—will be \$16.5 billion. To put that figure in perspective, the interest on the national debt for fiscal year 1968 was \$13.7 billion. So between 1968 and the fiscal year 1970 there has been an increase in interest alone of almost \$3 billion. There has been an increase in interest alone of 20 percent.

I suggest, Mr. President, that our country is in a very difficult financial situation. I think the President and Congress must jointly face up to this problem. I say it is a joint responsibility. Congress cannot say to the President, "You hold down expenses." The President cannot say to Congress, "You hold down expenses." We have to do it together; we have to work together; we have to cooperate if we are going to get our financial problems under control.

I am discouraged and disappointed that the President would ask or that Congress would grant an increase at one time of \$12 billion in the debt ceiling. I say again that I could support a reasonable increase but I do not think the \$12 billion is a reasonable increase. I do not think it is justified and I think it tends to take the lid off of Government spending.

For those reasons, Mr. President, I shall vote in the negative when the proposal comes before the Senate to increase the debt limit by \$12 billion.

HIGH UINTA WILDERNESS AREA

Mr. MOSS. Mr. President, several weeks ago, I introduced a bill to establish the High Uinta Wilderness Area in Utah,

recommended for such designation by the U.S. Forest Service under the provisions of the Wilderness Act passed in 1965.

However, I deleted from the proposal the Forest Service has sent to the Congress one area—area D, totaling 102,000 acres—because planning has not been completed for the Ute Indian unit of the central Utah project, and it may be found necessary to build some of the project works in the area proposed for wilderness designation, or some of the water from one of the reservoirs may back up into the proposed area. I have indicated that if and when it is determined that structures of reservoirs in area D are not essential to Utah's water resource development, I have no objection to adding it to the High Uinta Wilderness Area.

The Deseret News, distinguished Salt Lake City daily, supports my efforts, and recently published an editorial which makes my case very well for me. I ask unanimous consent that the editorial, which appeared on March 11, be printed in the RECORD.

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

HOW LARGE SHOULD UINTA WILDERNESS BE?

There's no question that Congress ought to designate the High Uinta Mountains, a region of supreme beauty and great natural value, as a Wilderness Area.

Here is a region that contains what is not only the highest mountain range in Utah but also the most prominent east-west range in the nation. Some 650,000 people live within 100 airplane miles of the proposed Wilderness Area, which contains more than 1,000 species of plants, some of which are found only there. More than 500 lakes are scattered throughout the area. At the same time, the timber is so hard to get at it would be difficult to harvest, and geologists report little or no prospects for commercial mining development.

Unless this area is granted wilderness status by 1974, it will revert from a primitive area back to ordinary forest land, and no one wants that to happen. (Primitive areas are being dropped as a designation in favor of the increased protection and more permanent status that goes with being designated by Congress as a wilderness area.)

The only question, then, is how big the proposed High Uintas Wilderness Area should be.

If the Forest Service had its way, nearly 323,000 acres in Ashley and Wasatch national forests would be set aside as wilderness. That's the recommendation the service made on the basis of field studies with the Department of Agriculture and following public hearings.

But the eastern 102,000 acres, referred to as Unit D, includes water needed for the Central Utah Project. That's why Sen. Frank Moss recently introduced a bill that would designate the High Uintas Wilderness Area but omit Unit D until the needs of the Central Utah Project can be pinned down.

The Forest Service takes exception to this approach on the grounds that the law already permits the President to authorize construction of reservoirs or water conservation facilities within a Wilderness Area if the public interest requires it.

But Utahns still remember how an executive order promised that extension of Dinosaur National Monument would in no way inhibit construction of Echo Park Dam, but the dam was still blocked by conservationists.

In resolving the dispute, Utahns need to know how many reservoirs are really needed in the area, how big they would have to be, and how much road-building and other excavation would have to be done that would gouge the landscape.

For more than two years now, the U.S. Bureau of Reclamation has been making a study that will help answer those very questions. At the latest, the study is due to be completed by the end of the year, but this week the bureau indicated the findings might be available as soon as early autumn.

Since we've all waited this long on the High Uinta Wilderness Area, a few more months shouldn't matter. With all the facts available, it may very well be possible to harmonize water and wilderness in Unit D instead of having them compete for preference.

Meanwhile, the Bureau of Reclamation should expedite its study so that the wilderness proposal, in one form or another, can go forward as soon as possible.

S. 1689—INTRODUCTION OF A BILL ENTITLED "TOY SAFETY ACT OF 1969"

Mr. MOSS. Mr. President, I introduce, for appropriate reference, the Toy Safety Act of 1969. This bill will amend the Federal Hazardous Substances Act so that the Secretary of Health, Education, and Welfare will have the authority to preclude dangerously designed toys or other articles intended for children's use from the marketplace.

Recent hearings before the National Commission on Product Safety brought to light certain inadequacies in existing law. Certain dangerous toys are now on the market only because the Secretary of Health, Education, and Welfare lacks the authority under current statutes to block their sale. The hearings before the Commission revealed the seriousness of this problem; an alarming number of seemingly harmless toys were found to gravely endanger the health and safety of unsuspecting children.

For example, examination showed that when a "roly poly doll" was dropped it broke apart, revealing a series of frighteningly menacing horizontal spikes which could impale an unwary child. Another dangerous toy is a children's stove which, according to information given to the Commission, reaches temperatures higher than those achieved by stoves in the kitchens of our homes; a child who escaped serious electric shock while plugging the stove into a 120-volt wall socket would continue to be unknowingly subject to a threat of severe burns.

Mr. Morris Kaplan of Consumers Union told the Product Safety Commission about the Zulu gun:

The Zulu Gun's dart can't be inhaled if the child puts the mouthpiece to his mouth. But it is easy to confuse the mouthpiece and muzzle ends . . . If the child put the muzzle end to his lips and took a breath, inhaling the dart would be difficult to avoid.

Mr. Kaplan went on to point out that there were 13 Zulu gun injuries reported in the Philadelphia area alone; in 11 of these cases darts had to be removed from the lungs of victims.

Mr. President, we cannot afford to ignore the health and safety of our chil-

dren; rather, it is our responsibility to protect them to the fullest possible extent from injury. Education constitutes a valuable form of protection, but education alone is an inadequate response to the severity of the problem before us. Small children cannot read warning labels, and they cannot be constantly supervised by parents. Furthermore, parents themselves are not always aware of the dangers presented by poorly designed or manufactured toys.

Safety in design is an absolute essential element of consumer protection, particularly when the consumer is a child. The necessary safety in design must cover both the intended use and the foreseeable use, and, as all parents know, foreseeable use as applied to children's toys covers a very broad and imaginative spectrum.

Experience has shown that safety in toy design cannot be effectively achieved through a system of voluntary standards. According to testimony received by the Product Safety Commission, present voluntary standards do not address themselves to electrical, mechanical, or thermal hazards; furthermore, in those areas where there is activity, progress has been painfully slow. The record indicates that safety in toy design will not be achieved unless the Secretary of Health, Education, and Welfare is given authority to review the electrical, mechanical, and thermal hazards of toys or articles intended for use by children. The Toy Safety Act of 1969 is intended to achieve that objective.

The Toy Safety Act would amend the Federal Hazardous Substances Act by adding to the Secretary's list of criteria for the banning of toys or other items intended for children's use the criteria of electrical, mechanical, and thermal hazards. These additional criteria will permit the Secretary to evaluate the all-important design characteristics of toys and other items intended for use by children. I am confident that this procedure will result in more adequate protection of the health and safety of our children.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred; and, without objection, will be printed in the RECORD at the conclusion of the Senator's remarks.

Mr. MOSS. Mr. President, I ask unanimous consent to have printed in the RECORD three articles on this subject.

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

[From the Boston Herald Traveler, Dec. 19, 1968]

STIFF TOY LAWS URGED

(By Bill McCaffrey)

A call for strict federal regulation of the toy industry was made yesterday by a Boston attorney who demonstrated the potential dangers of a group of toys now on the market before the National Committee on Product Safety at the John F. Kennedy Federal Building.

Atty. Edward M. Swartz, author of the

"truth in lending" law and an authority on consumer protection, exhibited a cloth tunnel that was flammable, stoves that attained 660 degrees that a child cooks and bakes on, a jet with sharp edges, electric irons and mixers as examples of a host of toys hazardous to children.

Atty. Swartz, hired by the Commission on Product Safety to prepare a report on unsafe toys, said there must be some centralized authority which can supervise and check toys prior to the time they are marketed.

The Commission on Products Safety is holding three days of hearings on hazardous household items.

Atty. Swartz told the commissioners that the toy industry has been unable to eliminate dangerous toys from the market. He described "real life" electric toys as potentially deadly because they use household current.

"It is doubtful that electric toys for children should ever use electric current rather than safer forms of current," Atty. Swartz said.

He also charged that advertising copy for toys is "at times misleading, inadequate and unsafe—it has led some to conclude that the minds of our young are being raped."

Swartz recommended that the Commission launch a study and investigation of the toy industry, both domestic and foreign.

Atty. Aaron Locker, legal counsel for the Toy Manufacturers of America, took issue with Swartz' position, saying the industry preferred to develop safety standards without the mandate of legislation.

He said, "When somebody sits back and takes pot shots at the industry with a few toys he is doing the industry an injustice."

He told the Commission that the two and a half billion dollar industry "has taken the lead in developing safety standards."

Earlier, William G. Cole of Shelbourne Falls told the Commission that his nine-year-old son Ronald was part blinded in one eye last July by an exploding cap device advertised as harmless.

Dr. Carl C. Clark, chief of the Commission's task force for industrial self regulation, showed slow motion pictures of the device that injured the Cole boy traveling at a speed of 54 miles an hour when exploded by the cap.

Morris Kaplan, technical director of Consumers Union, demonstrated the dangers of a toy "Zulu" blow gun now being sold.

Kaplan said some children armed the plastic pellet with needles, making the toy a "dangerous weapon." He said young children were endangered by the toy because they sometimes put the wrong end of the toy into their mouths and inhaled the pellet.

Federal laws on hazardous substances do not cover electric shock, burns, or cuts and punctures, Kaplan said.

"Toys with such hazards may be found in the marketplace." He called for stricter regulations.

The hearing continues today on the dangers of refrigerators in the home.

[From the Washington Post, Dec. 18, 1968]
UNSAFE CRIBS HARM BABIES, GROUP TOLD
(By Morton Mintz)

BOSTON, MASS., December 17.—Federal safety investigators heard testimony today that baby cribs of unsafe design are sold throughout the Nation even though an estimated 200 infants a year strangle in their cribs.

One of the day's witnesses, the Rev. John R. Dryer, pastor of Covenant Presbyterian Church in Wellsville, Ohio, is the father of a victim.

He told the National Commission on Product Safety how, at the age of 1 year and 17 days, his first child Johnny, strangled in a crib.

The actual crib in which his son perished—placed on a table in a hearing room—was used by the Rev. Mr. Dryer to demonstrate how he believed the infant's throat had become locked between the lid and the side. As he described the tragedy, the cause was a long metal hinge so constructed that the more his infant son tried to pull away, the tighter it clamped the lid and side on his throat.

The manufacturer, one of the largest in the field, is Trimble Products, Inc., of Southern Pines, N.C. It has showrooms in Chicago, Los Angeles, New York City, San Francisco and Seattle. The slogan on its catalogue, the Commission was told, is "Since 1912. Your baby's health, safety and comfort . . . our only business."

The president of the firm, W. J. Donovan, rejected written and phoned invitations to appear. He wrote the Commission last Tuesday, "We will not be able to testify . . ." The makers of an almost identical crib, the Jackson Furniture Co., of Jackson, Tenn., also was urged to appear, but made no response.

The Commission is holding three days of hearings under a directive from Congress to develop effective means to protect consumers from unreasonable hazards in products used in around the household.

The seven-member agency, created 13 months ago, is particularly concerned about hazards to infants and children, because accidents are the chief cause of death among them. In the age 15-and-under group alone, accidents take more than 15,000 lives a year.

Testifying at the new John F. Kennedy Government Center, the Ohio minister urged adoption of Federal safety standards for baby furniture. He told Commission Chairman Arnold B. Elkind that when he pleaded with Trimble Products either to make the "Kiddie Koop" safe or stop selling it, the firm responded only with "sympathy." He then sued, finally settling out of court for \$15,000.

Two other witnesses testified that Johnny Dryer's death was not a freak one.

Dr. Brian B. Blackbourne of Miami, Fla., assistant medical examiner of Dade County, said in November 1965—only 3½ weeks before Johnny died in the New Orleans suburbs of Metairie—the 9-month-old son of a Coral Gables policeman died in identical fashion.

The primary sales feature of the Trimble and Jackson cribs is that they protect the occupant from mosquitoes and other insects with the web and a fine cloth mesh on the sides. But Schott emphasized that other makes offered the same advantage without hazards. He showed a picture of one which uses a zipper to secure a mesh top and has no hinges.

[From the Christian Science Monitor, Dec. 26, 1968]

TAKE A CLOSE SECOND LOOK AT THOSE GIFT TOYS

(By Yvonne Horton)

Take a careful look at the toys your child received for Christmas. Even baby dolls may not be completely safe, according to Edward M. Swartz, a Boston attorney reporting to the President's National Commission on Product Safety. The commission held public hearings in Boston just before Christmas.

Mr. Swartz displayed a cuddle doll packaged in a box with a clear plastic window on top. The purchaser of such a doll might be unaware of how its dainty hair ribbon is attached. The one Mr. Swartz displayed had a huge straight pin thrust directly into the doll's head. He pointed out that, when the hair ribbon was pulled off, the attached pin would be dangerous to a small child.

A similar inch-long pin "with a handle that made it easily removable" had been previously called to the attention of the commission by a mother in Downey, Calif.

Another hazard to small "pretend mamas" was brought to the Boston hearing by Morris Kaplan, technical director of Consumers' Union. He displayed a tiny doll with flexible arms and legs. Protective plastic covering heavy wires inside the doll's anatomy had broken with the result that a sharp wire protruded from its hand.

The commission had previously received a complaint from a mother in Lexington, Mass., who gave her 16-month-old son a new doll. In a few moments, she reported, he had removed the legs exposing "three-inch spikes." After investigation by the National Commission on Product Safety, the doll was voluntarily removed from the market by its distributor.

The representative of Consumers' Union was not optimistic about the disposition of manufacturers to remove hazardous toys from the market. Mr. Kaplan said that many dangerous toys are identified in Consumer Reports magazine; but "as a rule, most products are not modified or taken off the market."

One toy Mr. Kaplan brought to the hearing was a small blow gun, or Zulu gun. He pointed out that one hazard of such a toy is that the muzzle and the mouthpiece are easily confused. A child who puts the muzzle in his mouth by mistake can inhale an inch-long plastic dart. The situation is further complicated if a child thrusts a pin through the soft plastic to create a spear from the dart.

Mr. Kaplan estimated that four to six million such blow guns have been distributed in the United States. Commenting about the one displayed at the hearing, he said, "I bought this two weeks ago. The cost is 10 cents."

Also displayed by Mr. Swartz and Mr. Kaplan were various plug-in housekeeping toys—miniature electric ovens, irons, and corn poppers—described as potential shock or burn hazards, especially when used unsupervised and by younger children.

The price of miniature ovens was said to vary from about \$8 to in excess of \$20. Mr. Swartz commented, "These are not low-priced toys."

In its effort to protect the American consumer from unnecessary injury from hazardous products used in the home, the commission wishes to be informed about potentially dangerous toys, identifying the toy and manufacturer by name. It urges: "Anyone aware of incidents involving unsafe products used in and around the home should write to the National Commission on Product Safety, Washington, D.C. 20036."

The bill (S. 1689) to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes, introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1689

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Toy Safety Act of 1969."

SEC. 2 (a) Section 2(f)(1) of the Federal Hazardous Substances Act (15 U.S.C. 1261 (f)(1)) is amended by adding at the end thereof the following new clause:

"(D) Any toy or other article intended for use by children which the Secretary finds pursuant to the provisions of section 2(q)(1)

of this Act meets the requirements of subparagraph (A) (iii) or (iv) of such section."

(b) The matter preceding the semicolon in clause (A) of section 2(q)(1) of the Federal Hazardous Substances Act (15 U.S.C. 1151 (2) (q)(1) (A)) is amended to read as follows: "(A) any toy, or other article intended for use by children, which, pursuant to a determination made by the Secretary (i) is a hazardous substance, or (ii) bears or contains a hazardous substance in such manner as to be susceptible of access by a child to whom such toy or other article is entrusted, or (iii) is otherwise hazardous because of the presence of electrical, mechanical, or thermal hazards, or (iv) may cause substantial personal injury or substantial illness by, during, or as a result of foreseeable use of the toy or article, even if unintended by the manufacturer, where such injury or illness is attributable to electrical, mechanical, or thermal aspects of the design, processing, or assembly of that toy or article."

(c) Section 2 of such Act is amended by adding at the end thereof the following:

"(r) The term 'electrical' means of or pertaining to the flow of an electrical charge or to electrons in motion; the term 'electrical hazard' means a condition or circumstance such that substantial personal injury or substantial illness from electric shock or electrocution may be caused during or as a proximate result of any customary or reasonably foreseeable use."

"(s) The term 'mechanical' means of or pertaining to the design construction or structure of a substance; the term 'mechanical hazard' means a condition or circumstance such that substantial personal injury or substantial illness may be caused during or as a proximate result of any customary or reasonably foreseeable use because of sharp surfaces or protrusions, fragmentation, explosion, strangulation, suffocation, asphyxiation, or other mechanical means."

"(t) The term 'thermal' means of or pertaining to the transfer or manifestation of heat energy; the term 'thermal hazard' means a condition or circumstance such that substantial personal injury or substantial illness may be caused during or as a proximate result of any customary or reasonably foreseeable use of articles: (1) which contain heated surfaces; or (2) which if ignited burn so intensely that (A) extremely high temperatures are reached, or (B) they cannot be readily extinguished by means ordinarily at hand."

EFFECTIVE DATE

SEC. 3. The amendments made by section 2 of this Act shall become effective sixty days after the date of enactment of this Act.

INCREASE IN THE PUBLIC DEBT LIMIT

The Senate resumed the consideration of the bill (H.R. 8508) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act.

MR. KENNEDY. Mr. President, I rise to support the request of the President of the United States that the permanent debt ceiling be increased to \$365 billion, and the temporary ceiling during fiscal 1970 set at \$377 billion.

And I would urge my Democratic colleagues to demonstrate the same non-partisan attitude which they have displayed historically, to such requests from both Republican and Democratic Presidents. I think that we, on both sides of the aisle should answer the request of President Nixon by passing this measure

today. President Nixon has indicated that the temporary increase of \$12 billion in the debt ceiling is "of the highest importance." Further, he has indicated that "if the present ceiling of \$365 billion were not raised, we would be extremely hard pressed to meet the Government's obligations in April, and in the last quarter of this calendar year the projected resources, in the light of seasonal peaking of financial obligations, would be patently inadequate."

Mr. President, we know that all Senators, from time to time, may change their minds on any given issue. But I thought it would be interesting for the Senate to take a cursory glance at the votes of the Members of the Senate over the past 10 years on the question of the debt limit increase.

In 1958, Mr. President, there were three votes in the Senate dealing with the request of President Eisenhower to increase the public debt limit. On those three votes, an average of 78 percent of the Republican Senators supported President Eisenhower's request. The record of the Democratic Members of the Senate was nearly as good, with an average of 73 percent supporting that request.

In 1960, Mr. President, there were four votes on this same question. The average Republican support went up to 89 percent. There were no defections among the Republicans on final passage and passage of the conference report, with 100 percent supporting President Eisenhower, 4 months before election day in 1960. In that year, the Democratic support of the Republican administration was 65 percent.

Now, Mr. President, an interesting glance at what happened in 1962, when President Kennedy requested an increase in the temporary debt limit. With the same type of explanation, Mr. President, which President Nixon has made now, in support of his request, President Kennedy sought Republican votes. The record reveals, however, that the minority supported him only an average of 25 percent in votes considering that request. Some contrast, Mr. President. I would say that if President Nixon does not draw better support from the Republican Members of the Senate, today, than President Kennedy did in 1962, this measure may not pass.

In a request made by President Kennedy in May of 1963 for temporary increases in the debt limit, an average of only 27 percent of the Republican Members of the Senate supported the President on five test votes. In similar votes at different times in 1964, 1965, 1966, and 1967, Republican support of the requests of President Johnson varied from 50 percent, to 43 percent, to zero percent, to 53 percent, to 50 percent, to zero percent, to 20 percent, to 17 percent, to 23 percent, to 20 percent to 50 percent, averaging only 29 percent.

I do not want to embarrass my Republican colleagues by calling their individual voting records to the attention of the Senate, but the average percentages of support which have been given to the President of the United States when he has asked for increases in the

national debt has indicated some partisan tendency.

Of course, one can understand, Mr. President, that the attitude of a Member of Congress might change somewhat, depending upon the occupant of the White House. The distinguished leader of the minority in the other body was quoted in the press recently as saying:

Republican reaction is different because of the fact that we now have faith in the Administration concerning fiscal responsibility.

Mr. President, in my opinion, this increase is required for orderly conduct of the Government business. The Treasury is now operating too close to the current ceiling of \$365 billion for sound debt management purposes. On March 14 of this year, the cash balance was only 0.3 of a billion dollars; according to the Treasury, its minimum operating cash balance should be \$4 billion.

Mr. President, in my opinion, the failure of Congress to provide for an increase in the permanent and temporary debt ceilings would be a serious error and an unfortunate departure from responsibility.

Mr. LONG. Mr. President, I am not aware of requests from any other Senator for time to discuss this issue. I have indicated that I intend to insist upon the rule of germaneness during the 3-hour period. Should some Senators desire to discuss the matter further, after a call of the quorum has been determined, I shall ask unanimous consent that time be allotted to them. However, I know of no such requests. Therefore, I ask unanimous consent that after the call of the quorum has been determined, the Senate vote on the pending measure.

Mr. KENNEDY. Mr. President, reserving the right to object, is it the intention of the Senator to ask for the yeas and nays?

Mr. LONG. Yes; but there is not a sufficient number of Senators in the Chamber at this moment to obtain them.

Mr. KENNEDY. After the quorum call?

Mr. LONG. Yes.

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

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

Mr. DIRKSEN. Mr. President, I talked with the manager of the bill earlier in the day, because I wanted to speak on a nongermane matter for about 10 minutes.

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

Mr. DIRKSEN. I yield.

Mr. LONG. Mr. President, I ask for the yeas and nays on the pending measure.

The yeas and nays were ordered.

Mr. LONG. Mr. President, I ask unanimous consent that 10 minutes be allotted to the Senator from Illinois.

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

REPLY TO FORMER VICE PRESIDENT HUMPHREY'S STATEMENT ON NIXON ADMINISTRATION

Mr. DIRKSEN. Mr. President, I was astonished by the statement by the former Vice President, Mr. Humphrey, which implied that if not all the problems inherited by the Nixon administration are solved within the first 100 days, the Democrats then will feel free to attack. How quickly the former Vice President has reassumed his old ways—those of issuing a volley of slogans as a substitute for responsible action.

Mr. Humphrey knows better than most the complexity of the basic decisions he is calling upon President Nixon to make in little more than 3 months. He also knows that his administration failed to resolve those problems in 5 years.

I fail to see it as a point of generosity by Mr. Humphrey when he says perhaps even more than 100 days should be allowed the President to solve the war in Vietnam. To set a deadline on Vietnam would be to allow the enemy to strengthen his bargaining position with the knowledge that political pressures will seek to force a compromise on any terms upon the President.

Mr. Humphrey must realize—and I think to his chagrin—that his administration left to the new President a legacy of problems unprecedented in our national history. It is a legacy of war, crime, violence, civil disobedience, runaway inflation, and poverty; and I do not know how anybody could refute it. I could go on—and on—but these problems cannot be erased by an outburst of rhetoric by a former Vice President of that administration, nor will slogans cause them to disappear.

Would Mr. Humphrey really have us believe that he would have resolved all these problems within this time had he been elected? That attitude would be laughable—if it were not so crucially serious. Any attempt to create such an impression would be deceptive, and doubly so coming from one of the former architects of the policies that created the problems.

I have noted in the past few days an increasing pace of attack on the President regarding Vietnam. I recognize that some of those who lead the attack are locked into the old positions they had staked out before and have not yet adjusted to the fact that we are in a new negotiating situation. But to have the former Vice President joining the critics with a call for a deadline is utterly incongruous.

My friend, the distinguished majority leader, only Monday of this week made reference to the high toll being paid in American lives in recent weeks in Vietnam. No one deplores this loss of life more than I. I speak as a former soldier who was in uniform 51 years ago on the Western Front, where I saw my share of fatalities.

Certainly the President is not insensitive to the sacrifices being made. But I would caution those critics that this is a war that President Nixon inherited, the casualties being sustained are being sustained by troops who were ordered to

Vietnam by a former President. Let me put the statistics showing deaths of American servicemen resulting from action by hostile forces in proper perspective, for January of 1968 they were 1,202—for January 1969 they were 795—for February of 1968 they were 2,124—for February of 1969 they were 1,073—for March of 1968 they were 1,543—based on present figures, they will be about 1,100 for March of 1969. President Nixon is determined that the killing will end, and he is committed to obtaining a decent and honorable peace; in this purpose I am certain he will succeed. But unjustified criticism will not produce peace sooner; in fact, it could very well delay it.

In terms of 100 days, again, anyone who thinks the festering sores of crime, violence, civil disobedience, inflation, and poverty inherited by this administration can be healed overnight is just as mistaken as one who expects the Vietnam war to be brought to an end in a few short days.

I had been impressed by the statesmanship of the former Vice President during the immediate days following the election. I would hope that he will not allow divergent elements within his party to push him into this type of posture, which I am sure he would regard as unfair were he the President.

As I said in my statement to the Senate last week, this is a responsible administration. It is not throwing ill-considered legislation at the Congress—and everyone who was in Congress during the past 8 years knows exactly what I mean by that.

President Nixon has repeatedly expressed his intention of settling the war in Vietnam. A plan is now being implemented, but slogans are not being shouted from the rooftops. Rather, action is underway. It will require patience and perseverance, but a just and honorable peace will be achieved, something that the previous administration was unable to achieve.

This administration is proceeding calmly, coolly, prudently, responsibly—laying the foundation before it tries to put up the walls and roof. And I urge that all who are anxious to achieve a satisfactory termination of the war in Vietnam—including the former Vice President—approach the task of finding one in a responsible way.

INCREASE IN THE PUBLIC DEBT LIMIT

The Senate resumed the consideration of the bill (H.R. 8508) to increase the public debt limit.

Mr. CURTIS. Mr. President, the bill before us (H.R. 8508) has been described incorrectly. It is not a ceiling on the Federal debt. I wish that it were.

This bill amends the second Liberty Bond Act passed many years ago. That act authorizes the Secretary of the Treasury to borrow money and issue bonds to pay the Government's debts.

If this bill were not passed, the Secretary of the Treasury would be unable to issue and sell the bonds required to pay the Government's debts. Refusal to pass

this bill would not lessen the debts owed by the Federal Government.

I shall illustrate. If there is no money in the Treasury and if the Secretary of the Treasury cannot borrow more money, the Federal Government will be unable to pay salaries to the men in our Armed Forces, the employees in Government hospitals, amounts due contractors, interest on the national debt, or other items that the Federal Government owes. The Federal debt will still be there, but instead of only owing it in bonds we will owe it to the people who have money coming from the Government and can not get it.

The debt is increased when the Congress votes to authorize programs and then votes to appropriate the money. The debt increases when the Congress votes for and the Executive spends more money than comes in in taxes. The way to stop the debt from rising is to have the Congress stop voting for so many spending programs and to have the Executive stop spending.

To defeat this bill would not lessen the debt—it would invite chaos. The way to lessen the debt is to lessen the spending.

I judge no Member on his vote on any subject. An individual cannot vote for every spending scheme under the sun and then vote against this measure and claim to be an economizer. On the other hand, there are Members who vote for economy day after day and month after month who elect to vote against measures such as this as a protest. I do not wish to pass judgment on anyone's motives for voting "No" on this bill.

As the Senator from Delaware has pointed out, we will have a deficit at the end of this fiscal year on June 30 of \$7 billion. This deficit is because there has been too much spending voted for, not only last year, but over many years in the past. Even if we extend the surtax, the momentum of past spending programs—unless reduced—will cause a deficit on June 30, 1970, of \$10 billion. I hope and pray that steps can be taken to prevent such a deficit.

The real remedy lies in voting against spending—not in voting to prevent payment for spending that has already taken place.

Mr. HRUSKA. Mr. President, President Nixon has been in office for a period of only 2 months and 7 days. When he took office on January 20 the Government debt subject to the present limitation was \$364.2 billion—only \$800 million below the statutory ceiling of \$365 billion. On March 14, Government borrowings reached within \$282 million of the \$365 billion debt limitation, an amount which does not provide sufficient latitude for good debt management practices to be followed. Moreover, the new administration has estimated that Federal debt needs with contingency of \$3 billion are expected to reach a peak of approximately \$377 billion in March of 1970 and thereafter decline to \$365 billion by June 30 of that year.

The President is undertaking a thorough review of the budget in a determined effort to reduce costs. However, many of the budget items are largely beyond short-run control and a review of former President Johnson's budget has

indicated that a possible increase in outlays, including farm price-support payments and a wide variety of past commitments, may be required. Moreover, the Johnson budget was based on several contingencies which are as yet unresolved.

There has been much talk about a Federal surplus in fiscal 1969 and 1970. As President Nixon has rightly pointed out, however, the unified budget concept shows a surplus for fiscal 1969 and 1970 only because they reflect substantial surpluses in Government trust funds—projected at \$9.4 billion in fiscal year 1969 and \$10.3 billion in fiscal year 1970. On the basis of a Federal funds account, the current budget estimates for the fiscal years 1969 and 1970 show a deficit of close to \$7 billion or more in each of these years.

Mr. President, I continue to be a strong supporter of economy in our Government and I would not want my vote on this measure to be misunderstood. I will continue to insist on economy and the elimination of unnecessary expenditures at the Federal level and I will continue to study closely each appropriation bill. In 1963, I warned that we would find ourselves in such a situation as exists today if the Government refused to be prudent in its fiscal matters. However, it would be unfair to hamstring the new administration in its attempt to resolve the fiscal problems that it has inherited from the previous administration and, for this reason, I will vote to increase the debt limitation as recommended by the Senate Finance Committee.

Mr. MATHIAS. Mr. President, during my 8 years in the other body it was called upon no less than 13 times to consider and vote on the question of an increase in the bonded indebtedness of the Nation—the so-called debt ceiling. On 11 of these occasions I voted against the increase, because I felt that the administration currently in power had contributed to its own financial problems and would benefit from the discipline inherent in the contemporary ceiling. But on two occasions, I voted to increase or raise the debt ceiling.

During the Berlin crisis the Kennedy administration, for example, was forced to undertake extraordinary expenditures consistent with the Berlin resolution for which I had voted. Accordingly, I felt that the administration merited help in coping with forces and circumstances beyond its control.

Today I have voted for the increase in the debt limit, not because I would allow to a Republican administration any greater fiscal latitude than I would to a Democratic administration, but because the Nixon administration, like the Kennedy administration in the Berlin crisis, is confronted with serious fiscal problems not of its own making.

THE PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was read the third time.

THE PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COTTON (when his name was called): Mr. President, on this vote I have a pair with the junior Senator from Colorado (Mr. DOMINICK). Were he present and voting, he would vote "nay." Were I at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Michigan (Mr. HART), the Senator from Montana (Mr. MANSFIELD), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Rhode Island (Mr. PELL), and the Senator from Georgia (Mr. RUSSELL) are necessarily absent.

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

On this vote, the Senator from Wyoming (Mr. MCGEE) is paired with the Senator from Georgia (Mr. RUSSELL).

If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Georgia would vote "nay."

Mr. SCOTT. I announce that the Senator from Kentucky (Mr. COOPER), and the Senator from Colorado (Mr. DOMINICK), are absent because of illness.

The Senator from Delaware (Mr. BOGGS), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Oregon (Mr. PACKWOOD) are necessarily absent.

The Senator from Massachusetts (Mr. BROOKE), and the Senator from South Carolina (Mr. THURMOND) are absent on official business.

The pair of the Senator from Colorado (Mr. DOMINICK) has been previously announced by the Senator from New Hampshire (Mr. COTTON).

If present and voting, the Senator from Delaware (Mr. BOGGS), the Senator from Kentucky (Mr. COOPER), and the Senator from Oregon (Mr. PACKWOOD), would each vote "yea."

On this vote, the Senator from Arizona (Mr. GOLDWATER), is paired with the Senator from South Carolina (Mr. THURMOND). If present and voting, the Senator from Arizona would vote "yea" and the Senator from South Carolina would vote "nay."

The result was announced—yeas 67, nays 18, as follows:

[No. 24 Leg.]

YEAS—67

Aiken	Hansen	Pastore
Allott	Harris	Pearson
Anderson	Hruska	Percy
Baker	Hughes	Prouty
Bayh	Inouye	Proxmire
Bennett	Jackson	Randolph
Bible	Javits	Ribicoff
Burdick	Jordan, Idaho	Saxbe
Byrd, W. Va.	Kennedy	Schweiker
Cannon	Long	Scott
Case	Magnuson	Smith
Cranston	Mathias	Sparkman
Curtis	McClellan	Spong
Dirksen	McGovern	Stevens
Dodd	McIntyre	Symington
Eagleton	Metcalfe	Tower
Fannin	Miller	Tydings
Fong	Mondale	Williams, N.J.
Goodell	Moss	Williams, Del.
Gore	Mundt	Yarborough
Gravel	Murphy	Young, N. Dak.
Griffin	Muskie	
Gurney	Nelson	

CVX—487—Part 6

NAYS—18

Allen	Eastland	Holland
Bellmon	Ellender	Hollings
Byrd, Va.	Ervin	Jordan, N.C.
Church	Fulbright	Stennis
Cook	Hartke	Talmadge
Dole	Hatfield	Young, Ohio

PRESENT AND ANNOUNCING A LIVE PAIR, AS PREVIOUSLY RECORDED

Cotton, for.

NOT VOTING—14

Boggs	Hart	Packwood
Brooke	Mansfield	Pell
Cooper	McCarthy	Russell
Dominick	McGee	Thurmond
Goldwater	Montoya	

So the bill (H.R. 8508) was passed.

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

Mr. LONG. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I would like to ask the acting majority leader whether he contemplates that there will be any rollcall votes for the balance of the day.

Mr. KENNEDY. Mr. President, when the Senate adjourns today, it will meet at noon tomorrow. It will then consider House Joint Resolution 584, the supplemental appropriations for the Commodity Credit Corporation. If we finish consideration of that measure tomorrow, the Senate will then adjourn until noon on Monday.

Mr. DIRKSEN. So there will be no business and no rollcall votes for the balance of the day.

Mr. KENNEDY. It will be up to the individual Members as to whether they request such rollcall votes. It is my understanding at the present time that probably there will be no further rollcall votes today. However, that is subject to the request of any individual Senator.

THE ABOLITION OF THE COMMISSION ON EXECUTIVE, LEGISLATIVE, AND JUDICIAL SALARIES—ADDITIONAL COSPONSOR OF S. 1538

Mr. CURTIS. Mr. President, a few days ago I introduced a bill (S. 1538) to abolish the Commission on Executive, Legislative, and Judicial Salaries.

Unless this is done, 4 years from now another commission will bring in a report on the salaries.

To let this law stand is an admission on the part of the Government that inflation is expected for the next 4 years. That is financially and psychologically bad. Furthermore, the plan is not a good plan. It sounds meritorious at first glance to have an outside group fix the salaries for Government officials. However, we usually end up with some captains of industry and some top labor leaders and others on the Commission. I cannot imagine any of them saying to the Supreme Court of the United States, every Federal judge, every Cabinet member, and every Member of the Congress: "You should not have a raise."

I cannot imagine them saying, "You should have a reduction."

In reality, it does not work out. The measure should be repealed.

Mr. President, I yield to my colleague, the Senator from Nebraska (Mr. HRUSKA).

Mr. HRUSKA. Mr. President, I ask unanimous consent that my name be added as a cosponsor of the bill (S. 1538) introduced by my colleague from Nebraska (Mr. CURTIS).

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

Mr. HRUSKA. Mr. President, earlier this year every Member of Congress received a substantial increase in salary. I opposed that increase at the time and my position was so recorded during the rollcall vote on the issue.

The manner in which the vote was taken on this issue was most unusual. Normally in the Senate we have the right to modify a proposal either on the floor or in committee. On an appropriations bill, for example, the dollar figure can be raised or lowered. The option of lowering the proposed salary was not available to us, however. It was offered on a take-it-or-leave-it basis. This procedure was most unwise.

My distinguished colleague (Mr. CURTIS) has introduced a bill to reinstitute normal procedures in fixing salaries (S. 1538). I am most happy to join as a cosponsor of this legislation.

Mr. President, article I, section 1 of the Constitution provides that all legislative power of the U.S. Government is vested in the Congress.

The reason for this provision is obvious. The Founding Fathers wanted matters of setting national policy to be subject to open discussion under the scrutiny of the electorate.

The setting of salaries for Government officials is a legislative function of the highest order.

The setting of congressional salaries has been handled as normal legislation through the years. This method, of course, is awkward for the legislators, but I believe it is good for the electorate.

It has been pointed out on this floor, that over the years, the Congress has granted raise to its Members very begrudgingly. This is as it should be.

Mr. President, in 1967, the Congress devised a method by which its Members could get periodic raises without the usual hearings, debates and public expressions of indignation. This method was established by section 225 of Public Law 90-206, the Postal Revenue and Federal Salary Act of 1967.

Under section 225(a), a Commission on Executive, Legislative, and Judicial Salaries was established to study the compensation of officials and recommend adjustments.

Mr. President, I would have no particular quarrel with the Commission if its function was to assist the Members of Congress in their legislative functions, however, its functions are not so limited.

Under section 225, the Commission recommends salary adjustments to the President, who in turn transmits his recommendations to the Congress. Congress then has the choice of accepting

or rejecting the recommendations and the lack of action by the Congress is tantamount to acceptance.

Mr. President, the Commission plan is not a new concept. It has been advocated by certain Members of the House for several years. This concept has been rejected by the members of the Senate Post Office and Civil Service Committee on at least two occasions prior to 1967. This concept was again rejected by the members of the committee in 1967.

Section 225 was added to Public Law 90-206 in conference, where the House insisted upon its inclusion. This compromise was accepted by the Senate in the closing days of the first session of the 90th Congress.

Mr. President, the Commission was duly organized, conducted its studies and reported to President Johnson who in turn, made his recommendations to Congress.

The recommendations were for pay raises for certain officials ranging from 40 percent to 100 percent.

These new pay scales went into effect on February 14 as a result of a roll-call vote in the Senate, and no action at all by the House.

I joined in the effort to reject the pay increase and I regret that our efforts were unsuccessful.

Mr. President, in deferring to the Commission and the Chief Executive, Congress has abdicated one of its most precious prerogatives.

The sequence of events leading up to the recent raise will be repeated in 4 years unless Congress asserts itself.

Mr. President, the Commission created by section 225 of Public Law 90-206 should be abolished.

REPORT ENTITLED "REVIEW OF U.S. FOREIGN POLICY AND OPERATIONS" TO BE PRINTED AS A SENATE DOCUMENT

Mr. JORDAN of North Carolina. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 170, which has been reported from the Committee on Rules and Administration without amendment. The resolution has been cleared with the leadership on both sides of the aisle.

The PRESIDING OFFICER. The resolution will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A resolution (S. Res. 170) to print a report entitled "Review of U.S. Foreign Policy and Operations" as a Senate document.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 170) was considered and agreed to, as follows:

S. RES. 170

Resolved, That a report entitled "Review of United States Foreign Policy and Operations", submitted to the Senate Committee on Appropriations on March 17, 1969, be printed as a Senate document; and that two thousand six hundred additional copies of such document be printed for the use of that Committee.

SUPPLY OF NATURAL GAS TO CALIFORNIA

Mr. BAYH. Mr. President, there has been increasing discussion throughout the country involving concerns about the effect on the consuming public of large concentrations of power and money in the business community. In other words, antitrust, monopoly, and conglomerate have become household words to many Americans.

Under some circumstances, largeness has resulted in increased efficiency and, thus, lower costs to the consuming public. Under other circumstances, largeness has meant monopoly, restraint of trade and, thus, increased costs to the consuming public.

An additional chapter to this discussion was opened yesterday by Mr. William Bennett, a California attorney and former member of the California Public Utilities Commission, in a press conference held to protest action by the Department of Justice in which it allowed the dismissal of an appeal to the case of Utah versus El Paso Gas Co. Mr. Bennett's press conference remarks quoted published reports in the Monday and Tuesday "Washington Merry-Go-Round" columns, written by Drew Pearson, devoted to the same case. Both Mr. Bennett and Mr. Pearson point out that the Justice Department, by its dismissal in this case, left unprotected the gas consumers of the richest gas market in America; and in doing so, the Department lessened the impact of important new case law in dealing with the antitrust problems which now face the country.

The El Paso Natural Gas Co. case is a long and involved series of legal problems covering the past 13 years.

Mr. President, I shall not take the time of the Senate to discuss all the details of the 13-year experience in the courts, but the basic issues revolved around the question of whether or not additional competition in the transmission of natural gas is needed in the State of California and on the west coast of the United States.

The El Paso Natural Gas Co. line until recently provided the only direct link supply of gas to California from the massive reserves in Texas and Oklahoma. When consumer-minded groups sought to develop competition to the El Paso monopoly, El Paso acquired the Pacific Northwest pipeline to avoid the threat of competition. These moves were proved to be in violation of the Clayton Act, and El Paso was required by the Supreme Court to divest its holdings in Pacific Northwest Gas Co.

Pursuant to the court order El Paso divested its Pacific Northwest holdings to Colorado Interstate Gas Transmission Co., resulting in a situation very much like the first and similarly to violation of the Clayton Anti-Trust Act, completely contrary to the spirit of the opinion written by Mr. Justice Douglas in the original case. Instead of providing additional competition to El Paso, the divestiture to Colorado Interstate Gas Transmission Co. provides a safe haven for

Pacific Northwest in the hands of an entity which has never sought to provide the kind of competition which growing gas markets such as California require in order to safeguard the interests of the consumer.

The stakes are high to California gas users. More than \$400 million worth of natural gas is transmitted into the California market each year by the El Paso Natural Gas Co. Every penny increase in price of a thousand cubic feet of gas means nearly \$10 million annually in increased costs to the consumer in California, and, although there have been a number of successful court suits waged against the El Paso monopoly, the cause of the consumer has always been lost after the cases have been decided.

In case after case, the courts have ruled conclusively that additional competition should be provided into the super-rich California gas market.

But the Justice Department decision to dismiss the El Paso suit designed to bring about a meaningful divestiture of El Paso holdings means that no viable new competition will be provided to El Paso in the California market. In dismissing its suit, the Justice Department has forsaken the cause of the consumer, after the courts have held time and again that more competition is required in this market.

But this case transcends the normal impact of a single case. The importance of the El Paso case as a benchmark in antitrust law was pointed out effectively last week by the chief of the Anti-Trust Monopoly Division of the Justice Department, Assistant Attorney General Richard McClaren. After the Justice Department's decision to dismiss the El Paso case, Mr. McClaren was quoted in an article in Newsweek magazine as suggesting that the precedent set by the El Paso case will be most useful and almost indispensable in the prosecution of Government cases to protect the public interest in cases involving large and complex corporate entities. Now the Justice Department finds itself in the position where on the one hand a division chief is suggesting that the case law made in the El Paso case is indispensable to the prosecution of his responsibilities, and, on the other hand, the Attorney General has dismissed the follow-on litigation designed to make the decision in the El Paso case meaningful.

It seems to me that this compromises the Department in its prosecution of additional antitrust cases and creates a basic inconsistency between what it has done and what it intends to do.

How can the El Paso case be used as a precedent in attacking the mergers of a conglomerate corporation if in fact the purpose of the case is not pursued in the gas industry? By its dismissal of this case, the Justice Department has weakened its own hand, at a time when it declares itself to be pursuing a new crusade in protection of the American public from large corporate monopolies.

One other factor brought to light in Mr. Bennett's statement as well as in Mr. Pearson's article deals with the disclosure that the law firm in which the

Attorney General and the President previously were partners represented El Paso Gas Co. in prior litigation. Because of this past relationship, it was unfortunate that decision to dismiss the case was made only 6 days after the new administration took office. In light of this fact, and also because the Supreme Court is presently considering this issue and will make a finding in the next few days, it would seem propitious for the Justice Department to reconsider its position in the hopes that the Supreme Court will hear the case on its merits. Or the Justice Department could take Mr. Bennett's advice and file a section 7 complaint under the Clayton Act in exactly the same manner and relying on the same Supreme Court case against the Colorado Interstate Gas acquisition.

The time has come when all in positions of public responsibility must give additional consideration to the all-too-often forgotten consumer. He has no well-paid lobbyist and can hardly afford the legal burdens necessitated by lengthy court battles. We in the legislative branch have a common purpose with officials in the executive branch to perform our duties in such a manner as to guarantee that the consumer is treated fairly.

I sincerely hope that the Justice Department will reconsider the impact its decision will have on this effort. I know that the appropriate committees of the Congress intend to relentlessly pursue this goal.

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

The PRESIDING OFFICER (Mr. GURNEY in the chair). Does the Senator yield?

Mr. BAYH. I yield.

Mr. HART. Mr. President, I rise to speak to the point so effectively made by the able Senator from Indiana.

The Supreme Court twice considered problems created by the El Paso Natural Gas Co.'s merger with Pacific Northwest Pipeline Co. since 1962. A third aspect of this complicated proceeding now is on the Supreme Court docket. But the parties, having agreed on a proposed settlement, have asked the Court to dismiss the case.

Ordinarily, Mr. President, settlement among the parties to complex litigation is to be encouraged, but because of the nature of the issues involved and the history of this litigation, settlement without final Supreme Court review would be unfortunate.

The present situation grows out of the April 6, 1964, Supreme Court decision holding that the merger violated the antimerger provisions of section 7 of the Clayton Act. Proceedings then began in the district court to fashion relief and a number of utility companies and the State of California sought to intervene to protect their interests in the final decree. Intervention was denied and the district court ordered El Paso to divest certain properties and to set up an independent company. To the private utilities and the State of California, this final remedy was unacceptable. They argued that the decree did not conform to the Supreme Court's order and would not in fact restore competition. They appealed

to the Supreme Court and on February 27, 1967, the Court reversed the lower court and authorized intervention.

The Court took the unusual step of ordering that the chief judge of the circuit assign the case to a different district court judge. Accusing the Department of Justice of knuckling under to El Paso in the settlement which became the basis for the decree, the Court reaffirmed its responsibility to insure conformity with its decrees by lower courts.

The case was assigned to a new district judge and the negotiations began anew. On June 21, 1968, the district court approved the sale of the new company to the Colorado Interstate Gas Corp. Both the State of California and the State of Utah had objections to this method of settlement and prepared a second Supreme Court appeal.

Appeals were perfected but the Department of Justice decided not to join the appeal. Subsequently, California, and later Utah, withdrew their appeals.

Under the circumstances, unless the Supreme Court reviews the disposition below, there is no assurance its basic direction has been followed. While the parties to this litigation may regard their interests as having been satisfied, the public's interest in maintenance of competition and adherence to the Supreme Court's initial direction may not. On these points, Mr. President, assurance can be had only if the Supreme Court does review the whole matter. This I hope it will do, with the Department of Justice renewing its participation.

I am delighted that the Senator from Indiana has given us this opportunity to express our concern.

Mr. BAYH. Mr. President, I appreciate the thoughts and comments of the distinguished Senator from Michigan who has done more than any other Member of this body to bring his expertise to bear on those interests which desire to stifle competition and thus to penalize the consuming public. This matter is important to all of us.

The entire thrust of the issue is that divestiture, in itself, is not enough. The court has held, and we in Congress have a right to demand, that citizens on the West Coast have meaningful competition so the actual value of gas can be determined.

I appreciate the interest of the Senator from Michigan.

THE SURCHARGE AND THE NEED FOR TAX REFORM

Mr. KENNEDY. Mr. President, in a special message delivered to Congress today, the President has asked for an extension of the 10 percent Federal income tax surcharge beyond June 30 for another full fiscal year. In doing so, the President has set the stage for what will almost certainly become one of the most significant debates of the current session of the 91st Congress.

In large part, of course, the debate on the surcharge will be significant because of the current strong inflationary pressures that now exist in the economy. In addition, however, the debate on the surcharge will be important for another reason, a reason that has received far

too little interest in the heated debate over the economy. For the first time in many years, Congress has the opportunity to make a major start on tax reform. These two areas—the tax surcharge and tax reform—are inseparably related to one another, and it is important that they be considered together by Congress.

Therefore, I believe that the legislation to be proposed by the administration to extend the surcharge should also be the vehicle of a major first step toward tax reform. Once the first step is taken, we shall have laid the groundwork and smoothed the way for comprehensive tax reform in the near future.

This is not the occasion for a detailed discussion of the surcharge and the need for tax reform. With respect to the surcharge, the current inflationary spiral that now grips the economy argues strongly in favor of legislation to extend the tax for another fiscal year. Given the current state of the economy, I believe that it would be fiscally and economically irresponsible to let the surcharge expire as scheduled at mid-year. In the case of other measures of fiscal policy that have recently been proposed in some quarters, such as suspension of the investment credit and substantial reductions in Federal spending in fiscal year 1970, the issues are far less clear, and we must proceed with caution. In view of the urgent need for fuller funding of almost all our major domestic social programs, I believe it would be unwise to reduce the level of expenditures for these programs below the level already submitted in the 1970 budget. This is not to say, of course, that Congress does not have a major responsibility to scrutinize the budget for wasteful or inefficient expenditures. I understand, for example, that the administration intends to achieve substantial reductions in military spending in the coming fiscal year. I would prefer, however, that the savings gained by these and other actions be applied to important underfunded domestic programs.

With respect to tax reform, the need for prompt action is heightened significantly by the proposal to extend the surcharge. Essential as the tax increase was to reduce the budget deficit last year and to ease the inflationary pressure on the economy, the impact of the surcharge has been grossly unfair. It affects only those who already pay taxes on their income. It requires no contribution from those who now pay no taxes. Obviously, it is unfair that citizens who already pay their fair share in Federal taxes should be asked to pay even more, while those who pay nothing continue to escape the burden that all should bear.

The case for tax reform may be simply stated. The goal of our Federal income tax system is that each person should be taxed in accordance with his ability to pay, and that persons who are similarly situated should pay the same tax. Our present tax laws fall far short of this goal. Today, Americans are becoming increasingly aware that the basic structure of the tax system is inequitable, and that some citizens are paying a bargain basement price. As a result, other citi-

zens, especially the poor and middle-income groups, are required to bear far more than their fair share. The loopholes in our tax laws are widespread and are known to be widespread. When even the highest officials of the administration begin to speak of the danger of a taxpayers revolt, it is time for Congress to listen.

In the weeks to come, I look forward to the hearings and the debates that will take place in these areas of vital interest to the Nation's economic well-being. At the appropriate time, I expect to speak out on each of these issues, and I welcome the message of the President as a timely step in launching this debate in Congress.

S. 1694—INTRODUCTION OF A BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT—ALIEN COMMUTER (GREEN CARD) SYSTEM

Mr. KENNEDY. Mr. President, on behalf of myself and Senators HARRIS, HART, MONDALE, MUSKIE, NELSON, PELL, TYDINGS, WILLIAMS of New Jersey, and YARBOROUGH, I introduce, for appropriate reference, a bill to amend the Immigration and Nationality Act.

A companion bill is being introduced in the other body by the chairman of its Judiciary Subcommittee on Immigration, Representative MICHAEL A. FEIGHAN, of Ohio.

Mr. President, unemployment rates exceeding 10 percent are common in many border communities from Texas to California. Earnings in border areas are lower than average earnings in the border States as a whole.

This is a deplorable situation, an indication of severe economic depression. There are many reasons for these conditions. There is, for example, no strong economic base along the border. The area is largely rural—agriculture is the major industry. Until recently, farmworkers were excluded from social legislation designed to protect most other workers in our economy.

And even now, despite such changes as the extension of the Fair Labor Standards Act to agriculture, farmworkers still receive far from equal treatment. Wages are low—and partly because new machinery and new patterns of production have been introduced in agriculture, a labor surplus situation exists. As a result, industries attracted to border communities are usually in the low-wage category. The kinds of jobs available in the border areas are not the better jobs found elsewhere in the American economy.

Moreover, border residents are often of Mexican descent—or recent immigrants from Mexico. They have suffered, and continue to suffer economic and social discrimination—a vicious and evil discrimination because of their national origin; and a more subtle discrimination, but no less evil—arising out of the fact that Mexican-Americans are so often poverty stricken, poorly educated, unable to speak English, and seldom able to compete for jobs and opportunities in a society dominated by Anglos.

But there is another reason for the

poor working and living conditions along the border—a reason which this Nation largely ignores, but which it cannot deny. In a very important way, these living conditions are imposed upon our residents, by the presence of a readily available and low-paid alien work force from Mexico which undermines the standards American workers generally enjoy throughout the rest of the country.

This alien work force is a major factor contributing to the grinding poverty, high unemployment, and low wages in the border areas. The facts are in the record of hearings and in the last report of the Labor and Public Welfare Subcommittee on Migratory Labor. They are in the record of hearings conducted in California during the last Congress by Representative JOHN V. TUNNEY. They are in the record of hearings I conducted several months ago as acting chairman of the Judiciary Subcommittee on Immigration. They are in the final report of the Select Commission on Western Hemisphere Immigration, established by the Immigration Act of 1965, and in the record of hearings conducted by the Commission last year in San Diego, El Paso, and Brownsville. They are in a recent staff report issued by the U.S. Commission on Civil Rights, and in additional surveys made by the Department of Labor, various unions, and other public and private agencies.

Mr. President, rather than give a lengthy recital of these facts, I ask unanimous consent that the staff report of the Civil Rights Commission, as well as a report prepared by Mr. Stanley M. Knebel of the Department of Labor, and excerpts from a statement I made in this chamber during the last Congress, be printed in the RECORD at the conclusion of my remarks.

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

(See exhibits 1, 2, and 3.)

Mr. KENNEDY. Mr. President, the alien work force from Mexico comes into the country through various channels. There is first of all the movement of workers under the so-called alien commuter system administered by the Immigration and Naturalization Service. This system, a creature of administrative ingenuity without a statutory base, permits Canadian and Mexican workers who have been lawfully admitted to the United States for permanent residence, and who hold alien registration receipt cards—commonly known as "green cards"—to reside in Canada or Mexico and regularly commute across the border to places of employment in the United States.

For reasons difficult to understand, until little more than a year ago—and only at the request of myself and others—no effect was made to routinely identify commuters in the operating reports of the Immigration and Naturalization Service. A census of the commuter movement was taken, however, during November and December 1967.

This census identified some 40,176 commuters, including 16,713 farm workers, employed mainly in California.

Mr. President, I ask unanimous consent that a breakthrough of the com-

muter census be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 4.)

Mr. KENNEDY. Mr. President, the census figure undoubtedly represents a substantial segment of the commuter traffic, especially on a daily or weekly basis. But it does not include an undetermined number of individuals who remain in this country for many weeks or months, usually employed in areas far north of the border.

For this reason, former Secretary of Labor W. Willard Wirtz has estimated the number of commuters at some 100,000. The United Farm Workers Organizing Committee puts it closer to 150,000.

But whatever their numbers, there is no doubt that the commuter movement adversely affects the wages and working conditions of our own residents in the border cities and towns of Arizona, California, New Mexico, and Texas. Something must be done in the interest of these workers and the well-being of their families.

A second source of low-wage labor is found among Mexican nationals who enter the United States as bona fide visitors, usually on 72-hour passes—commonly known as "white cards." Statistics compiled by the Immigration and Naturalization Service are not adequate to gauge the full extent of employment among these visitors. Nevertheless, it is estimated that some 1,250,000 white cards are currently in use, and that more than 200,000 new cards are issued annually.

Because the cards are undated and no record of entry is made at the border, Mexican nationals find them an extremely convenient vehicle to enter the United States—and with impunity acquire employment, remaining for extended periods of time in violation of their limited status as 3-day visitors. Moreover, there are no effective statutory or administrative regulations to deter employers from knowingly hiring the alien visitors. In fact, as it now stands, the Immigration and Nationality Act expressly facilitates their employment.

Section 274 of the act, which prohibits the harboring and concealing of aliens, contains this proviso:

For the purposes of this section, employment, including the usual and normal practices incident to employment, shall not be deemed to constitute harboring.

During fiscal year 1968, Immigration and Naturalization Service officers located nearly 26,000 deportable aliens, nearly all for illegal employment, among white card holders in the United States.

I share the view of many, however, that this figure is probably an unfair representation of the number of white carders actually employed. But, again, regardless of their number, the 26,000 figure clearly underscores a problem in the illegal use of white cards by Mexican nationals. And the number of those apprehended is rising annually. The Immigration and Naturalization Service recognizes this disgraceful situation. But I fail to under-

stand why stronger remedial action is not being taken. The long-term progress of our border communities, and the immediate well-being of American workers and their families, demands it.

Finally, the reservoir of low-paid Mexican labor is substantially augmented by an undetermined number of illegal entrants—the so-called “wetbacks.” There is agreement in nearly all quarters that this has once again become a serious problem. An indication is seen in the growing number of illegal entrants located by the Immigration and Naturalization Service. In fiscal year 1963, the number stood at 20,797. In the last fiscal year it reached 117,184. And tens of thousands have been added to this figure since last July 1.

In this connection, the smuggling of alien workers from Mexico has become a lucrative business. Aliens are paying up to \$200 to be smuggled into the country, and brought to jobs as far north as Chicago. In the last calendar year, in the southwest region alone, some 7,833 aliens were located who allegedly were smuggled or assisted in entering illegally, or were subsequently transported within the United States in furtherance of an illegal entry. The border patrol reports that 714 principals were apprehended as violating the criminal statutes relating to the smuggling of aliens.

This traffic in human cargo which has resulted in the cruel death of several must end. A greater effort is needed to enforce the law—not only in stopping the smuggling of aliens, but also in deterring the entry of any illegal worker, whatever his means for crossing the border.

The influx of an alien work force from Mexico, to compete for the limited number of jobs available in border areas, is compounding an already serious situation, and, understandably, producing bitter resentment among the severely disadvantaged American workers.

In these days of increased agitation by those who find they have no redress of grievances, the alien worker issue could well become explosive, with grave local and international consequences. I believe the situation demands the very urgent and active concern of the administration and the Congress. It demands an orderly pursuit of justice and fair play. Some measure of relief is needed promptly. The bill we introduce today is a modest attempt to begin this effort.

Section 1 of the bill pertains to the commuter system. A major thrust of our immigration laws has always been to protect the working conditions and job opportunities of American workers. As it currently operates, the 40-year-old commuter system, not provided for in these laws, but directly related to them, does not carry out this objective. It is true that potential commuters among many of the current applicants for an immigrant visa are covered by the Labor Clearance Provisions of the Immigration Act of 1965.

But once an applicant is given permanent resident status as a bona fide immigrant—once he receives his green card—for all practical purposes he holds

in his hand a permanent work permit for employment in the United States. I do not believe aliens should be given the unique privilege of being considered bona fide immigrants for purposes of employment in this country when they choose to reside across the border and fail to become immigrants in the sense contemplated by law and, more importantly, when their employment is so clearly detrimental to the economic conditions, the job opportunities, and the organizing and collective bargaining efforts of American workers.

The proposed amendment to section 212 of the Immigration and Nationality Act does not end the commuter system, but it does refine its current operations. The amendment simply says that each commuter alien must be regularly certified every 6 months by the Department of Labor, that his presence in the United States to seek or continue employment does not adversely affect the wages and working conditions of American workers similarly employed. The amendment provides for the revocation of a commuter alien's labor clearance, if he violates administrative regulations, such as a ban on strikebreaking—and this regulation needs strengthening—prescribed by the Department of Labor and the Immigration and Naturalization Service to carry out the purpose of this amendment.

Section 2 of the bill removes the provision in section 274(a)(4) of the Immigration and Nationality Act, which exempts from criminal sanctions individuals who willfully and knowingly employ aliens who are in the country illegally. The proviso was placed in the basic immigration statute many years ago, to protect the use of the so-called “wetbacks” by American employers. The time is long overdue to strike it from the statute books.

I believe that the enactment of this bill, if coupled with a strengthening and a more effective implementation of administrative regulations, will contribute a great deal to a reasonable and humane remedy of the chronic problems posed by the influx of workers from Mexico.

I fully appreciate that the commuter system, and the flow of nationals from neighboring countries into the United States, evolved from a recognition of the special relations which we have had with these countries over the years. And I believe the parties concerned can continue to enjoy the mutual benefits of these relations, while at the same time curbing the adverse effects of commuter aliens, including the exploitation of the aliens themselves. In fact, a solution to these festering problems can only help to insure that the spirit of cordiality at the border will continue without difficulty in the years ahead.

I am hopeful that Congress will act on this bill promptly.

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

The bill (S. 1694) entitled “Immigration Act Amendments of 1969,” introduced by Mr. KENNEDY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

EXHIBIT 1

“THE COMMUTER ON THE UNITED STATES-MEXICO BORDER,” A STAFF REPORT FROM THE COMMISSION ON CIVIL RIGHTS

INTRODUCTION

One of the most commonly voiced concerns of the Mexican American community in the border area is with the commuter, the Mexican alien who resides in Mexico and commutes to work across the border in the United States,¹ forcing domestic workers to compete for wages with workers living in a much lower cost economy. Commuters represent a supply of workers in excess of the demand who depress the wage rate, displace the domestic worker, and lower his living standard. The commuter poses an even greater threat to the economic well being of the domestic worker when he serves as a strike-breaker, as he has done in Starr County, Texas and Delano, California, thus stifling the organizing and collective bargaining efforts of the American laborer.²

As viewed in the 1968 Report of the Senate Migratory Labor Subcommittee, *The Migratory Farm Labor Problem in the United States*, “(t)he problems created by the commuter are manifest”:

“The Mexican aliens, as a group, are a readily available, low-wage work force which undermines the standards American workers generally enjoy throughout the rest of the country. More importantly, the normal play of free enterprise principles is subverted and prevented from operating to develop standards along the border commensurate with the American standard. So long as Mexican aliens are allowed indiscriminately to work in the American economy, and take their wages back to the low-cost Mexican economy, the growth of the American standards will continue to be stultified.”³

WHAT IS A COMMUTER?

The term “commuter” is taken by most residents of the border area to refer to all persons who travel to their work on the American side of the border from their place of actual residence in Mexico, whether they commute daily or on a less frequent basis. Several classes of persons commute to work across the border, including American citizens living in Mexico and Mexican citizens with temporary visas (commonly referred to as “white carders”). The latter group acquires employment here in violation of their limited status. In its strict legal sense (and as it will be used here) the term “commuter” is limited to immigrants lawfully admitted for permanent residence and gainfully employed here, but who retain actual residence in Mexico (sometimes referred to as “green carders”, although, in fact, all immigrants, whether or not “commuters” are issued “green cards”).

There is wide disagreement about the actual extent of the commuter traffic. The Immigration and Naturalization Service conducted a survey on January 11 and 17, 1966, finding a total of 43,687 commuters. The United Farm Workers Organizing Committee, AFL-CIO, on the other hand, has estimated the number to be closer to 150,000. While the former estimate includes only daily commuters working along the border, the latter including aliens remaining here for periods of weeks or months, usually working in areas farther North.

The commuter should not be confused with the non-immigrant Mexican contract laborer previously brought in for seasonal employment under Public Law 78 (known as the “bracero” program) and recently brought in under section 101(a)(15)(H) of the Immigration and Nationality Act of 1952. The bracero program was originally established during World War II to augment the American labor shortage. Thereafter, Congress con-

Footnotes at end of article.

tinually extended it (even when there was domestic unemployment) under pressure from an agri-business which had to come to assume a vested interest in this cheap labor supply.

In 1964, after the national conscience took stock of the rising rate of agricultural unemployment, the increasing of discrepancy between farm labor wage rates and those for comparable work, and the worsening conditions in migrant labor camps, Public Law 78 was terminated.⁴ The effect of this termination was softened by the admission of a decreasing number of contract laborers under the above mentioned provisions of the Immigration and Nationality Act. During the last year of the bracero program 177,736 Mexican laborers were admitted; in 1965, under the new procedure, the number was reduced to 20,286. In 1966 the number decreased to 8,647 and in 1967 to 7,703. The year 1968 was the first year in which there was no admission of contract laborers and marks the final phasing-out of the contract labor program.

Like all persons immigrating to the United States, the commuter must apply for and obtain the status of a permanent resident alien and receive an alien registration card (Form I-151, commonly referred to as a "green card") as evidence of his lawful admission. Under section 212(a) (14) of the Act, in order to qualify for employment in the United States, the applicant must secure certification from the Secretary of Labor to the effect that: "there are not sufficient workers in the United States who are able, willing, qualified and available at the time of application for a visa and admission to the United States and at the place to which the alien is destined to perform such skilled or unskilled labor, and the employment of such aliens will not adversely affect the wages and working conditions of the workers in the United States similarly employed."⁵

Under the present Immigration and Naturalization Service (hereinafter "Service") interpretation and enforcement of this section, compliance with this provision need only be made at the time of the commuter's original entry. Once his status is secured he may enter and leave the country at will, working wherever he pleases, regardless of the effect he might have on domestic working conditions.⁶

A 1967 amendment to the regulations⁷ bars the employment of green card holders (commuters and residents) at locations where a labor dispute has been certified by the Secretary of Labor. On July 10 and 27, 1967, some 16 work stoppages were certified in Rio Grande Valley of Texas, El Paso, Texas and in Southern California, with the effect of preventing commuters from accepting employment at the struck concerns. Even commuters who have secured their immigrant status are covered by the section. A major exception exists, however, with regard to workers already employed at the struck concern at the time of certification. This exception renders the regulation somewhat ineffective in preventing commuters from working as strikebreakers since an employer usually has ample time after a labor dispute occurs to hire needed alien employees before the dispute is certified. This problem could be met if the regulation were modified so as to exclude all green carders not employed at the time that the dispute began.

Once admitted, a commuter is entitled to most of the rights and privileges of an ordinary citizen except the right to vote and hold public office. Unlike most of the more than 650,000 Mexican aliens currently possessing green cards, commuters are not seeking eventual citizenship. Instead they look upon their green cards as nothing more than work permits. In fact, by law commuters

cannot claim naturalization benefits; it has been held that actual domicile here is a prerequisite to naturalized citizenship.⁸

LEGAL BACKGROUND OF AND LEGAL CHALLENGES TO THE COMMUTER SYSTEM

The commuter system has deep roots. People have commuted to work across the United States-Mexico border since the border's inception. Up until the 1920s this traffic was unrestricted. In 1924 a quota system was established which, while not restricting Mexicans directly, required Mexican immigrants to present immigrant visas for entry.⁹ An exception to the Act's definition of the term "immigrant" ("any alien departing from any place outside the United States destined for the United States"¹⁰) was made for "an alien visiting the United States temporarily as a tourist or temporarily for business or pleasure."¹¹ At first commuters were considered as being here "temporarily for business" and deemed not to be immigrants and, hence, were allowed to continue their employment pattern unrestricted. In 1927 immigration authorities reversed this position and classified commuters as immigrants.¹²

Two commuters contested this new classification and the Supreme Court, finding that one of the "great purposes" of immigration legislation "was to protect American labor against the influx of foreign labor," held unanimously that the term "business" was not meant to include everyday employment. The commuter was not to be exempt from the immigrant status.¹³

The Immigration authorities, however, saw their duty as the protection of diplomatic relations between the United States and Mexico rather than the protection of American labor. In a paper by the Immigration and Naturalization Service prepared for the Select Commission on Western Hemisphere Immigration, the Service stated:

"In studying the problem (status of the commuter) at that time, the immigration authorities concluded that Congress had not intended to interfere with the established pattern of regular border crossings by workers from Mexico or Canada who commuted to jobs in the United States. While such aliens could obtain immigrant visas without difficulty, they would be faced with an impossible task if they were required to obtain a new visa for each daily reentry. Consequently, the immigration authorities devised a border crossing identification card which could be used by aliens who frequently cross the international boundary. The issuance and use of such border crossing cards received express sanction by the Congress in the Alien Registration Act of 1940.

"Thus a commuter was able to procure an immigrant visa and subsequent lawful admission as an immigrant. Thereafter he would obtain a border crossing identification card, and with that card he could enter each day to go to his job as returning to his immigrant status in the United States. This arrangement was in harmony with the established good-neighbor policy with Mexico and Canada, facilitated travel across the Mexican and Canadian borders, and avoided serious dislocations in the border areas."¹⁴

Actually, the commuter system is without express statutory basis. In fact, the term "commuter" is not to be found in the Act. Its special character has been described by the Board of Immigration Appeals in the following way:

"The commuter situation manifestly does not fit into any precise category found in the immigration statutes. The status is an artificial one, predicated upon good international relations maintained and cherished between friendly neighbors."¹⁵

In Gordon & Rosenfield, *Immigration Law and Procedure*, (1959) this description is found:

"Where this employment (of Canadians and Mexicans) is permanent in character administrative ingenuity has devised a 'com-

muter' status, which enables the Canadian or Mexican to obtain lawful admission for permanent residence in order that he may be able to pursue his employment here, and his right to enter each day is attested by his alien registration receipt card. Of course, this device is an amiable fiction. . . ." (Emphasis added.)

Due to the absence of statutory foundation, immigration authorities have attempted to justify the commuter program's existence by its long-standing history, the fact that the program has long been well known to Congress and the fact that it was discussed and impliedly endorsed by the Senate Judiciary Committee study preceding the passage of the Act of 1952. "Nothing in the Immigration and Nationality Act or its legislative antecedents indicated that the Congress was dissatisfied with the commuter program or desired to change it in any way."¹⁶ The continuation of the commuter program after the 1952 Act was endorsed by the Board of Immigration Appeals in the *Matter of H. O.*, 5 I. & N., Dec. 716, 1954.

It also has been argued that the structure of the statutory and regulatory provisions facilitating re-entry supports the commuter program. Section 211(b) of the Act provides that "... under such conditions as may be by regulations prescribed, returning resident immigrants, defined in section 101(a)(27)-(B) ... may be readmitted to the United States by the Attorney General in his discretion without being required to obtain a passport, immigration visa, reentry permit or other documents."

A "returning resident immigrant" is defined by the statutory definition alluded to as "an immigrant, lawfully admitted for permanent residence, who is returning from a temporary visit abroad." In turn, section 101(a)(20) defines the term "lawfully admitted for permanent residence" as "... the status of having been lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws, such status not having changed". As pointed out by L. Paul Winings, past General Counsel for the Immigration and Naturalization Service, in defining the term "lawfully admitted for permanent residence", the Act "... does not say one who has been admitted for permanent residence and has established such residence in the United States. What it says is that it is the status of having been accorded the privilege of permanent residence. In other words, I have paid my way into the ballpark; if I want to go out temporarily, I can come back in."¹⁷

The regulation promulgated pursuant to section 211(b), however, does not provide for the re-entry of persons "lawfully admitted for permanent residence" as that term is defined by the Act. Instead it says:

"In lieu of an immigrant visa, an immigrant alien returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad not exceeding 1 year may present Form I-151, Alien Registration Receipt Card, duly issued to him. . . ." (Emphasis added.)

Although the immigration authorities take the position that this section was not meant to be exclusive, a strong argument can be made that by its wording it in fact excludes commuters. As one commentator has noted, a commuter "is not returning to an unrelinquished, lawful, permanent residence after a temporary absence not exceeding one year because his residence is not in the United States and as a rule he ha[s] maintained . . . residence in a foreign country for a period exceeding one year."¹⁸

In *Amalgamated Meat Cutters v. Rogers*,¹⁹ a case involving the Service's interpretation and enforcement of aforementioned section 212(a) (14) of the Act (precluding admission of aliens for skilled or unskilled labor when

Footnotes at end of article.

the Secretary of Labor certifies that such admission would adversely affect American labor, doubt was cast upon the Service's position. That case involved a strike situation where a certification had been made. In response, the Service instructed the authorities at the relevant points of entry that during the effectiveness of the certification no aliens applying for admission and destined for employment at the struck operation, "except returning lawfully domiciled resident aliens", should be admitted.

The Service took the position that commuters are "aliens lawfully admitted for permanent residence". The Court disagreed—"It is clear that Mexican commuters do not reside in the United States, and that it therefore is not possible for them to be aliens lawfully admitted for permanent residence." Any other construction, the Court felt, would "make shambles of a provision which . . . was designed to . . . assure strong safeguards for American labor."²² The suit had become moot by the time that final judgment was entered, and hence was not appealed by the Service. "However, the administrative authorities do not believe (the decision) is correct and do not follow it."²³

The rationale in the *Amalgamated Meat Cutters* decision is equally relevant to the validity of the whole commuter system and, logically, should compel a conclusion contrary to that taken by the Service. The Court by way of *obiter dictum*, however, expressly limited its holding in this respect:

"This should not mean, however, that Mexicans or Canadians cannot commute to work in the United States. The defendants can utilize the documentary requirements and administrative procedures they think best under the applicable law for aliens who work in this country and live in Mexico or Canada. If the defendants are satisfied that an alien can enter the United States to work here, they could then permit the alien to commute. But when the Secretary of Labor has issued a certification under § 212(a)(14) pertaining to particular employment, such as an alien would be excludable. It is not sufficient to resort to an 'amiable fiction' to justify a wholesale evasion of the Secretary's certification—Mexican commuters destined for the employment covered by the certification must be excluded just as any other Mexican non-resident alien."²⁴

The commuter program was squarely attacked in a 1964 case, *Texas State AFL-CIO v. Kennedy*,²⁵ where workers from the Texas border area, alleging economic detriment, sued the immigration authorities for injunctive relief against continuation of the commuter system. The Court avoided reaching the merits by dismissing the action on the grounds that the plaintiffs lacked standing to sue. Since 1964 the law of standing has changed radically,²⁶ and a similar suit has recently been brought by California Rural Legal Assistance in behalf of California farm workers displaced by commuters taking temporary employment in California and freely returning to Mexico for a period of weeks or months.²⁷ The complaint seeks an order requiring immigration officials to deny admission to "returning resident immigrants" who fail to demonstrate a bona fide permanent residence in the United States (e.g., commuters). "In determining the question of bona fide permanent residence . . .", the plaintiffs suggest the following indicia might be considered:

1. Possession of a U.S. Selective Service classification card in the alien's name, reflecting a United States address.
2. Possession of state and federal income tax returns in the alien's name, showing residence in the United States.
3. A driver's license in the alien's name issued by a State of the United States, reflecting a United States residence.

4. A vehicle registration in the alien's name reflecting a United States residence.

5. If the alien is married, the fact that both wife and children reside in the United States.

6. Evidence that his children attend school in the United States, or that a child was born in the United States.

7. Evidence of active membership in clubs, associations or unions organized or incorporated in the United States.

8. Convincing evidence of permanent employment in the United States.

9. Rent receipts, other than from a labor camp, hotel or motel, tending to evidence permanent residence in the United States.

10. Place of employment, occupation and length of employment.²⁸

Although the Service deems the commuter status to be consistent with the letter and intent of the Immigration and Nationality Act of 1952, it has been held that a commuter cannot even become a citizen (the assumed purposes for immigration under the Act) because, by definition, his assimilated status does not conform to the standard of residency (actual domicile in the United States) required by the Act for naturalization.²⁹

Similarly, although a commuter must notify his Selective Service board of his current address,³⁰ he is not actually subject to be drafted since he is not a resident of the United States under current Selective Service regulations³¹ because he did not reside in the United States for the required three month period.

Commuters also are treated differently from other "immigrants" with regard to Federal income tax status. An alien who has established residence in the United States is liable for Federal income tax on his entire income, from sources both within and without the United States. Whether an alien is a resident depends on the facts and circumstances of each case. The type of visa issued is only one of the elements considered. In response to an inquiry on this matter from the House Judiciary Committee, the Internal Revenue Service had this to say about commuters:

"It appears from the information submitted that the aliens about whom you are inquiring have never established a residence in the United States, but have obtained permanent visas merely to facilitate their entry into and departure from this country. Under such circumstances, the status of these individuals is that of nonresident aliens."³²

Hence commuters, unlike other green card holders, are not subject to Federal income tax on income from sources outside this country.

THE IMPACT OF COMMUTER TRAFFIC

Much of the border area has relatively large labor surpluses, partly because of the large number of low skilled U.S. citizens and resident aliens residing in the area.³³ Commuters, however, make up a significant part of the work force in many of the border communities. Although accurate statistics are not kept by the Immigration and Naturalization authorities, sample counts of the number of commuters crossing the border are taken from time to time. One such count, taken on January 11, 1966, showed that 42,641 commuters, of which 17,653 were employed in agriculture, entered the United States. The impact of these commuters on the labor market has been enormous. It has been estimated that over 17% of the labor market in El Paso, Texas, are commuters. Further estimates have shown that 5% of the San Diego, California, labor market and 23% of the Brownsville, Texas, labor market are commuters. Their presence can be directly related to high unemployment rates in these areas.³⁴

Many people have commented on the impact of the commuter traffic in the border area. Senator Edward Kennedy of Massa-

chusetts, speaking on a proposed amendment to Section 212 of Immigration and Nationality Act, said:

"In El Paso, where unemployment is currently some 35 percent greater than the State average, the estimated number of commuters in 1966 was more than double the number of unemployed. In El Centro, California, where the unemployment rate is currently 13.1 percent, the estimated number of commuters in 1966 was nearly double the number of unemployed."³⁵

A report by the Social Action Commission of the Catholic Diocese of El Paso indicated that one of the reasons for the low wages in El Paso is because "... the Mexican-American must compete with some 25,000 workers from Mexico . . . legal alien commuters, U.S. citizens, and illegal entrants . . . who daily cross the bridge from Juarez to work in El Paso. Generally speaking, the workers from Mexico find no inconvenience in working for the barest of wages in El Paso."³⁶

The employment of commuters in areas of high unemployment is a characteristic of the communities along the border area. Data published by the Texas Employment Commission in 1966, shows that the unemployment rate in the border towns on that date was substantially greater than in the interior cities. (See Table I) Laredo had the highest rate—9.6%. The average rate for the four border areas (Brownsville-Harlingen-San Benito; El Paso; Laredo; and McAllen-Pharr-Edinburg) was 6.6%, compared with the 3.4 percent rate for the other 18 interior areas for which data was given.³⁷

In a special survey held in Laredo by the Department of Labor during the summer of 1961, when the unemployment rate was 11.3%, the Department reported that a large number of unemployed American workers had the same occupational skills as the employed alien commuters.

TABLE I.—UNEMPLOYMENT RATES IN 22 TEXAS CITIES, 1966

City	Rate	Rank
4 border cities.....	6.6	
Brownsville-Harlingen-San Benito.....	6.5	21
El Paso.....	4.4	17
Laredo.....	9.6	22
McAllen-Pharr-Edinburg.....	5.8	20
18 interior cities.....	3.4	
Abilene.....	3.6	11
Amarillo.....	2.9	4
Austin.....	2.6	3
Beaumont-Port Arthur-Orange.....	4.0	15
Corpus Christi.....	3.7	12
Dallas.....	2.5	2
Fort Worth.....	2.9	4
Galveston-Texas City.....	4.7	19
Houston.....	2.4	1
Longview-Kilgore-Gladewater.....	3.3	8
Lubbock.....	3.8	13
Midland-Odessa.....	3.4	9
San Angelo.....	3.4	9
San Antonio.....	4.3	16
Texarkana.....	3.8	13
Tyler.....	3.3	7
Waco.....	4.4	17
Wichita Falls.....	3.0	6

Source: The Texas Labor Market, Texas Employment Commission.

While two garment manufacturers employed 88 commuters as sewing machine operators, the Texas Employment Commission office had on file applications from 156 unemployed U.S. workers qualified for that position.³⁸ The survey showed that commuters were not limited to the garment industry, but were employed in hotels, restaurants, the retail trades and service establishments. The survey included a sample of firms employing 3,000 workers.

"(T)hese firms employed 438 Mexican aliens identifiable as commuters. In addition, the survey team suspected that other alien employees of these firms were commuters, although they had given U.S. addresses to their employers."³⁹

The survey also included data on 19 occupational areas:

"(T)he firms employing only domestic workers paid higher rates for 15 occupations; in one occupation the rates paid were the same; and for three occupations the firms employing alien commuters paid higher rates. There were also instances where the same firms paid its alien commuters less than it paid U.S. workers for the same work. The average of the wage rates for these 19 occupational areas paid by the firms employing only U.S. workers was 38 percent higher than the average rates paid by the firms employing alien commuters.⁴⁰ (See Table II)."

United States Commission on Civil Rights field investigations in Laredo showed similar discrepancies in the trucking industry. For instance it was reported that Brown Express Lines, which hires few commuters, pays drivers \$3.39 an hour; Alamo Express Lines, employing proportionately more commuters, pays \$1.85 an hour.⁴¹

TABLE II.—OCCUPATIONAL WAGE STRUCTURE, LAREDO TEX., JUNE 1961

Industry and occupation	Average wage rate (per week)	
	Firms employing only domestic workers	Firms employing domestic and alien commuter workers
Hotels and motels:		
Cook.....	\$58	\$34
Maid.....	20	17
Hallboy.....	25	20
Waiter.....	15	18
Busboy.....	15	13
Bartender.....	58	46
Bellboy.....	15	16
Drugstores and related firms:		
Cashier.....	27	12
Stock clerk.....	52	40
Fountain girl.....	16	23
Drug clerk.....	77	55
Grocery and related firms:		
Cashier.....	24	24
Stock boy.....	35	20
Produce man.....	45	35
Butcher.....	65	52
Warehouseman.....	37	31
Miscellaneous retail firms:		
Porter.....	53	35
Warehouseman.....	73	21
Stockman.....	53	45

¹ Plus tips.

² Plus \$3 meal allowance.

Technical note: Data were collected in the survey concerning the different rates paid each occupation in each firm. For some occupations monthly rates were reported; these were converted to weekly rates by dividing the monthly rate by 4.33. The number of workers paid each rate was not reported in all cases, making it impossible to compute an average rate weighted by the number of workers paid each rate. The average rates shown in the table represent the average of the highest and lowest rates paid. These averages correspond quite accurately with the weighted averages computed for the few occupations where data were reported for each worker.

The pattern of commuter involvement in the Laredo labor market is found elsewhere with comparable effects. As in Laredo, a survey was conducted by the Department of Labor in El Paso, Texas, during the summer of 1961. About 1,000 commuters were employed in the 75 firms surveyed. It was noted, however, that "... these figures might be more because one firm indicated that it did not employ commuters but sent a bus to the border each day to pick up workers."⁴² The average wage in manufacturing in El Paso is extremely low. That city ranked lowest of the eight major Texas areas for which the Texas Employment Commission supplied data. (See Table III)

In El Paso, nondurable goods employment is heavily concentrated in garment manufacturing—almost 75% of all nondurable goods workers are in this industry. The wage rate in garment manufacturing is little more than the minimum required by the Fair

Labor Standards Act. Large numbers of commuters (mainly women) are employed in this occupation. Many people believe that the presence here of the garment industry, a recent phenomenon, is due to the large supply of labor and low wages—both conditions owing, in part, to the commuter program.⁴³ The El Paso survey concluded by showing that out of 11 construction firms 5 employed commuters; out of 4 retail dry goods firms, 3 employed commuters; out of 4 wholesale and warehouse firms, 3 employed commuters. In all these cases the firms employing commuters paid the lowest wages.⁴⁴

The impact of the commuter is particularly acute in agriculture, where mechanization is rapidly reducing job opportunities. Due to the high concentration of farms along the border and the fact that commuters often work in the lowest skilled, lowest paid jobs, farm workers, who are already underpaid, are the first to suffer competition from the commuter. Furthermore, the use of commuters as strike breakers (see discussion on page 17, *infra*) is especially damaging to this group's organizational struggles.

The wages paid farm workers in the border area are substantially lower than in interior regions. In the Rio Grande Valley, where 37% of the alien commuters worked on farm jobs, the 1966 wage rate was \$.75 per hour, 31% less than the \$1.10 average in the rest of the state.⁴⁵ Similarly, California farm rates are the lowest in the border areas where the bulk of the farm labor force is composed of commuters. The commuter's impact is also reflected in the agricultural unemployment rate. For example, "commuters constitute about 85% of the farmwork force in California's Imperial Valley, where unemployment in 1966 was 10% of the labor force, twice the average for the entire state."⁴⁶

TABLE III.—AVERAGE HOURLY EARNINGS IN MANUFACTURING INDUSTRIES, 8 MAJOR TEXAS CITIES, 1966

	Average hourly earnings		
	All manufacturing	Durable goods	Nondurable goods
Texas.....	\$2.57	\$2.62	\$2.52
El Paso.....	1.90	2.46	1.72
Austin.....	1.98	1.71	2.26
Beaumont.....	3.35	3.03	3.48
Corpus Christi.....	2.96	2.57	3.26
Dallas.....	2.37	2.52	2.10
Fort Worth.....	2.81	2.97	2.39
Houston.....	3.00	2.87	3.16
San Antonio.....	1.98	1.92	2.02

Source: The Texas Labor Market, Texas Employment Commission.

EMPLOYMENT OF ILLEGAL ENTRANTS AND WHITE CARDERS

It is important to note the role of illegal entrants and white carders (see discussion on page 2, *infra*) in the employment picture in the border area. During 1967 the Border Patrol apprehended 86,845 deportable Mexicans working illegally, many in the border area. Of this number 27,830 were working in agriculture, 5,906 in trades, crafts and industry, and 53,109 in other occupations.⁴⁷

The border crossing statistics kept are inadequate to accurately gauge the extent of white card employment. There are approximately 1,250,000 current white card holders, and about 450,000 new white cards are issued annually. In 1968 there were 25,000 white carders who were deported, most of these for illegal employment.⁴⁸ But it is felt by many residents of the border area that deportation figures do not fairly represent the number of white carders actually employed.⁴⁹

This is because many white carded workers employed in occupations with low visibility and even with the best efforts of immigration authorities, they cannot be easily discovered. Many white card holders use their

72 hour passes to engage in menial work as domestic maids, dishwashers, hotel and motel workers, and construction workers. Others work in such semi-skilled jobs as masonry and carpentry.⁵⁰

One reason for this wholesale employment of white carders is the lack of legislation effectively preventing employers from knowingly hiring these workers. As it now stands, the law contains provisions expressly facilitating such employment. Section 274(4) of the Act, prohibiting the harboring and concealing of aliens, contains the following proviso: "... for the purposes of this section, employment including the usual and normal practices incident to employment shall not be deemed to constitute harboring."⁵¹ (Emphasis added.)

The need for legislation correcting this situation is manifest.

USE OF COMMUTERS AS STRIKE-BREAKERS

Organized labor has been deeply concerned with the use of commuters as "strike-breakers, when workers were engaged in the process of trying to negotiate conditions covering their wages."⁵² The recent strike in Starr County, Texas, presented an example of the use of commuters during labor disputes. In a hearing held by the Senate Subcommittee on Migratory Farm Workers Organizing Committee of the AFL-CIO, had this to say about one of the farms which his organization picketed:

"Mr. PADILLA. La Casita Farms, which we are on strike with. And this is a bona fide certified strike, issued by the State of Texas, the Texas Employment Commission. I witnessed that they load the bus full of Mexican nationals, and escort them right into the fields, and now they tell us that we don't have a right to picket, to talk to them."

"Mr. YARBOROUGH. You mean that La Casita Farms took their transportation to the bridge and picked these workers up with the green cards and brought them straight up to their farms, and put them on the farms?"

"Mr. PADILLA. That is correct, sir."⁵³

Domingo Arrendondo, Strike Chairman, United Farm Workers Organizing Committee, AFL-CIO, said with regard to the Starr County strike:

"(T)he problem about these green carders is that they come to work from Mexico every day. They will come in the morning and they will go back at night. Now that the minimum wage came up, or a little bit right after the strike started, they raised the price on these workers from 85 cents or 80 cents to \$1 an hour and to \$1.50. That was just a symbol to break the strike movement, to keep these people from joining the strike for better wages, or for a contract, or a union contract. We went and talked to these people at the bridge, international bridge. We told them to cooperate with us for better wages and working conditions, but they will always say that if their friend had already signed that they would sign, that they would sign but they would probably get laid off their jobs. So, really we couldn't get no where convincing them that a union is something that a worker needs. (Sic.)"⁵⁴

As a result of the misuse of green card workers as strike-breakers was the aforementioned 1967 amendment to the INS regulation, barring employment of green card holders at locations where a labor dispute has been certified by the Secretary of Labor.⁵⁵

RELATIONSHIP OF COMMUTER TRAFFIC TO MIGRATION

As a result of its impact on wages, unemployment and working conditions, the commuter traffic contributes to the annual massive migration of Mexican Americans from the border area. The Social Action Department of the Texas Catholic Conference estimates that because of the lack of opportunities in South Texas, 88,700 farm workers must migrate to other areas of the country

every year in order to find employment. These are people who live in the border areas and would otherwise seek employment there, but for the saturation of the labor market by the commuters. The Committee had this to say:

"Unfortunately, because of the vast supply of green carders . . . the domestic workers are unable to compete with the depressed wages that result from the availability of cheap labor to the growers. This accounts for the fact that almost one-half of the Texas migrant workers come from the four counties of the Lower Rio Grande Valley."⁵⁶

PROPOSED SOLUTIONS TO THE COMMUTER PROBLEM

Various recommendations have been made to alleviate conditions caused by the commuter program. Henry Munoz, Jr., speaking for the Texas AFL-CIO, urged that the Department of Labor issue a regulation for a minimum wage law of \$1.25 to be applicable to green-card holders and commuters.⁵⁷

In a letter from Chairman Richard M. Scammon and Stanley H. Ruttenberg, of the Select Commission on Western Hemisphere Immigration, the following recommendations to the President regarding commuters were made:

"As of a date certain, all visas issued for immigration into the United States be firmly understood to include a clear commitment by those immigrating to establish and maintain their bona fide residence within the United States.

"A new form of border crossing authorization be established, this authorization being designed for use by non-citizens who do not intend to become immigrants in the ordinary sense of the word, but who do wish to work in the United States and continue to reside in their own "contiguous territory" country.

"Within a grace period, action should be taken to terminate the commuter status of present 'green cards' holders."⁵⁸

On December 14, 1967 Senator Edward Kennedy, a member of the Senate Subcommittee on Migratory Labor, introduced a bill in Congress to amend Section 212 of the Immigration and Nationality Act. As the Senator explained, the amendment would not eliminate the commuter system, but refine its current operation. The bill in essence provides ". . . that each commuter alien must be regularly certified every 6 months by the Department of Labor that his presence in the United States to seek or continue employment does not adversely affect the wages and working conditions of American workers similarly employed. The bill provides for the revocation of a commuter alien's labor clearance if he violates administrative regulations, such as a ban on strike breaking, prescribed by the Department of Labor and the Immigration Service to carry out the purpose of this bill."⁵⁹

This bill has received strong opposition from Chamber of Commerce groups, farm grower organizations, and retailers. The Laredo Chamber of Commerce has gone on record as being opposed to any change in the commuter system.⁶⁰ This opposition is based on economic reasons. Laredo, last year, had retail sales of over 90 million dollars, much of this being to commuters. Business interests feel that if anything happens to change the status of commuters their towns will become "ghost towns." Organized growers are afraid that they will be cut off from a valuable supply of labor. Willis Deines, attorney for the Texas Citrus and Vegetable Growers, indicated why his group is in opposition to the Kennedy Bill: ". . . It is axiomatic that if our growers do not have a source of labor that can be depended upon to do their farming operations, particularly in the harvest of perishables, then of course we would not have an industry."⁶¹

Businessmen in the Valley area have indicated a fear that any effort to terminate the commuter program will result in a retaliatory refusal by Mexico to allow its citizens to carry on their extensive trade in American border towns. The suggestion by Antonio Carrillo Flores, Foreign Secretary of Mexico, that Mexican commuters have "acquired rights," lends authority to this suspicion.⁶²

The American government also has officially voiced its concern with diplomatic relations in approaching the commuter problem. In the aforementioned case of *Texas State AFL-CIO v. Robert Kennedy, et al.*, where the legality of the commuter program was put into issue, Secretary of State Dean Rusk, submitted an affidavit opposing interference with the commuter program on the grounds that it would ". . . do harm to good neighbor relations in the area."⁶³ He stated further:

"(I) f as a result of a substantial reduction in the commuter traffic across the border between Mexico and the United States, a significant number of Mexican nationals would be deprived of their earning power, the trade between the two countries along the border would be substantially reduced. We could expect that this would have an immediate depressing effect on the economy of the region on both sides of the border. Moreover, the loss of gainful employment and dollar earnings by 30,000 to 50,000 Mexican nationals, estimated at over \$50 million annually, might compel the government of Mexico to consider compensating steps, which would do further damage to the economic life of the region."

The Mexican American in the border area is thus charged with the responsibility of protecting our diplomatic relations. The economic burdens involved in this charge, he may justifiably feel, should be borne by the Nation as a whole, not thrust upon a minority of its citizens.

FOOTNOTES

¹ There is also, but to a smaller extent, commuter traffic across the American-Canadian border. Canadian commuters do not depress local economic conditions, as do Mexican commuters, because they live in a substantially identical cost-of-living economy, work in highly unionized occupations and are highly unionized themselves. Being well assimilated into the labor force, they offer no undue competition to American labor.

² See p. 17 *infra*.

³ *Senate Migratory Labor Subcommittee, The Migratory Farm Labor Problem in the United States*, S. Doc. No. 1006, 90th Cong., 2d Sess. 45 (1968).

⁴ *Report from the Secretary of Labor, Year of Transition—Seasonal Farm Labor 2* (1965).

⁵ Immigration and Nationality Act, § 212 (a) (14), 8 U.S.C. § 1182.

⁶ See discussion of Amalgamated Meat Cutters case p. 9 *infra*.

⁷ Title 8, § 211(b).

⁸ *Petition of Wright*, 42 F. Supp. 306 (1941); *In re Barron*, 26 F. 2d 106 (1928); *Petition of Correa*, 79 F. Supp. 265 (1948).

⁹ Immigration Act of 1924, Ch. 90, 43 Stat. § 153.

¹⁰ *Id.* § 3.

¹¹ *Id.* § 3(2).

¹² General Order 86 of Apr. 1, 1927.

¹³ *Karnuth v. United States ex rel. Albro*, 279 U.S. 229, 243, 244 (1929).

¹⁴ *Report of the Select Commission on Western Hemisphere Immigration Commuters, Historical Background, Legal Challenges, and Issues* 101 (1968).

¹⁵ *Matter of M.D.S.*, 7 Immigration and Naturalization Dec. 209 (1958).

¹⁶ *Gordon and Rosenfield, Immigration Law and Procedure* 127 (1959).

¹⁷ See n. 15 *supra*, at 102.

¹⁸ *House Judiciary Committee, Study of*

Population and Immigration, Administrative Presentations (III), Admission of Aliens into the United States for Temporary Employment and "Commuter Workers" 167 (1963).

¹⁹ 8 CER. 211.1(6).

²⁰ *Newman, The Legality of the "Commuters" or "Green Card Holders" Working in the United States*, in *Cabinet Committee Hearings on Mexican-American Affairs* 63 (1968).

²¹ 186 F. Supp. 114 (D.C. D. C.) (1960).

²² *Id.* at 119.

²³ *Immigration and Nationality Act, with Amendments and Notes on Related Laws* 231 (5th ed. 1966).

²⁴ See n. 21 *supra*, at 119.

²⁵ 330 F.2d 217 (C.A. D.C. 1964).

²⁶ See *Flast v. Cohen*, 392 U.S. 83 (1968), overruling the 45 year old barrier to standing, *Frothingham v. Mellon*, 262 U.S. 447 (1923), and repudiating its doctrine of judicial restraint in this area.

²⁷ *Gooch, et al., v. Clark, et al.*, Civil No. 49500 (N.D. Cal., 1968).

²⁸ Brief for Plaintiff at 10, *Gooch, et al. v. Clarke et al.*, n. 28, *supra*.

²⁹ See n. 9, *supra*.

³⁰ See § 35 of the Alien Registration Act of 1940, as amended, and regulations issued thereunder.

³¹ 32 C.F.R. 611.13(a)(6), 611.13(b)(7), (1944).

³² See n. 19 *supra*, at 170.

³³ *Report of the Select Commission on Western Hemisphere Immigration, The "Commuter Problem" and Low Wages and Unemployment in American Cities on the Mexican Border* 116 (1968).

³⁴ *Moore, Mexican-Americans: Problems and Prospects* 12 (1967).

³⁵ 133 Cong. Rec. 205 § 14 (daily ed. Dec. 14, 1967).

³⁶ Catholic Conference Office of Immigration (Oct. 11, 1968). Organized labor also has shown concern. The following resolution was passed by the Texas AFL-CIO in Jan. 1968: ". . . (T)housands of commuter aliens who cross the border daily to work, cause the unemployment of American citizens and create unfair competition in the labor market by working for sub-standard wages and then returning to Mexico at night where their living costs are much lower."

³⁷ These unemployment rates, supplied by the Texas Employment Commission, are somewhat conservative since they are based upon the number of persons registered with the T.E.C. offices. Many farm workers secure employment through the crew leader and never register with the T.E.C.

³⁸ See n. 34 at 120.

³⁹ *Id.* at 120.

⁴⁰ *Id.* at 121.

⁴¹ Interview with Mr. David Jacobs, AFL-CIO, in Laredo, Texas, Sept. 10, 1968.

⁴² See n. 34 at 121.

⁴³ *Id.* at 120.

⁴⁴ *Id.* at 122.

⁴⁵ *Id.* at 119.

⁴⁶ See n. 3 at 45.

⁴⁷ *Immigration and Naturalization Annual Report* 93 (1967).

⁴⁸ Interview with Mr. Donald Coppock, Deputy Associate Commissioner for Domestic Control, Immigration and Naturalization Service, in Wash., D.C., October 15, 1968.

⁴⁹ Interview with Mr. Henry Munoz, Jr., Texas AFL-CIO, in Austin, Texas, Sept. 10, 1968. The Service's recognition of the illegal employment of white carders was evidenced by a recent announcement of proposed regulation changes. Under current regulations white carders are issued undated cards and are expected to return within 72 hours and travel no farther than 150 miles from the border. "Government officials say the lack of dates on the present crossing cards makes it almost impossible to enforce regulations."

The proposed changes would limit the travel on undated cards to within 25 miles of the border. For those wishing to travel further a supplemental card that is dated will be issued allowing a 15 day visit. Of course these new limitations will not affect the employment pattern of white carders along the border area. See San Antonio Express, p. 1 (Nov. 29, 1968).

⁵⁰ *Id.*

⁵¹ See Immigration and Nationality Act, n. 5, *supra*.

⁵² Hearings on § 8, 195, 197, 198 Before the Subcomm. on Migratory Labor of the Senate Comm. on Labor and Public Welfare, 90th Cong., 1st Sess. pt. 1, at 170 (1967).

⁵³ *Id.* at 334.

⁵⁴ *Id.* at 363.

⁵⁵ See n. 7.

⁵⁶ See n. 52 at 61.

⁵⁷ Munoz, *View of Organized Labor* 3.

⁵⁸ Letter from Richard M. Scammon and Stanley H. Ruttenberg to President Johnson, July 22, 1968.

⁵⁹ 113 Cong. Rec. 205 (December 14, 1967): The amendment reads as follows:

"S. 2790

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 212 of the Immigration and Naturalization Act is amended by adding at the end thereof a new subsection as follows:

"(j) Any alien lawfully admitted for permanent residence whose principal, actual dwelling place is in a foreign country contiguous to the United States and is returning from a temporary stay in such foreign country to seek or continue employment in the United States shall be admitted into the

United States only if the Secretary of Labor has determined and certified to the Attorney General within six months prior to the date of admission that the employment of such alien will not adversely affect the wages and working conditions of workers in the United States similarly employed, and if such certification has not been revoked on any ground. The provisions of this subsection shall be applicable to any aliens lawfully admitted for permanent residence, whether or not such aliens were so admitted prior to or on or after the date of enactment of this subsection."

⁶⁰ See Laredo Times, p. 4 (Mar. 1, 1968).

⁶¹ *Id.*

⁶² See Laredo Times, p. 4 (Feb. 4, 1968).

⁶³ Brief for Defendant, Texas State AFL-CIO v. Robert F. Kennedy, et al., Civil No. 3468-61, n. 25, *supra*.

EXHIBIT 2

RESTRICTIVE ADMISSION STANDARDS: PROBABLE IMPACT ON MEXICAN ALIEN COMMUTERS

(By Stanley M. Knebel)

Every weekday morning, thousands of residents of Mexican towns near the U.S. border commute to jobs in the United States. At the border, they show their I-151 identification cards, popularly known as "green cards," which entitle them to take employment in the United States. It has generally been recognized that the unrestricted admission of green-card workers on a daily basis adversely affects the wages and working conditions of similarly employed U.S. residents. However, comprehensive data detailing the extent and significance of alien commuter employment have not been available before this year.

In November and December of 1967, the Immigration and Naturalization Service required that each holder of an I-151 identification card who was a daily border crosser complete a questionnaire which called for his occupation and place of employment. During January 1968, the Department of Labor conducted a special employment and wage survey of establishments that employed commuters in the Laredo, Texas area. Based on the data collected in these two studies, certain conclusions can be drawn in regard to the number, occupational distribution, and wages of daily commuters. It is also possible to estimate the impact on the commuter flow that would result from various restrictive wage standards. This article summarizes the two studies and discusses the probable impact of alternative restrictions.

NUMBER OF ALIEN COMMUTERS

The Immigration and Naturalization Service survey showed some 40,000 workers commuting daily across the Mexican border to work in the United States. Crossing points in Texas accounted for 49 percent of the total, while 38 percent crossed into California and 13 percent into Arizona. (See Table 1.) More than four-fifths of the commuters were concentrated at five ports of entry along the border: 29 percent at El Paso, Texas; 19 percent at each of the two major California ports, San Ysidro and Calexico; 9 percent at San Luis, Arizona; and 7 percent at Laredo, Texas. The only other crossing points with more than 500 commuters were Brownsville, Hidalgo, and Eagle Pass, Texas and Nogales, Arizona. (See Tables 2, 3, and 4.)

TABLE 1.—NUMBER OF MEXICAN ALIEN COMMUTERS, BY STATE AND OCCUPATION, 1967

Occupation	Total	Texas	California	Arizona	Occupation	Total	Texas	California	Arizona
Total	40,176	19,714	15,284	5,178	Other occupations	32,235	14,200	13,522	4,513
Building occupations	2,421	1,801	521	99	Automobile-shop workers	536	246	253	37
Carpenters	895	732	131	32	Beauty operators and barbers	72	53	19	0
Painters	487	319	153	15	Custodial workers	344	215	116	13
Other building occupations	1,039	750	237	52	Drivers, truck	1,093	647	315	131
Business occupations	3,285	2,405	429	451	Farmworkers	16,035	3,436	9,171	3,428
Cashiers	232	167	28	37	Fishermen	183	92	91	0
Clerks, office	354	233	47	74	Florists	41	3	38	0
Clerks, sales	1,713	1,248	207	258	Food-processing occupations	848	524	299	25
Clerks, stock and receiving	309	232	64	13	Gardeners	534	210	301	23
Managers	377	309	41	27	Hospital helpers	88	53	17	18
Secretaries	199	150	24	25	Jewelers	39	16	22	1
Other business occupations	101	66	18	17	Laborers, general	3,668	2,517	940	211
Hotel and restaurant occupations	2,235	1,308	812	115	Laundry workers	590	292	245	53
Bartenders	93	56	28	9	Maids, private household	2,779	2,169	412	198
Bellhops	35	25	10	0	Metalworkers	1,627	1,435	147	45
Chambermaids	223	100	108	15	Parking lot attendants	47	12	34	1
Cooks	651	390	232	29	Professional occupations	342	244	44	54
Kitchen helpers	675	410	236	29	Repair occupations	248	196	49	3
Waiters, waitresses	328	228	70	30	Sewing machine operators	1,167	809	290	68
Other hotel and restaurant occupations	23	4	19	0	Service station workers	227	150	58	19
					Upholsterers	222	125	94	3
					Warehousemen	255	164	54	37
					Miscellaneous	1,250	592	513	145

Source: I. & N.S. Commuter Census, November-December 1967.

TABLE 2.—NUMBER OF MEXICAN ALIEN COMMUTERS IN ARIZONA, BY PORT OF ENTRY AND OCCUPATION, 1967

Occupation	Total	San Luis	Nogales	Douglas	Other ports ¹	Occupation	Total	San Luis	Nogales	Douglas	Other ports ¹
Total	5,178	3,553	1,118	380	127	Hotel and restaurant occupations	115	12	77	13	13
Building occupations	99	12	56	12	19	Bartenders	9	0	7	0	2
Carpenters	32	5	17	5	5	Busboys	3	2	1	0	0
Painters	15	0	12	1	2	Chambermaids	15	1	14	0	0
Other building occupations	52	7	27	6	12	Cooks	29	5	15	5	4
Business occupations	451	52	372	21	6	Kitchen helpers	29	3	15	6	5
Cashiers	37	0	34	3	0	Waiters, waitresses	30	1	25	2	2
Clerks, office	74	5	69	0	0	Other occupations	4,513	3,477	613	334	89
Clerks, sales	258	40	201	12	5	Automobile-shop workers	37	9	21	2	5
Clerks, stock and receiving	13	3	9	1	0	Custodial workers	13	0	11	1	1
Managers	27	3	22	1	1	Drivers, truck	131	76	31	18	6
Secretaries	25	1	22	2	0	Farmworkers	3,428	3,146	73	169	40
Other business occupations	17	0	15	2	0	Food-processing occupations	25	7	8	4	5

See footnote at end of table.

TABLE 2.—NUMBER OF MEXICAN ALIEN COMMUTERS IN ARIZONA, BY PORT OF ENTRY AND OCCUPATION, 1967.—Continued

Occupation	Total	San Luis	Nogales	Douglas	Other ports ¹	Occupation	Total	San Luis	Nogales	Douglas	Other ports ¹
Other occupations—Continued						Other occupations—Continued					
Gardeners.....	23	2	20	1	0	Professional occupations.....	54	1	50	3	0
Hospital helpers.....	18	0	18	0	0	Repair occupations.....	3	0	2	1	0
Jewelers.....	1	0	1	0	0	Sewing-machine operators.....	68	39	17	11	1
Laborers, general.....	211	22	138	38	13	Service-station workers.....	19	1	13	4	1
Laundry workers.....	53	5	16	29	3	Upholsterers.....	3	1	2	0	0
Maids, private household.....	198	41	118	29	10	Warehousemen.....	37	1	35	0	1
Metalworkers.....	45	1	36	7	1	Miscellaneous.....	145	125	2	17	1
Parking-lot attendants.....	1	0	1	0	0						

¹ Sasabe and Naco, Ariz., and Columbus, N. Mex.

Source: I. & N.S. Commuter Census, November–December 1967.

TABLE 3.—NUMBER OF MEXICAN ALIEN COMMUTERS, IN CALIFORNIA, BY PORT OF ENTRY AND OCCUPATION, 1967

Occupation	Total	San Ysidro	Calexico	Other ports ¹	Occupation	Total	San Ysidro	Calexico	Other ports ¹
Total.....	15,284	7,535	7,690	59	Other occupations.....	13,522	6,121	7,352	49
Building occupations.....	521	431	87	3	Automobile shopworkers.....	253	184	69	0
Carpenters.....	131	112	17	2	Beauty operators and barbers.....	19	15	4	0
Painters.....	153	142	11	0	Custodial workers.....	116	108	7	1
Other building occupations.....	237	177	59	1	Drivers, truck.....	315	109	206	0
Business occupations.....	429	234	189	6	Farmworkers.....	9,171	2,894	6,248	29
Cashiers.....	28	18	9	1	Fishermen.....	91	91	0	0
Clerks, office.....	47	35	12	0	Florists.....	38	38	0	0
Clerks, sales.....	207	80	122	5	Food-processing occupations.....	299	264	35	0
Clerks, stock and receiving.....	64	43	21	0	Gardeners.....	301	281	19	1
Managers.....	41	31	10	0	Hospital helpers.....	17	12	5	0
Secretaries.....	24	16	8	0	Jewelers.....	22	21	1	0
Other business occupations.....	18	11	7	0	Laborers, general.....	940	571	365	4
Hotel and restaurant occupations.....	812	749	62	1	Laundry workers.....	245	236	9	0
Bartenders.....	28	22	6	0	Maids, private household.....	412	327	83	2
Bellhops.....	10	8	2	0	Metalworkers.....	147	135	12	0
Busboys.....	109	104	5	0	Parking-lot attendants.....	34	33	1	0
Chambermaids.....	108	104	4	0	Professional occupations.....	44	40	4	0
Cooks.....	232	211	20	1	Repair occupations.....	49	42	7	0
Kitchen helpers.....	236	223	13	0	Sewing-machine operators.....	290	277	13	0
Waiters, waitresses.....	70	60	10	0	Service-station workers.....	58	46	10	2
Other hotel and restaurant occupations.....	19	17	2	0	Upholsterers.....	94	88	6	0
					Warehousemen.....	54	47	7	0
					Miscellaneous.....	513	262	241	10

¹ Tecate and Andrade.

Source: I. & N.S. Commuter Census, November–December 1967.

TABLE 4.—NUMBER OF MEXICAN ALIEN COMMUTERS IN TEXAS, BY PORT OF ENTRY AND OCCUPATION, 1967

Occupation	Total	El Paso ¹	Fabens	Del Rio	Eagle Pass	Laredo	Brownsville	Hidalgo	Other ports ²
Total.....	19,714	11,760	279	317	1,635	2,669	1,917	937	200
Building occupations.....	1,801	1,208	2	26	67	196	169	123	10
Carpenters.....	732	458	0	14	35	79	89	53	4
Painters.....	319	214	0	9	11	27	25	33	0
Other building occupations.....	750	536	2	3	21	90	55	37	6
Business occupations.....	2,405	997	0	20	247	818	249	69	5
Cashiers.....	167	58	0	0	16	65	20	7	1
Clerks, office.....	233	93	0	2	27	92	17	0	2
Clerks, sales.....	1,248	454	0	10	148	419	167	49	1
Clerks, stock and receiving.....	232	145	0	1	7	70	5	3	1
Managers.....	309	171	0	7	24	77	25	5	0
Secretaries.....	150	51	0	0	15	69	15	0	0
Other business occupations.....	66	25	0	0	10	26	0	5	0
Hotel and restaurant occupations.....	1,308	965	0	23	52	141	96	30	1
Bartenders.....	56	42	0	0	5	4	5	0	0
Bellhops.....	25	21	0	0	0	3	1	0	0
Busboys.....	95	70	0	2	9	8	6	0	0
Cooks.....	390	254	0	12	18	54	32	20	0
Kitchen helpers.....	410	368	0	7	2	17	11	4	1
Waiters, waitresses.....	220	139	0	1	10	51	22	5	0
Other hotel and restaurant occupations.....	4	4	0	0	0	0	0	0	0
Other occupations.....	14,200	8,590	277	248	1,269	1,514	1,403	715	184
Automobile shopworkers.....	246	133	0	4	11	56	25	17	0
Beauty operators and barbers.....	53	45	0	0	4	4	0	0	0
Custodial workers.....	215	175	0	0	1	17	16	6	0
Drivers, truck.....	647	382	16	5	38	121	45	30	10
Farmworkers.....	3,436	1,461	204	2	682	312	168	459	148
Fishermen.....	92	1	0	0	0	5	86	0	0
Florists.....	3	1	0	0	1	0	1	0	0
Food-processing occupations.....	524	164	1	4	11	19	319	6	0
Gardeners.....	210	123	0	6	11	46	23	1	0
Hospital helpers.....	53	42	0	0	1	4	1	5	0
Jewelers.....	16	8	0	0	2	2	2	0	0
Laborers, general.....	2,517	1,598	39	107	144	188	361	71	9
Laundry workers.....	292	203	0	8	8	38	27	8	0
Maids, private household.....	2,169	1,630	11	19	113	227	114	52	3
Metalworkers.....	1,435	1,217	0	60	32	23	82	21	0
Parking-lot attendants.....	12	11	0	0	0	1	0	0	0
Professional occupations.....	244	145	1	3	15	51	26	1	2
Repair occupations.....	196	153	0	4	3	17	15	4	0

See footnotes at end of table.

TABLE 4.—NUMBER OF MEXICAN ALIEN COMMUTERS IN TEXAS, BY PORT OF ENTRY AND OCCUPATION, 1967—Continued

Occupation	Total	El Paso ¹	Fabens	Del Rio	Eagle Pass	Laredo	Brownsville	Hidalgo	Other ports ²
Other occupations—Continued									
Sewing-machine operators.....	809	554	5	15	128	70	32	5	0
Service-station workers.....	150	67	0	4	13	35	22	8	1
Upholsterers.....	125	84	0	2	5	25	7	2	0
Warehousemen.....	164	78	0	0	2	69	11	4	0
Miscellaneous.....	592	315	0	5	44	184	20	13	11

¹ Includes Cordova and Ysleta.² Ft. Hancock, Presidio, Roma, and Progreso.

Source: I. & N.S. Commuter Census, November–December 1967.

OCCUPATIONS OF COMMUTERS

Farmwork was the occupation reported by 16,035 border crossers, or 40 percent of the total—a far greater number than in any other occupation.¹ The proportions were 66 percent for Arizona entry points, 60 percent in California, but only 17 percent in Texas. The major entry points for the Yuma and Imperial Valley vegetable and citrus areas are San Luis, Arizona and Calexico, California, where 89 and 91 percent, respectively, of the commuters were farmworkers.

Nine percent of the commuters designated themselves simply as laborers. They probably represent a large portion of the low-skilled segment of the labor force in a wide variety of industrial, service, construction, and other enterprises in some border towns.

Maid in private households were the third most numerous single occupation, comprising 7 percent of all commuters. Most of them entered at El Paso or San Ysidro (near San Diego).

Among business occupations, sales clerks were most numerous by a considerable margin. Commuters in business occupations, as a group, comprised 8 percent of the total. Those in hotel and restaurant occupations accounted for 6 percent and those in building occupations another 6 percent. Other

significant concentrations were metal workers (4 percent) and sewing-machine operators (3 percent).

SCOPE AND METHOD OF LAREDO SURVEY

In the course of the I&NS Census, information was obtained about the place of employment and occupation for each commuter. In Laredo, Texas, data were obtained for 2,669 commuters. Of these, 20 percent were employed as farmworkers and household domestics. Excluding these workers from the totals reduces the number of commuters to 2,121. A sample of 90 establishments in which 5 or more commuters had been employed at the time of the I&NS Census was selected. In addition, a subsample of eight gasoline service stations employing less than five commuters was surveyed. Of the 98 establishments, one refused to provide data, one was out of business, and a third could not be located. The other 95 all provided data about the wage rates paid to commuters and U.S. residents employed in the same occupations. In all, wage data were obtained for 1,075 residents and 608 commuters employed in 48 broad occupational groupings.

There were 25 occupations in which five or more commuters were employed. These accounted for 84 percent of the residents and 94 percent of the commuters in the sample.

EMPLOYMENT AND WAGE FINDINGS OF THE LAREDO STUDY

The 608 commuters employed in the 95 establishments covered by the survey constituted 28 percent of the 2,121 commuters reported by I&NS who were not farm laborers or household domestics.

Although 48 separate occupations were reported for the commuters in the survey, there was a concentration of workers em-

ployed as salesclerks, laborers, general clerks, warehousemen, salesmen, and truck drivers.

Average hourly earnings for the 25 surveyed occupations in which five or more commuters were employed ranged from \$.81 for busboys and \$.86 for service-station attendants to \$2.10 for customs appraisers. (Table 5.)

Commuters and resident workers employed in the same establishment received identical wages in each occupational classification.

A wage of \$1.40 per hour was the rate most commonly paid to surveyed commuters (Table 6). This rate was the Federal minimum in effect at the time of the survey and, of the 608 workers in the sample, 48 percent were being paid precisely this amount. Moreover, 76 percent (including some workers not covered by the Federal minimum wage law) were receiving \$1.40 per hour or less. This would indicate that the ready availability of alien commuters serves to keep the level of wage rates closely tied to the minimum, where applicable, and even lower for workers not protected by law.

IMPACT ON COMMUTERS OF RESTRICTIVE ADMISSION STANDARDS

Various proposals have been made to restrict the admission of the commuters. During the 90th Congress, a bill (S. 2790) was introduced in the Senate which would permit a commuter to reenter the United States "... only if the Secretary of Labor has determined and certified to the Attorney General within six months prior to the date of admission that the employment of such alien will not adversely affect the wages and working conditions of workers in the United States similarly employed, ..." To implement this requirement, a test of adverse effect on wages would have to be specified.

TABLE 5.—AVERAGE HOURLY WAGE RATES AND PREVAILING WAGE RATES FOR SELECTED OCCUPATIONS IN WHICH COMMUTERS ARE EMPLOYED AND THE PROPORTIONS OF COMMUTERS PAID LESS THAN SPECIFIED AMOUNTS, LAREDO, TEX., JANUARY 1968

Occupation	Average hourly earnings ^{1,2}	Prevailing wage rate ^{1,3}	Percent and number of commuters earning less than—					
			Prevailing wage rate		\$1.40 per hour		\$1.60 per hour	
			Percent	Number	Percent	Number	Percent	Number
Total, specified occupations.....			14.0	175	24.8	311	80.0	1001
Appraiser, custom.....	\$2.10	\$2.15	41.7	8	0	0	0	0
Bookkeeper.....	1.71	1.65	45.5	8	0	0	36.4	6
Busboy.....	.81	.70	0	0	100.0	17	100.0	17
Butcher.....	1.65	1.60	0	0	0	0	0	0
Cashier.....	1.33	1.40	0	0	0	0	100.0	63
Clerk, general.....	1.49	1.40	0	0	0	0	54.5	81
Clerk, typist.....	1.54	1.60	8.3	1	0	0	8.3	1
Clerk, receiving and shipping.....	1.40	1.40	0	0	0	0	100.0	16
Kitchen helper.....	1.09	.95	0	0	100.0	9	100.0	9
Laundry machine presser.....	1.13	1.25	42.9	7	100.0	16	100.0	16
Laborer.....	1.43	1.45	0	0	15.0	22	85.0	127
Material handler.....	1.49	1.40	0	0	0	0	72.7	15
Chambermaid.....	.95	.95	15.4	3	100.0	19	100.0	19
Machinist, shop.....	1.47	1.40	0	0	0	0	80.0	5
Salesclerk.....	1.36	1.40	11.5	32	11.5	32	97.2	270
Salesman.....	1.65	1.40	66.7	42	66.7	42	98.9	56
Secretary.....	1.71	1.55	45.5	26	0	0	54.5	31
Sewing-machine operator.....	1.05	1.05	0	0	100.0	31	100.0	31
Service-station attendant.....	.86	.70	0	0	85.0	25	100.0	30
Stenographer.....	1.47	1.40	0	0	0	0	66.7	4
Stockman.....	1.34	1.40	17.8	8	17.8	8	100.0	45
Tailor.....	1.59	1.35	9.1	2	72.7	16	81.8	18
Truckdriver.....	1.76	1.40	0	0	0	0	50.0	31
Waiter-waitress.....	.87	.70	0	0	100.0	52	100.0	52
Warehouseman.....	1.47	1.40	28.7	22	28.7	22	73.7	57

¹ Based on rates paid to both commuters and U.S. residents.² The data were tabulated in 10-cent intervals and the average hourly earnings were computed on the basis of the midpoints of the wage intervals.³ The midpoint of the wage interval containing the largest number of workers, provided this interval comprised at least 30 percent of all workers in the sample employed in this occupation.

If there is no such interval, then the midpoint of the interval containing the median is the prevailing wage rate.

Source: Wage survey conducted by the U.S. Department of Labor, January 1968.

For expository purposes, the following tests are considered in this paper:

1. Prevailing-rate concept—a commuter would be denied certification if he is employed in, or is seeking a job at, a wage rate less than that found to be prevailing in the occupation in the area of employment.

2. Adverse-effect wage rate concept—a commuter would be denied certification for employment at a wage rate below that specified by the Secretary of Labor, e.g., \$1.40 per hour or \$1.60 per hour.

In Table 5, estimates have been made of the percent and number of workers in principal occupations that would have been denied certification in January 1968 under the adverse-effect tests set forth above.

Only 14 percent of the commuters engaged in the 25 occupations shown in Table 5 would have been refused readmission if the prevailing rate in each occupation were the standard for certification. But if the wage test for certification were an adverse-effect rate of \$1.40 per hour, nearly 25 percent of the commuters in the 25 selected occupations would not have been permitted to enter the United States at the wage rates they were then receiving. Approximately 80 percent of them would have been denied certification if the wage standard had been \$1.60 per hour. Table 6, which takes into account a broader range of occupations, shows 28 percent of the commuters earning less than \$1.40 an hour and 80 percent under \$1.60.

Excluded from Table 5 and Table 6 are the farmhands and household domestic workers. Because their wages are very low, almost all of them would have been denied admission under either the \$1.40 or the \$1.60 adverse-effect standard.

Because the Laredo survey was conducted in January 1968, the estimated impact on the commuter flow at the \$1.60 rate is probably overstated. At the time of the survey, the FLSA minimum was \$1.40 per hour. A substantial number of establishments included in the survey are covered by the Federal minimum wage law. Wage rates in these establishments were increased to no less than \$1.60 on February 1, 1968, and commuters in their employ, therefore, would not be denied certification because of standard wage offers.

A City of Laredo ordinance, which became effective February 1, 1968, shortly after the Labor Department survey was made, provides a minimum wage of \$1.00 an hour (to be raised to \$1.15 an hour after September 1, 1969). Several categories of employees are exempt, however, most notably domestic servants and employees covered by the Fair Labor Standards Act. Less than 12 percent of the commuters in the 48 occupations surveyed by the Labor Department would have been affected by the \$1.00-an-hour minimum.

TABLE 6. PERCENTAGE DISTRIBUTION OF COMMUTERS¹ BY WAGE RATE, LAREDO, TEX., JANUARY 1968—Con.

Wage interval	Percent of total ²	Cumulative percentage ²
\$2.71 to \$2.80.....	0	98.9
\$2.81 to \$2.90.....	0	98.9
\$2.91 to \$3.....	.5	99.4
Over \$3.....	.6	100.0

¹ Excludes farmworkers and maids in private households.

² Percent of all commuters in the 48 occupations covered by the survey.

Note: Due to rounding, percentages may not add to totals.

Source: Wage survey conducted by the U.S. Department of Labor, January 1968.

APPLICABILITY TO OTHER BORDER COMMUNITIES

The 2,669 daily commuters to Laredo constituted almost 11 percent of the total labor force in that area. By way of contrast, 7,535 commuters crossed daily through the San Ysidro border station into the San Diego area, but they were only 2 percent of the work force. Table 7 compares the commuters counted by I&NS at each of the major points of entry with employment in nearby U.S. border counties for time periods as comparable as possible to the time of the survey.

The employment of green-card commuters in the Laredo area is pervasive. They work in almost all establishments of any size, although they are concentrated in the relatively low-skilled jobs. In other border areas with a labor force comparable to Laredo's, commuter employment probably followed very much the same pattern. And even in a large area where the proportion of the labor force made up by commuters is relatively smaller, it is likely that, because of their concentration in unskilled jobs, the commuters considerably influence the wages and working conditions prevailing in certain occupations.

Another consideration is that the commuters who enter at such points as Calexico, San Luis, and Hidalgo are employed for the most part in agriculture. If an adverse-effect-rate standard of \$1.40 or \$1.60 per hour were established, then a significant number of the workers seeking admission to California would be denied certification, as would nearly all the commuters regularly employed in agriculture in Arizona, New Mexico, and Texas.

In summary, the estimates of impact on commuter admissions which would result from establishment of restrictive standards that were derived from the Laredo wage and employment data are probably generally applicable, with variations dependent on the occupational mix, to other border areas.

APPLICABILITY TO OTHER BORDER COMMUNITIES

The 2,669 daily commuters to Laredo constituted almost 11 percent of the total labor force in that area. By way of contrast, 7,535 commuters crossed daily through the San Ysidro border station into the San Diego area, but they were only 2 percent of the work force. Table 7 compares the commuters counted by I&NS at each of the major points of entry with employment in nearby U.S. border counties for time periods as comparable as possible to the time of the survey.

The employment of green-card commuters in the Laredo area is pervasive. They work in almost all establishments of any size, although they are concentrated in the relatively low-skilled jobs. In other border areas with a labor force comparable to Laredo's, commuter employment probably followed very much the same pattern. And even in a large area where the proportion of the labor force made up by commuters is relatively smaller, it is likely that, because of their concentration in unskilled jobs, the commuters considerably influence the wages and working conditions, prevailing in certain occupations.

Another consideration is that the commuters who enter at such points as Calexico, San Luis, and Hidalgo are employed for the most part in agriculture. If an adverse-effect-rate standard of \$1.40 or \$1.60 per hour were established, then a significant number of the workers seeking admission to California would be denied certification, as would nearly all the commuters regularly employed in agriculture in Arizona, New Mexico, and Texas.

In summary, the estimates of impact on commuter admissions which would result from establishment of restrictive standards that were derived from the Laredo wage and employment data are probably generally applicable, with variations dependent on the occupational mix, to other border areas.

EXHIBIT 3

EXCERPTS FROM STATEMENT ON SENATE FLOOR BY SENATOR EDWARD M. KENNEDY, DECEMBER 14, 1967

There is no doubt that the commuter movement adversely affects the wages and working conditions of our own citizens and residents, especially those living in the cities and towns along the Mexican border—in Arizona, California, New Mexico and Texas. The commuter movement from Mexico is a factor contributing to the grinding poverty, high unemployment, and low wages in the border areas.

Border areas consistently have higher rates of unemployment than do interior areas. In many cases, the rates are very much greater.

The rates available in 13 border areas for the first 6 months of this year are typical of annual figures available since 1957. Last June, for example, in none of these 13 areas was the unemployment rate lower than the average rate for the State. Twelve of these border areas were in Texas—the unemployment rate in seven of the Texas areas was more than double the statewide rate of 3.7 percent. In one area, Crystal City in Zavala County, the rate was much greater—11.3 percent.

In 1966, in only one of 19 border areas for which data were available, was the unemployment rate lower than the average rate for the State.

Over the last 10 years, available data permitted 138 comparisons of annual average unemployment rates in border areas with those at the State level. In 129 cases, border area rates were higher than the State average.

It is a deplorable situation—an indication of severe economic depression—that unemployment rates exceeding 10 percent are common in such Texas communities as Laredo, Eagle Pass, Zapata, Brackettville, Cotulla, Crystal City and in El Centro, California.

The influx of commuters from Mexico is contributing to the high unemployment rates in border areas.

These commuters are a significant part of the work force in many communities. In some areas their number nearly equals the number of unemployed American workers. In El Paso, where unemployment is currently some 35 percent greater than the State average, the estimated number of commuters in 1966 was more than double the number of unemployed. In El Centro, Calif., where the unemployment rate is currently 13.1 percent, the estimated number of commuters in 1966 was nearly double the number of unemployed. There is every reason to believe the situation has not changed for the better. If anything, it has been aggravated by the frequent use of commuters as strikebreakers.

Mr. President, I ask unanimous consent to include in the RECORD at the conclusion of my remarks statistical summaries of unemployment rates in border areas over the last 10 years, and an additional table on

TABLE 6. PERCENTAGE DISTRIBUTION OF COMMUTERS¹ BY WAGE RATE, LAREDO, TEX., JANUARY 1968

Wage interval	Percent of total ²	Cumulative percentage ²
\$0.70 and less.....	4.6	4.6
\$0.71 to \$0.80.....	1.1	5.7
\$0.81 to \$0.90.....	.2	5.9
\$0.91 to \$1.....	6.3	12.2
\$1.01 to \$1.10.....	5.0	17.2
\$1.11 to \$1.20.....	1.1	18.4
\$1.21 to \$1.30.....	3.9	22.3
\$1.31 to \$1.39.....	5.6	27.9
\$1.40.....	47.7	75.6
\$1.41 to \$1.50.....	3.6	79.2
\$1.51 to \$1.59.....	.5	79.7
\$1.60.....	7.9	87.6
\$1.61 to \$1.70.....	5.0	92.6
\$1.71 to \$1.80.....	1.3	93.9
\$1.81 to \$1.90.....	.3	94.2
\$1.91 to \$2.....	2.0	96.2
\$2.01 to \$2.10.....	.5	96.7
\$2.11 to \$2.20.....	.5	97.1
\$2.21 to \$2.30.....	.5	97.6
\$2.31 to \$2.40.....	.3	97.9
\$2.41 to \$2.50.....	.7	98.6
\$2.51 to \$2.60.....	.2	98.7
\$2.61 to \$2.70.....	.2	98.9

unemployment and alien commuters in 1966 for selected border areas.

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

(See exhibits 3, 4, and 5.)

Mr. KENNEDY of Massachusetts. Mr. President, aside from the commuter influx contributing to high unemployment in border areas, it also contributes to depressed wage rates. Industry by industry, county by county, the pattern is the same—earnings in border areas are lower than average earnings in the State. This is true in more than 90 percent of those cases where available information has made a comparison possible.

Although the most definitive data available is based on nonfarm weekly wage rates in 1965, the Department of Labor informs me that the situation remains unchanged. The average weekly nonfarm wage in Imperial County, Calif., is \$20 less than the average in the State as a whole—in Santa Cruz County, Ariz., it is \$29 less—in nine of the Texas border counties it is at least \$25 less, and often more.

The differential is even greater in wage rates for farmwork—especially in the lower Rio Grande Valley of Texas. A year ago, hourly wages in the valley averaged approximately 75 cents—some 22 cents less than the 97 cents average at the State level. As a result of the new farm labor coverage of the Fair Labor Standards Act, there has been a sharp increase in farm wage rates in the valley, and the gap between farm wages in this area and the State as a whole is beginning to narrow. Currently it is some 16 cents—the differential between 89 cents in the valley and \$1.05 at the State level.

But this is belated progress—because for at least 10 years, not only have farm wages in the valley been low, they have also failed to show the gains recorded elsewhere in the State. In 1956 the hourly wage in the valley was 84 percent of the State average—it had dropped to 77 percent by 1966.

Today, largely as a result of the new farm labor coverage of the Fair Labor Standards Act, the ratio has climbed to some 85 percent.

Mr. President, I ask unanimous consent to include in the RECORD at the conclusion of my remarks a statistical summary of average weekly earnings of nonfarm workers in border areas during the first quarter of 1965, and a second table listing average hourly wage rates for seasonal farmworkers in Texas border areas.

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

(See exhibits 6 and 7.)

Mr. KENNEDY of Massachusetts. Mr. President, to illustrate further the contribution of commuters to depressed wage rates in border areas, I will refer to the results of a special survey conducted in 1961, by the Department of Labor in Laredo and El Paso. The survey concerned the jobs held by commuters, the wages received, and the availability of domestic workers for these jobs. Again, the situation has changed little from the time the survey was made, in fact, there is reason to believe it has worsened.

The survey indicates that, although commuters were employed in most occupations and industries, they were heavily concentrated in the garment industry, hotels, restaurants, and retail trade and service establishments.

In the Laredo survey, the Department of Labor contacted a sampling of firms employing some 3,000 workers—of whom 438 were easily identified as commuters.

The survey team reported that additional workers were suspected of being commuters, but could not be readily identified.

The Laredo survey revealed at least two things. First, that a large number of unemployed American workers had the same occupational skills as alien commuters—this in a community where unemployment was heavy—11.3 percent. For example, the

two garment firms in the sampling employed 88 commuters as sewing machine operators. Files of the Texas Employment Commission contained applications from 156 unemployed American workers with this same occupation.

Second, the survey shows that firms employing alien commuters paid lower wages than did firms employing American workers. This was not the exception—but a very common pattern, for 19 occupations where sufficient data were available. Moreover, there were cases where a single firm employing both commuters and Americans would pay the commuters less than the Americans similarly employed.

And finally, the average wage paid by those firms employing only American workers was 38 percent higher than the average wage paid by those firms employing commuters as well.

The El Paso survey produced similar results.

I should add here some recent information compiled by the Department of Labor which greatly adds to the seriousness of the wage problem.

The common pattern of low wages in the border areas has led to a high incidence of minimum wage law violations. The Department reports that in fiscal year 1967, 20 percent of the violations in the four border States occurred in counties contiguous to the Mexican border. Yet, these counties had only 6 percent of the nonfarm work force in these four States.

Mr. President, I ask unanimous consent to include in the RECORD at the conclusion of my remarks a table listing occupational wage data obtained in the Laredo survey and a brief summary of the survey in El Paso.

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

(See exhibits 8 and 9.)

EXHIBIT 3

UNEMPLOYMENT RATES IN BORDER AREAS, JANUARY-JUNE 1967

State and labor market area	Counties	1967					
		June	May	April	March	February	January
California.....		5.4	4.9	5.3	5.7	6.0	5.5
San Diego.....	San Diego.....	5.3	4.6	4.9	5.1	5.2	5.0
El Centro.....	Imperial.....	(1)	(1)	13.1	(1)	(1)	(1)
Texas.....		3.7	2.7	2.6	2.7	3.0	3.0
Border areas:							
El Paso.....	El Paso.....	5.0	3.8	3.7	3.8	4.0	3.9
Brownsville-Harlingen-San Benito.....	Cameron.....	7.3	6.2	6.3	6.0	5.8	5.9
Laredo.....	Webb.....	10.6	7.4	9.0	9.0	9.9	11.4
McAllen.....	Hidalgo and Starr.....	6.8	5.6	5.6	6.3	6.2	6.3
Del Rio.....	Val Verde.....	5.6	(1)	6.1	(1)	8.8	(1)
Eagle Pass.....	Maverick.....	9.3	(1)	7.9	(1)	12.8	(1)
Zapata.....	Zapata.....	9.8	(1)	11.7	(1)	14.4	(1)
Areas close to the border:							
Brackettville.....	Kinney.....	8.8	(1)	8.5	(1)	8.5	(1)
Carrizo Springs.....	Dimmit.....	(1)	(1)	7.0	(1)	(1)	(1)
Cotulla.....	La Salle.....	7.8	(1)	4.4	(1)	12.4	(1)
Crystal City.....	Zavala.....	11.3	(1)	10.7	(1)	14.3	(1)
Hebronville.....	Jim Hogg.....	7.3	(1)	6.0	(1)	7.6	(1)
Raymondville.....	Willacy.....	7.7	(1)	4.3	(1)	5.2	(1)

¹ Information not available.

Source: Bureau of Employment Security, U.S. Department of Labor.

EXHIBIT 4

BORDER AREA UNEMPLOYMENT RATES ANNUAL AVERAGES, 1957-66

State and labor market area	Counties	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957
California.....		5.0	5.9	6.0	6.0	5.8	6.9	5.8	4.8	6.4	4.1
San Diego.....	San Diego.....	5.2	7.2	7.5	7.7	7.9	7.5	6.4	3.9	4.8	3.2
El Centro.....	Imperial.....	9.6	10.1	9.6	9.2	9.0	8.6	(1)	(1)	(1)	(1)
Texas.....		3.2	4.2	4.8	5.4	5.3	6.0	5.3	4.6	5.3	4.0
Border areas:											
El Paso.....	El Paso.....	4.4	5.8	6.0	6.2	5.5	5.6	4.9	3.4	3.9	4.0
Brownsville-Harlingen-San Benito.....	Cameron.....	6.4	7.6	8.5	9.1	9.7	(1)	(1)	(1)	(1)	(1)
Laredo.....	Webb.....	9.6	11.3	11.9	12.0	10.1	9.1	9.4	9.2	8.6	9.3
McAllen.....	Hidalgo and Starr.....	6.1	7.0	8.0	8.6	9.0	(1)	(1)	(1)	(1)	(1)
Del Rio.....	Val Verde.....	6.2	7.7	9.2	9.1	9.4	10.0	8.0	8.5	6.0	9.2
Eagle Pass.....	Maverick.....	11.2	14.4	14.7	15.1	13.8	12.4	9.5	11.4	10.4	14.4
Zapata.....	Zapata.....	11.0	12.8	12.6	14.3	13.1	12.4	13.1	12.2	6.7	6.9

See footnotes at end of table.

EXHIBIT 4—Continued

BORDER AREA UNEMPLOYMENT RATES ANNUAL AVERAGES, 1967-66

State and labor market area	Counties	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957
Texas—Continued											
Areas close to the border:											
Brackettville	Kinney	7.7	8.6	11.7	10.5	12.2	11.2	9.9	8.6	10.4	9.8
Carizzo Springs	Dimmit	10.6	7.1	7.0	6.7	(1)	(1)	(1)	(1)	(1)	(1)
Cotulla	La Salle	10.0	12.2	12.3	13.2	11.8	8.4	7.4	8.2	11.7	9.7
Crystal City	Zavala	12.5	12.3	13.3	12.9	13.6	6.7	7.4	7.7	8.6	4.5
Hebbronville	Jim Hogg	9.5	11.5	11.8	10.1	10.6	10.9	9.3	9.8	10.6	10.2
Raymondville	Willacy	9.1	9.1	9.5	10.2	10.0	(1)	(1)	(1)	(1)	(1)
Arizona											
Tucson	Pima	3.8	5.1	5.1	5.0	5.1	5.8	4.7	4.7	5.7	3.9
Douglas and Bisbee	Cochise	4.1	6.2	6.5	5.8	4.9	5.7	5.1	4.8	6.0	4.1
Nogales	Santa Cruz	3.1	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Yuma	Yuma	5.0	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
		5.1	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)

(1) Information not available.

Source: Bureau of Employment Security, U.S. Department of Labor.

EXHIBIT 5

BORDER CITIES—UNEMPLOYMENT AND ALIEN COMMUTERS, JANUARY 1966

City	Unemployed U.S. residents		Alien commuters	City	Unemployed U.S. residents		Alien commuters
	Number	Rate			Number	Rate	
Brownsville-Harlingen-San Benito, Tex.	3,020	6.2	2,032	McAllen-Pharr-Edinburg, Tex.	4,190	6.9	1,163
El Paso, Tex.	5,050	4.8	11,772	El Centro, Calif.	3,675	10.7	7,616
Laredo, Tex.	3,365	12.6	2,581	San Diego, Calif.	22,300	5.2	9,281

Source: Unemployment data from the Texas Labor Market, Texas Employment Commission, and labor market reports of the California Department of Employment; alien commuter data from I. & N.S. survey, Jan 17, 1966.

EXHIBIT 6

THE BORDER COUNTIES—AVERAGE WEEKLY EARNINGS OF NONFARM WORKERS, JANUARY-MARCH 1965

Area	Selected industries								Services
	Total nonfarm	Mining	Contract construction	Manufacturing	Transportation, communication, and public utilities	Wholesale trade	Retail trade	Finance, insurance, and real estate	
Border States	\$103	\$117	\$121	\$125	\$117	\$121	\$74	\$101	\$82
Border counties	91	132	116	122	106	98	68	94	66
California	113	147	142	132	128	131	83	106	92
Border counties	107	151	140	147	122	120	79	102	74
San Diego	107	152	140	147	122	122	79	102	75
Imperial	93	122	134	124	107	107	77	85	71
Arizona	94	139	124	117	115	108	68	97	67
Border counties	87	145	114	112	106	86	67	94	66
Yuma	74	101	102	84	110	57	74	90	61
Pima	88	145	116	84	108	104	67	96	67
Santa Cruz	65	(1)	70	53	85	82	61	87	45
Cochise	101	(1)	(1)	117	104	82	60	86	67
New Mexico	89	125	97	106	104	105	62	89	84
Border counties	78	85	92	138	82	97	60	78	61
Hidalgo	69	(1)	(1)	(1)	93	88	57	73	47
Luna	73	(1)	109	78	87	86	57	82	43
Dona Ana	80	85	86	165	79	100	61	78	64
Texas	87	126	91	108	98	107	60	91	61
Border counties	67	101	79	73	90	82	53	80	49
El Paso	76	94	85	78	113	103	60	85	54
Hudspeth	68	70	89	(1)	(1)	(1)	48	(1)	15
Jeff Davis	76	(1)	(1)	(1)	(1)	68	31	(1)	38
Presidio	53	(1)	54	(1)	60	50	50	87	35
Brewster	52	(1)	78	(1)	67	74	44	75	37
Terrell	67	(1)	26	(1)	111	(1)	53	54	36
Val Verde	57	(1)	87	(1)	79	67	49	74	42
Kinney	58	(1)	38	(1)	(1)	(1)	32	(1)	37
Maverick	48	104	70	(1)	64	92	39	70	34
Webb	53	79	67	60	62	66	48	67	39
Zapata	54	86	(1)	(1)	64	(1)	23	64	31
Starr	68	102	(1)	(1)	68	43	38	68	35
Hidalgo	59	107	68	62	81	62	50	72	46
Cameron	58	111	71	65	58	70	49	78	48

(1) Data not published to avoid disclosing information from individual establishments.

Source: Based on data published in 1965 County Business Patterns, U.S. Department of Commerce. Average weekly earnings computed by dividing quarterly payroll by March employment by 13. Result rounded to nearest dollar.

EXHIBIT 7

TEXAS BORDER AREAS—AVERAGE HOURLY WAGE RATE FOR SEASONAL FARM ACTIVITIES, MID-NOVEMBER 1966-56

Area	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957	1956
State of Texas	\$0.97	\$0.87	\$0.78	\$0.76	\$0.73	\$0.56	\$0.55	\$0.56	\$0.52	\$0.58	\$0.51
Lower Rio Grande Valley	.75	.65	.60	.58	.59	.43	.43	.43	.43	.43	.43
Rio Grande Plains	.77	.73	.68	.68	.67	.49	.46	.46	(1)	.50	.47
Trans-Pecos	.83	.82	.71	.71	.71	.50	.50	.50	.50	.50	.50

(1) Information not available.

Source: Office of Farm Labor Service, Bureau of Employment Security, U.S. Department of Labor. Based upon reports prepared by the Texas Employment Commission.

EXHIBIT 8

OCCUPATIONAL WAGE STRUCTURE—LAREDO, TEX.,
JUNE 1961¹

Industry and occupation	Average wage rate (per week)	
	Firms employing only domestic workers	Firms employing domestic and alien com- muter workers
Hotels and motels:		
Cook.....	\$58	\$34
Maid.....	20	17
Hallboy.....	25	20
Waiter.....	± 15	± 18
Busboy.....	± 25	13
Bartender.....	58	46
Bellboy.....	± 15	± 16
Drugstores and related firms:		
Cashier.....	27	12
Stock clerk.....	52	40
Fountain girl.....	16	± 23
Drug clerk.....	77	55
Grocery and related firms:		
Cashier.....	24	24
Stockboy.....	35	20
Produce man.....	45	35
Butcher.....	65	52
Warehouseman.....	37	31
Miscellaneous retail firms:		
Porter.....	53	35
Warehouseman.....	73	21
Stockman.....	53	45

¹ Data were collected in the survey concerning the different rates paid each occupation in each firm. For some occupation monthly rates were reported; these were converted to weekly rates by dividing the monthly rate by 4.33. The number of workers paid each rate was not reported in all cases, making it impossible to compute an average rate weighted by the number of workers paid each rate. The average rates shown in the table represent the average of the highest and lowest rates paid. These averages correspond quite accurately with the weighted averages computed for the few occupations where data were reported for each worker.

² Plus tips.

³ Plus \$3 meal allowance.

EXHIBIT 9

Following is a summary of the El Paso survey results:

Eleven construction firms. Six firms employed only U.S. residents; five employed alien commuters. Two-thirds of the firms employing only U.S. residents paid the union scale. Only 20 percent of the firms employing commuters paid the union scale. The lowest rates were paid by the non-union firms that employed commuters.

Four retail dry goods stores. Three firms employed alien commuters. They paid lower wage rates than the firms that employed only U.S. residents.

Four wholesale and warehouse firms. Three firms employed alien commuters. The firm employing only U.S. residents paid the highest wage rates.

All sample firms in the following industries employed alien commuters: garment manufacturing (11 firms); restaurants (five firms); meatpacking (three firms); and laundries (four firms). Of interest is the fact that in the one laundry where wage rate data were supplied for both alien commuters and U.S. residents, the commuters were paid less than \$.50 per hour while the U.S. residents were paid about \$.80 per hour.

Insufficient wage and employment data were obtained to make any comparison for seven transportation and storage firms; two cotton processors; and three hotels and motels.

In several industries, refineries (four firms); miscellaneous manufacturing (seven firms); and miscellaneous firms (five establishments), there was no difference in the rates paid by firms employing alien commuters and those employing U.S. workers. One refinery, two miscellaneous manufacturing, and two of the other miscellaneous firms employed commuters.

Six other retail trade firms were included in the sample, but meaningful comparison could not be made because the nature of their operations and the occupations of the workers they employed were too dissimilar.

EXHIBIT 4

COMMUTER WORKERS IDENTIFIED BY OCCUPATIONAL CLASS, NOV. 1, 1967, THROUGH DEC. 31, 1967

Port	Industrial workers	Building trades and con- struction workers	Agricul- tural workers	Sales and service workers	Private household workers	Total
California:						
San Ysidro.....	2,005	409	2,827	1,950	344	7,535
Tecate.....	6	4	30	14	2	56
Calexico.....	195	93	6,810	517	75	7,690
Andrade.....	1	0	2	0	0	3
Arizona:						
San Luis.....	39	14	3,325	146	29	3,553
Lukeville.....	0	0	0	0	0	0
Sasabe.....	0	0	0	3	0	3
Nogales.....	179	136	6	682	115	1,118
Naco.....	3	31	10	47	3	94
Douglas.....	48	28	175	99	30	380
New Mexico: Columbus.....	2	1	26	1	0	30
Texas:						
El Paso:						
Santa Fe Bridge.....	1,801	844	1,088	2,725	1,388	7,846
Cordova.....	1,145	704	136	1,387	119	3,491
Ysleta.....	132	60	165	46	20	423
Fabens.....	60	14	195	1	0	279
Fort Hancock.....	3	1	46	0	3	53
Presidio.....	1	3	17	2	1	24
Del Rio.....	144	65	18	70	20	317
Eagle Pass.....	185	147	751	398	154	1,635
Laredo.....	106	212	321	1,825	205	2,769
Roma.....	1	7	54	10	1	73
Hidalgo.....	70	146	472	199	50	937
Progreso.....	0	6	41	2	1	50
Brownsville.....	724	215	198	632	148	1,917
Total.....	6,850	3,140	16,713	10,756	2,717	40,176

¹ Includes 7,743 agricultural workers who came to the border from the interior of the United States during the count and commenced working as commuters. It is anticipated these workers will return to the interior of the United States in the spring to work as migrants.

Mr. MONDALE. Mr. President, I join with Senator KENNEDY and others in the introduction of a bill to amend the Immigration and Naturalization Act to regulate the green-card commuter problem. "Green-card commuters" are persons who have been granted permanent alien resident status as bona fide immigrants, but who, nonetheless, reside in Mexico or Canada and regularly enter the United States solely for the purposes of employment.

The problems created by the commuter immigrant are manifest, particularly along the Mexican border. Given the poor working and living conditions along the northern border of Mexico, Mexican aliens, as a group, serve as a readily available, low-wage work force which undermines the standards workers generally enjoy throughout the rest of the United States. As a result, the forces of free enterprise are prevented from operating to develop standards along the border commensurate with normal American standards.

The depressed wage rates that result are satisfactory recompense for the commuter immigrant since he can return to Mexico daily or weekly with his earnings to live in a much lower cost economy. These green-card commuters simply fail to become immigrants in the sense contemplated by the law. And their employment in this country is clearly detrimental to the economic conditions, the job opportunities, and the organizing and collective bargaining efforts of American workers, because they have little or no stake in the resolution of domestic labor disputes. Indeed, it is clear that these nonresident commuters, as well as illegal entrants, are widely used as strike-breakers.

The bill seeks to remedy this serious problem. While it may need perfecting amendments, I believe the bill provides a sound basis on which to eliminate cur-

rent abuses of our immigration laws. A major goal of our immigration laws has always been the reasonable protection of working conditions and job opportunities for American workers, and this bill is consistent with that goal.

The bill's purpose is consistent with my personal conviction that our Nation must promote an open border policy—a policy that permits people and trade to flow across our borders without undue restriction. The bill seeks merely to eliminate widespread abuses of our immigration policies—abuses that run entirely contrary to our Nation's dedication to justice and fairplay—and I support it for that reason.

DELAYS IN CAB INVESTIGATION OF CONGESTION AT NATIONAL AIRPORT

Mr. SPONG. Mr. President, on June 20, 1967, the Civil Aeronautics Board ordered an investigation to determine what steps should be taken to relieve congestion at National Airport and to improve the utilization of Dulles and Friendship airports. That was 20 months ago and still there has been no formal hearing.

Now we are told there will be a further delay while the Department of Transportation assesses the situation and crystallizes its position. Testifying before the Senate District Committee Wednesday, Chairman John H. Crocker, Jr., of the CAB, put the earliest possible date for the hearing at sometime in June, although it is doubtful anything will be done before the end of the year.

Mr. President, I sympathize with the problems of the Department. But I have greater sympathy for those who must live with the noise, pollution, and inconvenience resulting from the congested conditions at National.

In the 20 months that this hearing has

been delayed, the number of passengers using National has increased by 2,275,000 or 17 percent over the preceding 20-month period. And the problem will continue to grow until positive steps are taken to limit the number of flights at National.

In the beginning, it was hoped the airlines would do this voluntarily and they were granted a delay to work out an agreement. Nothing happened. And, judging from the testimony of former FAA Administrator E. R. Quesada, himself an airline director, nothing will happen. Competitive pressures in the industry are simply too strong for there to be any realistic hope of a voluntary solution, according to General Quesada. That leaves the problem squarely in the hands of the FAA and the CAB.

In requesting the most recent delay in this proceeding, the Department of Transportation expresses hope that new regulations concerning the use of high-density traffic airports, of which National is one, might resolve the congestion problem. Frankly, I see little chance of that happening.

The new regulations make no change in the number of commercial flights now using National nor do they remove the exemption for extra sections of commuter flights. In its testimony Wednesday, the FAA make it clear that under these flight limitations, and without introducing larger aircraft into National, the number of passengers will increase by 6 million in 1980.

The high-density traffic airport regulations are scheduled to become effective on June 1, 1969, and to expire 6 months

later or December 31, 1969. If the Department of Transportation waits to evaluate the results, it could be another year before CAB hearings are held.

Mr. President, I am disappointed by the failure to move ahead with this investigation. Any further lengthy delays would be unconscionable. I hope the hearings now being held by the Senate Committee on the District of Columbia will impress the Department of Transportation and the CAB with the urgency of the situation. We know the problem and we know the solution. What we need now is to act.

ORDER FOR ADJOURNMENT

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until noon tomorrow.

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

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.

ADJOURNMENT

Mr. KENNEDY. Mr. President, I move, in accordance with the previous order, that the Senate stand in adjournment until noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 32 minutes p.m.) the Senate adjourned until tomorrow, Thursday, March 27, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nomination received by the Senate March 25, 1969, under authority of the order of March 24, 1969:

HOUSING AND URBAN DEVELOPMENT

Harold B. Finger, of Maryland, to be an Assistant Secretary of Housing and Urban Development.

Executive nominations received by the Senate March 26, 1969:

DEPARTMENT OF THE INTERIOR

Harrison Loesch, of Colorado, to be an Assistant Secretary of the Interior.

COMMODITY CREDIT CORPORATION

Kenneth E. Frick, of California, to be a member of the Board of Directors of the Commodity Credit Corporation.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 26, 1969:

DEPARTMENT OF JUSTICE

Charles H. Rogovin, of Massachusetts, to be Administrator of Law Enforcement Assistance.

DEPARTMENT OF LABOR

Jerome M. Rosow, of New York, to be an Assistant Secretary of Labor.

APPALACHIAN REGIONAL COMMISSION

John B. Waters, Jr., of Tennessee, to be Federal cochairman of the Appalachian Regional Commission.

HOUSE OF REPRESENTATIVES—Wednesday, March 26, 1969

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Finally, brethren, be of one mind, live in peace; and the God of love and peace shall be with you.—2 Corinthians 13: 11.

Eternal Spirit, who art ever speaking to man and always seeking to lead Thy children into the ways of peace, we pray for our country.

Strengthen our leaders that they may walk with Thee as they carry their responsibilities. Sustain our people that in true service and with humble hearts they may usher in a new day of peace by doing Thy will.

So unite us in our love for Thee and by our confidence in one another that together we may hasten the day when "Nation shall not lift up sword against nation, neither shall they learn war any more."

With this creative faith and this courageous spirit may we march forward together toward a greater nation and a better world.

In the name of the Prince of Peace we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

MARCH 25, 1969.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 4:40 p.m., on Tuesday, March 25, 1969, and said to contain a Message from the President transmitting the report for fiscal year 1968 on the interna-

tional educational and cultural exchange program.

With kind regards, I am,
Sincerely,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

REPORT FOR FISCAL YEAR 1968 ON INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I herewith transmit the report for fiscal year 1968 on the international educational and cultural exchange program conducted under the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256). During fiscal year 1968, 6,777 teachers, scholars, and distinguished leaders were involved in this program in the United States and in 126