

By Mr. BURTON of California:
H.J. Res. 617. Joint resolution authorizing the President to proclaim the year 1970 as a period to honor the citizen juror and Edward Bushell; to the Committee on the Judiciary.

By Mr. DUNCAN:
H.J. Res. 618. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. HOGAN:
H.J. Res. 619. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. KARTH:
H.J. Res. 620. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. McCLURE:
H.J. Res. 621. Joint resolution proposing an amendment to the Constitution of the United States providing for representation in the Congress for the District constituting the seat of government of the United States; to the Committee on the Judiciary.

By Mr. CELLER:
H. Con. Res. 192. Concurrent resolution to reprint brochure entitled "How Our Laws Are Made"; to the Committee on House Administration.

By Mr. DENT (for himself and Mr. CLEVELAND):
H. Con. Res. 193. Concurrent resolution authorizing the printing as a House document of a revised edition of "The Capitol", and providing for additional copies; to the Committee on House Administration.

By Mr. ROONEY of Pennsylvania:
H. Con. Res. 194. Concurrent resolution re-

affirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CLAY (for himself and Mr. LOWENSTEIN):
H. Res. 352. Resolution to abolish the Committee on Internal Security and enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. PEPPER:
H. Res. 353. Resolution that the President should urge the governments of friendly countries to suspend air travel to and from countries which do not return hijackers; to the Committee on Foreign Affairs.

By Mr. WOLD:
H. Res. 354. Resolution authorizing the printing as a House document of the public speeches of former President Dwight D. Eisenhower; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

98. The SPEAKER presented a memorial of the Legislature of the State of California, relative to flood control and water reclamation assistance, which was referred to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BROYHILL of Virginia:
H.R. 9813. A bill for the relief of Mrs. Jane Stewart; to the Committee on the Judiciary.

By Mr. DE LA GARZA:
H.R. 9814. A bill for the relief of Harry J. Coyne, Sr.; to the Committee on the Judiciary.

By Mr. GUDE:
H.R. 9815. A bill for the relief of Charles B. Eaton; to the Committee on the Judiciary.

By Mr. HAGAN:
H.R. 9816. A bill for the relief of Dr. Cheng Tsuau Su; to the Committee on the Judiciary.

By Mr. HOGAN:
H.R. 9817. A bill for the relief of Clarence T. Barbee; to the Committee on the Judiciary.

H.R. 9818. A bill for the relief of Cheng-hual Li; to the Committee on the Judiciary.

By Mr. KING:
H.R. 9819. A bill for the relief of Anoop Kumar Gupta; to the Committee on the Judiciary.

By Mr. MINISH:
H.R. 9820. A bill for the relief of Sgt. Ernie D. Bethea, USMC (retired); to the Committee on the Judiciary.

PETITIONS, ETC.

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

85. By the SPEAKER: Petition of the City Council, Takoma, Wash., relative to development of a process for the clean conversion of coal reserves in the south Puget Sound region to energy and chemicals; to the Committee on Interior and Insular Affairs.

86. Also, petition of the City Council of Elizabeth, N.J., relative to sending offensive literature through the mails; to the Committee on Post Office and Civil Service.

SENATE—Tuesday, April 1, 1969

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

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

O Lord of creation and redemption, while the millions of mankind keep this holy week, enable us to make each day a holy day. Grant that every duty done, every service rendered, every word uttered, every decision made may have the sanctifying touch of the divine spirit. Renew us in the depths of our being that we may have a full share in the building of a nation whose soul is cleansed and whose mind is "stayed on Thee."

Through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, March 31, 1969, be dispensed with.

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

MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of March 27, 1969, the Secretary of the Senate, on March 28, 1969, received a message in writing from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on March 28, 1969, see the end of proceedings of today, April 1, 1969.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that pursuant to the provisions of section 1, Public Law 86-420, the Speaker had appointed Mr. LLOYD, of Utah, as a member of the U.S. delegation of the Mexico-United States Interparliamentary Group.

The message also informed the Senate that pursuant to the provisions of section 1, Public Law 86-420, the Speaker had appointed Mr. LUJAN, of New Mexico, as a member of the U.S. delegation of the Mexico-United States Interparliamentary Group to fill the existing vacancy thereon.

The message announced that the House had passed a bill (H.R. 7757) to authorize appropriations during the fiscal year 1969 for procurement of aircraft for the Armed Forces, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (H.J. Res. 584) making supplemental appropriation for the fiscal year ending June 30, 1969, and

for other purposes, and it was signed by the Vice President.

HOUSE BILL REFERRED

The bill (H.R. 7757) to authorize appropriations during the fiscal year 1969 for procurement of aircraft for the Armed Forces, and for other purposes, was read twice by its title and referred to the Committee on Armed Services.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

THE 50TH ANNIVERSARY OF THE AMERICAN LEGION

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a resolution passed by the American Legion on its 50th anniversary.

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

RESOLUTION

Whereas, on Tuesday, March 11, the Senate and the House of Representatives of the United States adopted resolutions: 1) salut-

ing The American Legion on the occasion of its Fiftieth Anniversary; 2) calling on the American people to commend the Legion upon its achievements during its fifty years of service to God and Country; 3) acknowledging the need for a service organization such as The American Legion in our American society; 4) expressing the hope that the outstanding work of The American Legion will continue during the next half century; and; 5) pledging continuing cooperation with the men and women of The American Legion in their programs of service to community, state and nation; and

Whereas, many members of the Congress in recent speeches have commended and paid tribute to the Legion on its Golden Anniversary; and

Whereas, The American Legion is deeply grateful for these splendid tributes; Now, therefore, be it

Resolved, by the National Executive Committee of The American Legion in special meeting assembled in Washington, D.C. on this 15th day of March 1969, that The American Legion expresses its thanks and appreciation to the Majority and Minority leadership of both the Senate and the House of Representatives and to all other members of the 91st Congress for their thoughtfulness and expressions of esteem; and, be it

Further resolved, that the National Executive Committee pledges to the Congress of the United States The American Legion's continued cooperation and its determination to remain a vibrant and stable force in American life as it charts its course for the next half century to new heights of service for God and Country.

SENATOR MANSFIELD INTERVIEWED ON "MEET THE PRESS"

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have a transcript of a television show in which I participated, "Meet the Press," be printed at this point in the RECORD.

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

MEET THE PRESS, MARCH 30, 1969

Produced by Lawrence E. Spivak.

Guest: Senator Mike Mansfield (D. Mont.), Majority Leader, U.S. Senate.

Moderator: Bill Monroe.

Panel: William Theis, Hearst newspapers; Samuel Shaffer, Newsweek; John W. Finney, New York Times; Lawrence E. Spivak, permanent panel member.

Mr. MONROE. Our guest today on "Meet the Press" is Senator Mike Mansfield of Montana, Majority Leader of the United States Senate since 1961. Senator Mansfield is a member of the Foreign Relations Committee and the Appropriations Committee.

We will have the first questions now from Lawrence E. Spivak, Permanent Member of the "Meet the Press" panel.

Mr. SPIVAK. Senator Mansfield, Tomorrow will be exactly a year since President Johnson took himself out of the race for the Presidency and stopped the bombing in order to speed negotiations for peace.

Do you think we have made any significant progress towards peace?

Senator MANSFIELD. No, not of any significance. The only significant factor that I am aware of is the statement made by President Thieu the other day that he would be willing to meet with the NLF, the political arm of the Viet Cong, and also at the same time in which he stated that he did not believe that the bombing of the North should be resumed.

Mr. SPIVAK. Have you any reason to believe that the Administration's secret negotiations are being more productive towards peace than the public negotiations suggest?

Senator MANSFIELD. Yes, indeed. How much I am not aware, but some progress has been

made in that direction. How much I cannot say.

Mr. SPIVAK. Do you have any hope that we will get a peace treaty before the end of '69?

Senator MANSFIELD. Well, I would hope so. I think we have got to make every effort and we ought to get away from this act-react syndrome that has been developing in Vietnam since the President's announcement of a year ago, and most especially since the stopping of the bombing around the first of November last year.

Mr. SPIVAK. Senator, some members of Congress, including you have been pressing President Nixon for a new American initiative for peace in Vietnam. Are there many new initiatives available to him, really?

Senator MANSFIELD. None of any real consequence, because with the passage of time, with the duration of the war, his options have decreased as had President Johnson's before him, but it does appear to me that what is necessary is a move like that suggested by President Thieu by means of which the NLF and the Saigon government will get together because they are both South Vietnamese and if there is going to be peace in Vietnam, its got to be between those two elements which reside in that country. Then I think it is proper that the U.S. and Hanoi get together and try and work out questions concerning deescalation of the fighting, troop withdrawal and other related matters.

Mr. SPIVAK. Senator, during the campaign President Nixon said he had a plan to end the war. As far as you know, has this plan been tried and failed? Is it quietly being put into effect?

Senator MANSFIELD. I have no idea what it is.

Mr. SHAFER. Senator Mansfield, one short follow-up on the question asked by Mr. Spivak, on President Nixon's secret plan for ending the war. Have you or any other Congressional leader been given an inkling of that plan by the President?

Senator MANSFIELD. No, and I don't think we should. If he wants privacy, he should have it. This matter is going to be concluded not in public, not by telling too many members of the Congress but by his negotiators getting into contact in a side room, a back room or somewhere in private so that a political settlement of responsible proportions can be achieved.

Mr. SHAFER. Now, Senator, I want to ask you about what is currently the biggest fuss in Congress, and looks as if it is going to continue that way for weeks and months. The anti-missile system. How do you assess the chances of beating the ABM in the Senate?

Senator MANSFIELD. I would say it is the most immediate issue being given the most overt prominence by the Senate at this time, but I would say the great issue is still Vietnam, as it is in effect underlying what we are discussing now.

As far as the ABM situation is concerned, there will be much probing into that. There will be a great debate on the subject. As far as the votes go, my best guess—and it would be only a guess—is that at the present time it would be a standoff.

Mr. SHAFER. Do you agree with Senator Gore of Tennessee, who is one of the opponents of the ABM system, that this will cause a senseless arms race and poses a potential disaster to mankind?

Senator MANSFIELD. Yes, generally speaking I do, although I am trying to keep an open mind on the subject. I am personally being affected by what is going to happen because one of the sites is in my own State. I am doing this, even though my prejudice is pretty well known, not only during the course of the debate this year but even during the course of the previous Administration.

Mr. SHAFER. But if this is something that is in the interests of mankind and you are still short of votes to beat it, you have enough Senators there who could mount a successful filibuster to stop it. Would you

participate in or countenance a Senate filibuster?

Senator MANSFIELD. I don't believe much in filibusters because I think that they are counter-productive to the objective desired. I would hope that we would face up to this issue on the basis of our individual responsibility and vote according to what we think is the best way to face this particular problem, which could develop into an arms race of tremendous proportions and bring about greater internal insecurity at home.

Mr. FINNEY. Senator, don't we have a convergence developing here in the Senate between the ABM issue and the Vietnam issue, and an overall new skeptical attitude toward the military?

Senator MANSFIELD. Without question.

Mr. FINNEY. This brings us back to this question of Vietnam. Obviously one of the important factors in the Administration's thinking and approach towards negotiations in Paris is how long the doves are going to stay quiet.

Senator MANSFIELD. Well, the doves, so-called, have stayed quiet since the President made his speech of renunciation a year ago tomorrow. I have been very much impressed with the discretion and understanding shown. However, rumblings are heard, discontent is spreading and while very few members have spoken up to this time, with the passage of time more and more members are going to make their views known. I am very much aware of the fact that the President is aware of this discontent, this feeling of uneasiness not only in the Senate but among the American people as a whole and I am sure that in his own way he is trying to do everything he possibly can to bring this barbarous and tragic and futile war to what he has referred to as a responsible settlement.

Mr. FINNEY. You, in an earlier answer, seemed to give a little—display a little discontent yourself. You talked about the action-reaction syndrome that has developed. Are you suggesting by that that the United States bears a share of the responsibility for the recent escalation of the military activities in Vietnam?

Senator MANSFIELD. Oh, yes, because it is my understanding that once the bombing of the North stopped completely—that is, below the 20th parallel—that instructions were given to General Abrams to keep the pressure on. When you do that, they will come back and you have the act-react syndrome. It is my further understanding that within ten days of the stopping of the bombing of the North that a number of North Vietnamese regiments withdrew into Cambodia and Laos. Maybe that was the time—of course, this is hindsight on my part—that we might have been able to develop a situation which would have called for a cease-fire and standfast, which would have been helpful, in my opinion, to the negotiations at Paris.

Mr. THEIS. Senator, the Communist shelling of Saigon and other cities continues. I believe there were some more rockets, today, into Saigon.

If this continues, would you countenance a military foray into Cambodia, or Laos, as has been suggested as an option, to knock out the Communist bases, there, and you think Prince Sihanouk, for example, would go along, as has been suggested in some reports?

Senator MANSFIELD. No, I would not countenance such a move and I don't think Norodom Sihanouk would go along because it would mean an invasion of his country, it would very likely mean the entrance into the war of Cambodia and instead of trying to bring about a deescalation and a possible peace. I think the war would be enlarged, more Americans would be needed and a difficult situation made more dangerous.

Mr. THEIS. You have maintained rather personal contact with Prince Sihanouk and that whole area. Do you have any personal doubt that Cambodia is being used by the

North Vietnamese, the Viet Cong, as a way station, a military way station?

Senator MANSFIELD. No, I have no doubt that both Cambodia and Laos are being used but I do not think the way to bring about an end to this barbaric struggle is to go through an invasion of the Kingdom of Cambodia, itself.

Mr. SPIVAK. Senator, I'd like to ask you one question on Viet Nam. I know you are against unilateral withdrawal of troops in Viet Nam, but do you think a token withdrawal to indicate U.S. intentions might serve a useful purpose at this time?

Senator MANSFIELD. I think it would show to the Saigon government that we mean business about getting out in time and turning more and more of the responsibility over to them.

Mr. SPIVAK. Senator, on the ABM, did I understand you to say that you had not yet made up your mind as to how you are going to vote, that you are going to wait for the debate?

Senator MANSFIELD. No, I did not say I hadn't made up my mind. I did say I was trying to keep an open mind in spite of my prejudices, made known during two administrations, against the ABM. But I think President Nixon ordered a review on his own responsibility, tried to look at all the options open to him in this area, with an open mind, and if he can be that responsible, I think I in turn can be just as responsible.

Mr. SPIVAK. Didn't the Congress vote under the Johnson administration to deploy the ABM system? Didn't they vote the money for deployment? What happened to change the situation over the last year, Senator?

Senator MANSFIELD. Well, I must reiterate I was one of those who voted three times against this proposal during the last year of the Johnson administration, but I think since that time there has been a greater recognition of the fact that, as in Viet Nam, where you have an act-react pattern, that here you might develop the same kind of action. If we were to build a number of bases we are told that the Russians would understand that they were defensive and would do nothing. In my opinion, the Russians will match us base for base and maybe more and the end result will not be \$6.1 billion for a very thin system around missile bases to defend sites, not people, and the figure could become astronomical.

Mr. SPIVAK. Senator, when he left office in 1961, President Eisenhower warned the American people against the influence of the military-industrial complex. How do you appraise that influence today in the United States?

Senator MANSFIELD. Well, I think there is such a complex and I would add the labor unions to it, so it would be a military-industrial-labor union complex, but I do not think it is a deliberate complex. I think it is just because of the great stress placed on scientific development, technology and the like in the past twenty years, which has drawn these various elements together. I do not doubt the patriotism of these people who are in it. I do doubt their judgment.

Mr. SHAFFER. Senator Mansfield, when I interviewed you in your office a few days ago, we touched on the Viet Nam war and you said, "We have to get out. We never should have gotten in."

Will you vote for appropriations to continue financing the war?

Senator MANSFIELD. Yes, I will, because the men who are out there should be given every protection. They are there not by choice but because they have been ordered to go there by their government and, despite my great distaste for the Vietnamese war, going back to even before it began, I feel that I have an obligation to these youngsters who are carrying out their obligations as citizens of a country.

Mr. SHAFFER. Senator, this has been called on the Senate Floor, McNamara's war, John-

son's war. How long, in your opinion, will it be before it is thought of and called Nixon's war?

Senator MANSFIELD. I hope never. I hope sincerely that the President will be able to reach a responsible settlement before that stage can be reached, but after all, it is hard to call it his war. He didn't inaugurate it, all he did was inherit it.

Mr. SHAFFER. Isn't the public patience and the Congressional patience getting very thin and won't the distaste for this finally turn against the President if the war continues?

Senator MANSFIELD. Very likely. That is the way of politics, that is the way emotions run. It is unfortunate but that is a good assumption.

Mr. FINNEY. Let's try to pin you down to some time period, if we can, on this. Has the administration two months, six months? How long does it have?

Senator MANSFIELD. I couldn't say. It is up to each individual senator's judgment, speaking for the Senate, as to when he thinks he should speak out and make his views known. I feel just as badly as any member of the Senate who is opposed to the war but I feel just as strongly that the President ought to be given some leeway and allowed to exercise some flexibility in his great responsibility.

Mr. FINNEY. If we can turn to Congress, Senator, the new has been in session now for three months. During that period you have done some housekeeping legislation, you have voted yourself a pay raise, you have approved the nonproliferation treaty. Aside from that, you have done very little.

When is this new Congress going to start legislating?

Senator MANSFIELD. Well, we are still waiting for the President to let us have the benefit of his suggestions and proposals. We are waiting especially for the next budget to show up. We really can't get down to business until that is sent down, even though at the present time, three or four subcommittees are working on the old Johnson proposals.

It is my opinion that we haven't done much up to this time—not because we aren't eager and ready and willing but maybe it is just as good that we haven't done so much. Maybe in the past eight years we have passed too much legislation. Now it is time to get down to bedrock, see that the administrative overhead is reduced, that the intent of the Congress is carried out and the moneys are spent as the Congress intended.

I look for this Congress to be an appropriation-minded, oversight-oriented Congress and I do not anticipate much in the way of new legislation, nor do I think much is needed.

Mr. FINNEY. Turning to appropriations, obviously one area that can be cut—not can be cut, necessarily, but that will be subject to close scrutiny in Congress—is the military budget. Do you think it is perhaps time to revive your idea of reducing our troop strength in NATO?

Senator MANSFIELD. No, I do not, and I make that statement most reluctantly. I feel that in view of the situation which developed in Czechoslovakia last August that for the time being we have to stand fast. Basically, I still feel that, having 300,000 troops and 300,000 dependents in Western Europe is entirely too much, too many, too costly; that they should have been reduced years ago but in view of the Czechoslovakian situation I must, for the time being, hold my fire.

Mr. THEIS. Senator, going back to the matter of budget cuts in the economy, the White House has indicated that they are being advised that inflation has peaked and it should turn down. How serious do you regard the inflation situation? Is it a temporary, passing thing?

Senator MANSFIELD. I am not an economist, Mr. Theis. I hope the White House is right

but I think we can help in trying to bring about a ten to twelve billion dollar reduction in appropriations this year and to insist at the same time—as we did with President Johnson—that President Nixon and his people in the executive branch, with the cooperation of the Congress—not alone—bring about a five to six billion dollar reduction in expenditures, because we are spending too much money, appropriating too much money and there are many places where cuts can and should be made.

Mr. THEIS. Well, traditionally in Congress when all the supplemental appropriations are added up at the end of the year, some of those cuts have not shown up in a net term.

The Democrats are still in control of Congress. Will the Democratic leadership take the lead if the Administration doesn't have the votes to see that there is a substantial reduction, and you can't have an increased surplus?

Senator MANSFIELD. We will.
Mr. SPIVAK. Senator, earlier this year you said the United States has no hard and fast commitment to go to the aid of Israel. What should our role in the Middle East be, in your judgment?

Senator MANSFIELD. Well, what it is now. Working together with France, the United Kingdom and the Soviet Union and in that way see if we can't bring about a meeting between Israel and the Arab states to the end that they can work out a final solution to the difficulties which have been in existence since the Six Day War.

Mr. SPIVAK. Don't you think, Senator, it would be better if all the nations, the big nations, stayed out of the Middle East altogether and allowed the Arabs and the Israelis to settle their own problem?

Senator MANSFIELD. If it could be done, yes. The Israelis seem to think it can be done. I do not agree with them in that respect and I think it is going to take the meeting of the big powers to see if they can't collectively, and working through the Jarring mission, bring about a settlement to that tempestuous area.

Mr. SPIVAK. Just what do you think the big powers can do, particularly if the Arabs and the Israelis refuse to accept any kind of imposition?

Senator MANSFIELD. Well, there are many things that could be done. There could be an arms embargo all the way around on the part of the Soviet Union and the United States who are the two chief suppliers at the present time to that area. There are certain questions, of course, which have to be considered. For example, the Israeli position in so far as the Golan Heights are concerned. Free passage of the Gulf of Aqaba, the control of Sharm el Sheik which guards the entrance, the reopening of the Suez Canal which is fast losing its economic significance. The return in some part at least, of the area on the west bank of the Jordan and the area of the Sinai Peninsula and the Gaza Strip.

Mr. SPIVAK. Senator, you have said we have no commitment to go to the aid of Israel. What would we do if the Russians went to the aid of the Arabs, though, in a military way? Could we possibly stay out of the Middle East?

Senator MANSFIELD. It would be quite difficult, but there you are asking me a question which could better be directed to the President of the United States. I would point out that the only legal tie that we had there that I know of is the so-called Eisenhower Resolution which is applicable to all countries in the area equally and is subject, I think, to only one condition and that is a threat from the outside of communism.

Mr. SPIVAK. Senator, may I ask one more question: In December of this year you urged President Nixon to visit with President de Gaulle and other Western European heads of state, soon after he took office, and I think he did that. I don't know whether it was your instigation or not, but he certainly did it.

Senator MANSFIELD. Not mine; his own, I am sure.

Mr. SPIVAK. Do you think the time has now come for a summit meeting with the Russians?

Senator MANSFIELD. No, I think President Nixon is right that the groundwork should be laid first before there is a summit meeting. I would hope that is being done, especially in the field of disarmament, that it would not be on a linkage basis, tying in all the other questions on which there are differences. I would hope that a summit meeting would be held between Mr. Nixon and Kossygin and Brezhnev at an appropriate time—not too long, I would hope—and on the basis of results which had been achieved at a lower level and for the purpose of, in effect, putting the imprimatur of the chiefs of state on any agreements which had been reached. It is mandatory that the two countries get together for the sake of the peace of the world.

Mr. SHAFFER. Senator Mansfield, there is a lot of griping right now over the tax load people are carrying. Do you favor extending the ten percent surtax?

Senator MANSFIELD. Reluctantly, yes, but only on the basis of what I said previously, that there should be tied with it a five to six billion dollar reduction in expenditures and a \$10 to \$12 billion reduction in appropriations.

Mr. SHAFFER. In connection with that your colleague, Senator Teddy Kennedy, has suggested tying tax reform to the extension of a surtax.

Senator MANSFIELD. A good idea.

Mr. SHAFFER. Well, what loopholes would you like to see plugged? I understand you are against plugging the 27½ percent oil depletion allowance.

Senator MANSFIELD. That is correct. I come from an oil-producing state. But I would point out that there are a number—150 I believe is the figure—of people who earn one million dollars or more a year who pay no income taxes. What I would like to see is tax reforms made in all areas and at the same time an increase in the exemption from \$600 per person which was put in in 1914, and is of no significance today, to at least \$1,000 or \$1200.

Mr. SHAFFER. But is there time for Congress to attach tax reforms to the extension of the surtax, which expires on June 30?

Senator MANSFIELD. Yes. We can do it at any time if we get the proper measure before us, at least as far as the Senate is concerned, even though tax measures must originate in the House.

Mr. MONROE. We have less than three minutes, which may mean a lot of room for questions with Senator Mansfield's short, snappy answers.

Mr. FINNEY. Senator, as you mentioned earlier, one of the Minuteman bases that is going to be protected is out in your home state. I wonder what you are hearing from back home. Are you getting any pressure from this military-industrial-union complex to go ahead with this system?

Senator MANSFIELD. Well, some chambers of commerce, some bankers, some contractors are for it, but the people, on the basis of what I have heard to this date, are not for it.

Mr. FINNEY. Thus far this whole ABM debate has really been a very bipartisan thing. The partisan element hasn't come into it. But as you know, Senator Kennedy is sponsoring a book on this issue which will be, presumably, against the ABM deployment.

Is there a danger, here, of a collision or confrontation in a personal political sense developing between Senator Kennedy and the Nixon administration?

Senator MANSFIELD. Well, there is always that danger. Senator Kennedy being who he

is and President Nixon being where he is, but I would hope most devoutly that this would not develop into a partisan issue because it is too big for that and it is the welfare of the country that ought to come ahead of the welfare or the success of a party.

Mr. THEIS. Senator, as a former college professor and who, if he had his druthers, might want to go back sometime, how would you deal with the present campus unrest?

Senator MANSFIELD. Well, I believe in demonstrations. I believe in dissent because it is guaranteed under the Constitution, but I do not believe in violence, nor in license, and I think that a mini-minority of the students in college, today, are putting a great blot on the image of the great majority of the students. After all a student is a transitory person going through a college just like a Senator is a transitory person going through Congress. It is the institution which counts. It is the institution which must survive and if these people cannot obey the laws of the land then I think the question of suspension should be given serious consideration, as well as the question of expulsion. The educational institution must live.

Mr. THEIS. That is a local decision but would you have federal funds going to students withdrawn if they are either expelled or convicted of a serious offense—

Senator MANSFIELD. That decision has been made because the Congress passed a law last year which leaves it up to the discretion of the local administrators, the presidents or the chancellors or whatnot. They have not done anything in that respect. They say there is a Constitutional question involved. I say take it to the courts and find out.

Mr. THEIS. You would not see the present law changed?

Senator MANSFIELD. No.

Mr. SPIVAK. Senator, do you think inflation is going to be halted in this country short of wage and price controls?

Senator MANSFIELD. Well, I felt so a long time ago, I recommended to President Johnson as long ago as three years ago that we ought to seriously consider the imposition of wage and price controls to combat inflation and also the restoration of Regulation-W, which would cut down on credit buying which amounts to about \$130 billion in this nation, today.

Mr. MONROE. I am sorry to interrupt, but our time is up. Thank you, Senator Mansfield, for being with us today on "Meet the Press."

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

FUNERAL SERVICE FOR FORMER PRESIDENT DWIGHT DAVID EISENHOWER

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD the text of the funeral service for the Honorable Dwight David Eisenhower at Washington Cathedral, on Monday, March 31, 1969, together with the scriptural selection and prayers by the Reverend Dr. Edward L. R. Elson, Chaplain of the Senate.

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

FUNERAL SERVICE FOR THE HONORABLE DWIGHT DAVID EISENHOWER, 1890-1969, MARCH 31, 1969, 4:30 O'CLOCK IN THE AFTERNOON, WASHINGTON CATHEDRAL, WASHINGTON, D.C.

THE ORDER OF SERVICE

Organ prelude:
Chorale-Prelude, "Schmücke dich, o liebe Seele", Johann Sebastian Bach; Chorale-Prelude, "O Welt, ich muss dich lassen", Johannes Brahms.

The Ministers, meeting the body, and going before it, will escort it to the place of honor in the Crossing of the Cathedral, while the people stand and the choir sings:

"The Palms" by J. Fauré:

"O'er all the way green palms and blossoms gay
Are strewn this day in festal preparation,
Where Jesus comes to wipe our tears away,
E'en now the throng to welcome him prepare.

"Join all and sing, his Name declare,
Let ev'ry voice resound with acclamation,
Hosanna! Praised be the Lord,
Bless him who cometh to bring us salvation.

"His word goes forth and peoples by its might
Once more regain freedom from degradation,
Humanity doth give to each his right,
While those in darkness find restored the light.

"Refrain

"Sing and rejoice, O blest Jerusalem,
Of all thy sons sing the emancipation,
Through boundless love the Christ of Bethlehem
Brings faith and hope to thee for evermore.
"Refrain."

The opening sentences.
The Dean of the Cathedral will then offer the following prayer: "Remember thy servant Dwight David, O Lord, according to the favour which thou bearest unto thy people, and grant that, increasing in knowledge and love of thee, he may go from strength to strength, in the life of perfect service, in thy heavenly kingdom; through Jesus Christ our Lord, who liveth and reigneth with thee and the Holy Ghost ever, one God, world without end. Amen."

Minister and People: "Our Father, who art in heaven, Hallowed be thy Name. Thy kingdom come, Thy will be done, On earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For thine is the kingdom, and the power, and the glory for ever and ever. Amen."

Hymn (sung by all, standing):
"A mighty fortress is our God,
A bulwark never falling;
Our helper he amid the flood
Of mortal ills prevailing;
For still our ancient foe
Doth seek to work us woe;
His craft and power are great,
And, armed with cruel hate,
On earth is not his equal!

"Did we in our own strength confide,
Our striving would be losing;
Were not the right man on our side,
The man of God's own choosing;
Dost ask who that may be?
Christ Jesus, it is he;
Lord Sabaoth his Name,
From age to age the same,
And he must win the battle."

Martin Luther, 1529.

Psalms 46 and 121 (read responsively) Led by the minister of the National Presbyterian Church:

"God is our refuge and strength, a very present help in trouble.

"Therefore will we not fear, though the earth be removed, and though the mountains be carried into the midst of the sea;

"Though the waters thereof roar and be troubled,

"*Though the mountains shake with the swelling thereof.*

"There is a river, the streams whereof make glad the city of God,

"*The holy place of the tabernacles of the Most High.*

"God is in the midst of her; she shall not be moved:

"*God will help her, and that right early.*

"The nations raged, the kingdoms were moved: he uttered his voice, the earth melted.

"*The Lord of hosts is with us; the God of Jacob is our refuge.*

"Come, behold the works of the Lord,

"*What desolations he hath made in the earth.*

"He maketh wars to cease until the end of the earth:

"*He breaketh the bow, and cutteth the spear in sunder; he burneth the chariots in the fire.*

"Be still, and know that I am God: I will be exalted among the nations, I will be exalted in the earth.

"*The Lord of hosts is with us; the God of Jacob is our refuge.*

"I will lift up mine eyes unto the hills: from whence shall my help come?

"*My help cometh from the Lord, who made heaven and earth.*

"He will not suffer thy foot to be moved: he that keepeth thee will not slumber.

"*Behold, he that keepeth Israel will neither slumber nor sleep.*

"The Lord is thy keeper: the Lord is thy shade upon thy right hand.

"*The sun shall not smite thee by day, nor the moon by night.*

"The Lord will preserve thee from all evil: he will preserve thy soul.

"*The Lord will preserve thy going out and thy coming in from this time forth, and even for evermore.*

"Glory be to the Father, and to the Son, and to the Holy Ghost;

"*As it was in the beginning, is now, and ever shall be, world without end. Amen.*"

"The Apostles' Creed" (said by all): "I believe in God the Father Almighty, Maker of heaven and earth: And in Jesus Christ his only son, our Lord; who was conceived by the Holy Ghost, born of the Virgin Mary, suffered under Pontius Pilate, was crucified, dead, and buried; he descended into hell; the third day he rose again from the dead; he ascended into heaven, and sitteth on the right hand of God the Father Almighty; from thence he shall come to judge the quick and the dead.

"I believe in the Holy Ghost; the holy Catholic Church; the communion of saints; the forgiveness of sins; the resurrection of the body; and the life everlasting. Amen."

THE READING OF THE SCRIPTURES (PEOPLE SEATED)

The congregation will remain seated while Psalm 23 is sung by the Cathedral choir to the words and music of the Scottish Psalter.

"The Lord's my Shepherd, I'll not want;
He makes me down to lie
In pastures green; he leadeth me
The quiet waters by.

"My soul he doth restore again;
And me to walk doth make
Within the paths of righteousness,
E'en for his own Name's sake.

"Yea, though I walk in death's dark vale,
Yet will I fear none ill;
For thou art with me; and thy rod
And staff me comfort still.

"My table thou hast furnished
In presence of my foes;
My head thou dost with oil anoint,
And my cup overflows.

"Goodness and mercy all my life
Shall surely follow me;
And in God's house forevermore
My dwelling place shall be. Amen."

Memorial and pastoral prayers.

Benediction by the Bishop of Washington: "Unto God's gracious mercy and protection we commit Dwight David. The Lord bless him and keep him. The Lord make his face to shine upon him, and be gracious unto him. The Lord lift up his countenance upon him, and give him peace, both now and evermore.

"And now may the God of peace, who brought again from the dead our Lord Jesus Christ, the great Shepherd of the sheep, through the blood of the everlasting covenant; Make you perfect in every Good work to do his will, working in you that which is well pleasing in his sight; through Jesus Christ, to whom be glory for ever and ever. Amen."

Hymn (sung by all, standing):

"Onward, Christian soldiers,
Marching as to war,
With the cross of Jesus
Going on before!
Christ, the royal Master,
Leads against the foe;
Forward into battle,
See, his banners go.

"Onward, Christian soldiers,
Marching as to war,
With the cross of Jesus
Going on before!

"Like a mighty army
Moves the Church of God;
Brothers, we are treading
Where the saints have trod;
We are not divided,
All one body we,
One in hope and doctrine,
One in charity.

"Refrain.

"Onward, then, ye people,
Join our happy throng,
Blend with ours your voices
In the triumph song;
Glory, laud, and honor
Unto Christ the King;
This through countless ages
Men and angels sing.

"Refrain Amen."

During the singing of the hymn the Minister and Honorary Pallbearers take their places around the body and at the end of the hymn they escort it to the North Entrance while the United States Marine Band, the President's Own, plays "Army Blue."

Honors to the President played by the Marine Band.

As the body is carried down the steps of the Cathedral the Marine Band will play "Lead, Kindly Light."

The congregation leaves to the tolling of the Bourdon Bell.

OFFICIATING CLERGY

The Reverend Edward L. R. Elson, Minister,
National Presbyterian Church
The Very Reverend Francis B. Sayre, Jr.
Dean of Washington Cathedral

The Right Reverend William F. Creighton,
Bishop of Washington

Choir of the Washington Cathedral, Paul Callaway, organist.

SCRIPTURE SELECTIONS READ BY THE REVEREND DR. EDWARD L. R. ELSON, MINISTER, THE NATIONAL PRESBYTERIAN CHURCH, AT THE FUNERAL SERVICE OF PRESIDENT DWIGHT DAVID EISENHOWER, MARCH 31, 1969

Hear the reading of God's word, being excerpts from the Letters of Paul, the Apostle, and the words of our Lord Jesus Christ.

II Timothy 4:6 and 7: ". . . the time of my departure is at hand." "I have fought a good fight, I have finished my course, I have kept the faith."

Romans 8:14, 35, 37 to 39: "For as many as are led by the Spirit of God, they are the sons of God." "Who shall separate us from the love of Christ? shall tribulation, or distress, or persecution, or famine, or naked-

ness, or peril, or sword?" "Nay, in all these things we are more than conquerors through him that loved us." "For I am persuaded, that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come," "Nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord."

I Thessalonians 4:13, 14, and 18: "But I would not have you to be ignorant, brethren, concerning them which are asleep, that ye sorrow not, even as others which have no hope." "For if we believe that Jesus died and rose again, even so them also which sleep in Jesus will God bring with him." "Wherefore comfort one another with these words."

II Corinthians 4:5: "For we know that if our earthly house of this tabernacle were dissolved, we have a building of God, an house not made with hands, eternal in the heavens."

I Corinthians 13: 9 to 13: "For we know in part, and we prophesy in part." "But when that which is perfect is come, then that which is in part shall be done away." "When I was a child, I spake as a child, I understood as a child, I thought as a child: but when I became a man, I put away childish things." "For now we see through a glass, darkly; but then face to face: now I know in part; but then shall I know even as also I am known." "And now abideth faith, hope, charity, these three; but the greatest of these is charity."

I Corinthians 15: 57 and 58: "Thanks be to God, which giveth us the victory through our Lord Jesus Christ." "Therefore, my beloved brethren, be ye steadfast, unmovable, always abounding in the work of the Lord, forasmuch as ye know that your labour is not in vain in the Lord."

Ephesians 6: 10 to 18: "Finally, my brethren, be strong in the Lord, and in the power of his might." "Put on the whole armour of God, that ye may be able to stand against the wiles of the devil." "For we wrestle not against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this world, against spiritual wickedness in high places." "Wherefore take unto you the whole armour of God, that ye may be able to withstand in the evil day, and having done all, to stand." "Stand therefore, having your loins girt about with truth, and having on the breastplate of righteousness; "And your feet shod with the preparation of the gospel of peace;" "Above all, taking the shield of faith, wherewith ye shall be able to quench all the fiery darts of the wicked." "And take the helmet of salvation, and the sword of the Spirit, which is the word of God: "Praying always with all prayer and supplication in the Spirit."

Hear the words of our Lord Jesus Christ:

Matthew 5: 3, 4, 8, 9: "Blessed are the poor in spirit: for theirs is the kingdom of heaven." "Blessed are they that mourn: for they shall be comforted." "Blessed are the pure in heart: for they shall see God." "Blessed are the peacemakers: for they shall be called the children of God."

John 14 (adapted from the Presbyterian Book of Common Worship): "Jesus said: 'Let not your heart be troubled: ye believe in God, believe also in Me. In My Father's house are many dwelling places: if it were not so, I would have told you. I go to prepare a place for you. And if I go and prepare a place for you, I will come again, and receive you unto Myself; that where I am, there ye may be also. And whither I go ye know, and the way ye know. I am the way, the truth, and the life: no man cometh unto the Father, but by Me.

"These things have I spoken unto you, being yet present with you. But the Comforter, which is the Holy Spirit, whom the Father will send in My name, He shall teach you all things, and bring all things to your remembrance, whatsoever I have said unto you. Peace I leave with you, My peace I give unto you; not as the world giveth, give I

unto you. Let not your heart be troubled, neither let it be afraid.'"

PRAYERS BY THE REVEREND DR. EDWARD L. R. ELSON, MINISTER, THE NATIONAL PRESBYTERIAN CHURCH, AT THE FUNERAL SERVICE OF PRESIDENT DWIGHT DAVID EISENHOWER, MARCH 31, 1969

Almighty God, Father of mercies and Giver of all comfort, deal graciously, we pray Thee, with all those who mourn this day, that casting every care on Thee, they may know the consolation of Thy love, the healing of Thy grace, and the companionship of Thy presence. Through Jesus Christ our Lord.

Eternal Father, in whom we live and move and have our being, draw us close to Thee and let Thy light and joy fill our souls as we offer unto Thee the praise and thanksgiving of our hearts; for the mystery and wonder of life here and hereafter. We thank Thee that deep in the human heart is an unquenchable trust that life does not end with death, that the Father who made us will care for us beyond the bounds of vision even as He has cared for us in this earthly pilgrimage. We praise Thy name that our hope has been so wondrously confirmed in the life, the words and resurrection of our Lord Jesus Christ.

We give Thee thanks for all the sacred memories and hallowed recollections which cluster about this hour.

We thank Thee for Thy servant Dwight David. For his goodly heritage, his godly parents, his boyhood home and early training, and for his beloved companion of the years. We thank Thee for the nobility of his manhood, the integrity of his person, the hospitality of his mind and magnanimity of his spirit; for his steadfastness under provocation, for his gifts of reconciliation, for his kindness and his firmness, for his compassion and mercy, for his warm friendship, his transparent spirituality, his patience in suffering, and for all that endeared him to the multitudes of mankind. Especially do we thank Thee for his Christian testimony, for the depth and durability of his faith, for his constant witness to the spiritual basis of our common life, for his steadfastness in seeking to know and to do Thy will, and for his daily walk with Thee.

We thank Thee too for all the human graces with which Thou didst endow him—for his sheer joy in living, for his infectious humor, his zeal as sportsman and competitor, his love of beauty and his efforts to express it on canvas and in words, for his love of family and for the sanctity of his home.

O God, in whose sovereign will is the destiny of men and nations, who art a God of history and beyond history, we give Thee special thanks for the magnitude of his public service—for his military prowess in defense of freedom; for his leadership in winning and in conserving the peace; for his high service as President of the Republic. We give Thee thanks for his vast labors transcending all parties and faction, encompassing all men and nations, for his high vision of the better world toward which all men of good will strive, and for his devotion to that higher kingdom, the ruler of which is God and the law of which is love.

O Eternal Father, suffer us not to miss the glory of this hour. May a new spirit arise in us this day. Give us eyes to see and hearts to feel the undaunted courage, the invincible faith, the unconquerable love of Thy servant, Dwight David, that we may be true as he was true, loyal as he was loyal; that we may henceforth be good enough and great enough for our times. Through Jesus Christ our Lord. Amen.

And now, O Father, who doest all things well, with thankful hearts that Thou has given him to us for a season, we give Thy servant, Dwight David, back to Thy tender care, until the shadows flee away, and the brighter day dawns, when the visible and

invisible are as one in Thy higher kingdom. Through Jesus Christ our Lord. Amen.

TIME TO SQUELCH PETTY TYRANTS

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "Time To Squelch Petty Tyrants," published in the Chicago Tribune on Tuesday, April 1, 1969.

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

TIME TO SQUELCH PETTY TYRANTS

Sen. Everett Dirksen (R., Ill.) has said he will "go to the highest authority in this government to get somebody fired" if officials of the Equal Employment Opportunity Commission and the office of federal contract compliance persist in their "harassment" of employers.

It was Sen. Dirksen's warning to Clifford L. Alexander Jr., chairman of the EEOC, at a hearing with which Sen. Edward Kennedy (D., Mass.) made his debut as chairman of a judiciary subcommittee on administrative practices. Sen. Kennedy already had made his debut as a candidate for President in 1972 by calling for an accommodation of Red China, thus burnishing his image as a true "liberal," and the hearing on alleged discrimination in employment practices was an act of homage to another important bloc of voters: the Negroes.

Sen. Kennedy protested indignantly, therefore, when Sen. Dirksen told Alexander, a Negro, that a hearing he conducted in Los Angeles "resembled a carnival, a personal vendetta" against employers and unions, and was a travesty of the 1964 civil rights act.

Earlier Sen. Dirksen, on the Senate floor, had called for an investigation by the subcommittee of "many allegations in recent months that employers are being forced to comply with reckless and conflicting orders issued by a number of government departments under the threat that their federal contracts will be withdrawn if they do not knuckle under." He obtained consent to insert in the CONGRESSIONAL RECORD a series of articles from Barron's Weekly reviewing some of the more outrageous abuses of authority by administrative officials.

One article reported that federal road builders all over the country have warned the Senate public works committee that the federal highway program is "coming to a virtual standstill" because of the impossibility of complying with EEOC and OFCC regulations. A flagrant example of their intrusive and arbitrary meddling involved a \$5,000,000 highway contract awarded on Feb. 21, 1968, to Carl M. Geupel, of Columbus, O. Five days earlier the OFCC had issued a regulation saying each federal aid construction contract of \$500,000 or more must have its approval before going into effect.

Geupel was told that he would have to come up with an "affirmative action program" that would prevent discrimination in employment. He said he could not do that unless the federal agencies told him what they wanted. Later he was told to produce "managing tables by race," which would amount to a contractual undertaking to employ specific numbers of Negroes in each craft. Geupel said he could not do that because he obtained his workers thru a union hiring hall. He might have added that if he tried to get them elsewhere he would have a strike on his hands and the National Labor Relations board on his back.

On April 12 the bureau of public roads called for new bids on the job, but P. E. Hasheter, director of the Ohio public highway department, refused, protesting that it is "a matter of grave concern" when duly authorized representatives of the United

States enter into a contract and other representatives of the government "then order that agreement breached."

On May 22, Frank H. Weitzel, assistant controller general of the United States, ruled that no obligations not specified in advertisements for bids may be imposed upon road contractors after contracts have been awarded, but the federal agencies still refused to honor Geupel's contract. Finally Congress adopted an amendment to the 1968 highway act incorporating Weitzel's ruling and Geupel obtained permission to go ahead with the job. He said the delay would cost him \$200,000 to \$300,000 in increased wage rates alone, to say nothing of higher material costs.

To get around the highway act amendment, the Federal highway administration, last Oct. 1, issued order 7-2, requiring all road contractors to be "pre-qualified" and establishing vague procedures, which have all but stopped federal highway construction. California has been unable to start work on a 700-million-dollar program for 1969 because only two of its 300 contractors have been pre-qualified. In New York, which has re-qualified none, all work is being delayed.

Another horrible example is the case of the Allen-Bradley Co., of Milwaukee, now pending before Secretary of Labor George Shultz. On Jan. 16, W. Willard Wirtz, former secretary, upheld the finding of a hearing panel that while the company had not discriminated against individual applicants, its failure to undertake special recruitment of Negroes constituted grounds for debarment from all federal contracts. The company, which has asked Shultz to overrule the Wirtz decision, reminded the government that about 18,000 applicants walk in and apply for the 1,500 or so jobs it fills each year. To go out and recruit Negroes, it said, would be discrimination on account of race, in violation of the 1964 civil rights act.

The fantastic cost of shoes, clothing, and other consumers' goods, the years of waiting required for a car or an apartment, and the dismal failure of the agriculture program in communist Russia are examples of what will happen in this country if the proliferation of idiotic regulations and orders by petty tyrants is not stopped.

EXECUTIVE COMMUNICATIONS, ETC.

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

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 "Medical care," for the fiscal year 1969, had been reapportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

THE 1969 REGULAR NAVAL RESERVE OFFICERS TRAINING CORPS PROGRAM

A letter from the vice admiral, U.S. Navy, Chief of Naval Personnel, transmitting the list of principal and alternate candidates selected for the 1969 Regular Naval Reserve Officers Training Corps program, dated March 28, 1969 (with an accompanying list); to the Committee on Armed Services.

REPORT ON THE NATIONAL INDUSTRIAL RESERVE

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on the National Industrial Reserve, dated April 1, 1969 (with an accompanying report); to the Committee on Armed Services.

DISPOSAL OF PLATINUM FROM THE NATIONAL STOCKPILE

A letter from the Administrator of the General Services Administration, withdrawing proposed legislation to authorize the disposal of platinum from the national stockpile and the supplemental stockpile, submitted to the Congress on January 15, 1969; to the Committee on Armed Services.

SUMMER EMPLOYMENT OF DISTRICT PUBLIC SCHOOL TEACHERS

A letter from the Assistant to the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to amend title 5 of the United States Code with respect to pay received by public school teachers of the District of Columbia for employment during the summer vacation period (with accompanying papers); to the Committee on the District of Columbia.

PROPOSED LEGISLATION PROVIDING FOR CONSTRUCTION AND MODERNIZATION OF PUBLIC HEALTH CENTERS

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act to provide for grants for the construction and modernization of public health centers and public and nonprofit private facilities for long-term care, rehabilitation facilities, and diagnostic or treatment centers, to provide for loan guarantees for nonprofit private hospitals and other medical facilities, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

REPORT OF THE GIRL SCOUTS OF THE UNITED STATES

A letter from the National Executive Director of the Girl Scouts of the United States of America, transmitting, pursuant to law, a report on the activities of the Girl Scout organization for the fiscal year ending September 30, 1968 (with an accompanying report); to the Committee on Labor and Public Welfare.

REPORT OF THE OFFICE OF ECONOMIC OPPORTUNITY

A letter from the Acting Director of the Office of Economic Opportunity, transmitting, pursuant to law, a final report of an independent study and evaluation of the implementation of sections 210 and 211 of the Economic Opportunity Act, as of February 1969 (with an accompanying report); to the Committee on Labor and Public Welfare.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. ALLOTT, from the Committee on Interior and Insular Affairs:

Harrison Loesch, of Colorado, to be an Assistant Secretary of the Interior.

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

G. Fred Steele, Jr., of North Carolina, to be Federal Cochairman of the Coastal Plains Regional Commission.

W. Donald Brewer, of Colorado, to be Federal Cochairman of the Four Corners Regional Commission.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:
Concurrent resolution of the Legislative Assembly, State of North Dakota; to the Committee on Public Works:

"S. CON. RES. 16

"A concurrent resolution petitioning the secretary of transportation to review and amend the department of transportation's internal policies regarding highway beautification, so as to afford the continued operation of the outdoor advertising industry and allied industries, and affording local enterprises the opportunity to advertise in this manner, subject to state control and whereby said industries and enterprises of North Dakota would attain equality with similar industries and enterprises located in the more densely populated and developed states

"Whereas, on October 22, 1965, the Eighty-ninth Congress of the United States of America enacted public law 89-285, whereby the regulation of outdoor advertising adjacent to the interstate system and the state primary system was made the object of federal control; and

"Whereas, the purported legislative object of public law 89-285 was that the several states provide for the effective control of the erection and maintenance of outdoor advertising signs, displays, and devices located within six hundred sixty feet of the nearest edge of the right of way of the respective highway systems. Provided further that such signs, displays and devices shall be consistent with customary use, with respect to size, spacing and lighting; and

"Whereas, the use of directional and other official signs, signs advertising the sale or lease of the property upon which the sign is located and those signs advertising the activities conducted on the property upon which the sign is located, and unzoned and zoned commercial or industrial areas were exempted from the Act as to use for advertising purposes; and

"Whereas, in 1967 the then secretary of transportation, by letter to the chairman of the house sub-committee on roads, public works committee, house of representatives, defined the meaning of the phrase unzoned commercial or industrial activity in an area to be, the existence of at least one commercial or industrial activity in an area to be considered as unzoned commercial or industrial property; and

"Whereas, the state of North Dakota, being the most rural state in the Union, under the definition of unzoned commercial and industrial prescribed by the secretary of transportation, will be thwarted not only in its efforts at economic diversification into new areas of business and industry, but also incur a severe setback to the outdoor advertising business as it presently exists with its consequential detrimental effect on those business enterprises relying upon such method of communication; and

"Whereas, within the state of North Dakota there will ultimately be approximately 560 miles of interstate system and approximately 6000 miles of primary system, for a total of 6560 miles, of which a total of 80 miles would qualify as unzoned and zoned commercial or industrial, which would constitute the total mileage available for outdoor advertising purposes of which total, approximately thirty miles are outside of the limits of municipalities; and

"Whereas, the state of North Dakota, by administrative order, on December 3, 1965, prohibited the erection of any advertising device within six hundred sixty feet of the right of way on the interstate and state primary highway systems without prior approval of the highway commissioner; and

"Whereas, the state of North Dakota has

enacted enabling legislation whereby outdoor advertising can be effectively controlled and in keeping with the intent of the public law 89-285, and to that end has proposed an agreement to be entered into by the state and the federal government to provide for the effective control of outdoor advertising which agreement was subsequently rejected by the federal government; and

"Whereas, after the legislative creation of the highway corridor board, that board sought to limit outdoor advertising to the perimeter adjacent to and outlying the several cities of the state, thus providing effective control of outdoor advertising, without eliminating the industry; and

"Whereas, the only alternative to the state of North Dakota is a strict compliance with public law 89-285, as interpreted and implemented by the department of transportation, which will result in the ultimate elimination of the outdoor advertising industry as a remunerative enterprise in the state of North Dakota; and

"Whereas, the estimated cost to the state of North Dakota to comply with the administrative interpretation of public law 89-285, would be \$1,800,000, not considering any loss of other forms of income and revenue inuring to the state economy.

"Now, therefore, be it resolved by the Senate of the State of North Dakota, the House of Representatives concurring therein: That the Forty-first Legislative Assembly respectfully petitions the Secretary of Transportation to re-examine and re-evaluate the numerous policy memorandums and policy decisions affecting the interpretation of public law 89-285, as they pertain to the administrative definition of an unzoned commercial or industrial area and would urge the existing definition be set aside or modified so as to permit controlled advertising in those areas without defiling the amenities of nature adjacent to North Dakota highways, thus affording the motorist a clear and uncluttered corridor for his driving pleasure between urban areas while still providing the merchant the opportunity to advertise in a regulated and controlled manner.

"Be it further resolved, that a duly attested copy of this concurrent resolution be sent by the Secretary of State to the Secretary of Transportation, to the Secretary of the United States Senate, the Clerk of the United States House of Representatives, to the senators and representatives in Congress from the state of North Dakota and to the governors of the states of South Dakota, Montana, New Mexico, Wyoming, Nebraska, Minnesota, Kansas, Oklahoma, Texas, Colorado, Idaho, Arizona, Nevada, Oregon, Washington, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Illinois, Indiana, Michigan, Ohio, Pennsylvania, West Virginia, Tennessee, Mississippi, Alabama, Georgia, Florida, North Carolina and South Carolina.

"RICHARD T. LARSEN,
"President of the Senate.

"LEO LEIDHOLM,
"Secretary of the Senate.

"ERNEST N. JOHNSON,
"Speaker of the House.

"G. R. GILLMATH,
"Chief Clerk of the House.

A petition of Jack Kamsler, Joliet, Ill., petitioning for a redress of grievances; to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. MATHIAS:

S. 1725. A bill to amend the Internal Revenue Code of 1954 to provide for a deduction from gross income for expenses of one visit annually between a member of the U.S. Armed Forces and his immediate family; to the Committee on Finance.

By Mr. DIRKSEN (for Mr. GOLDWATER):

S. 1726. A bill for the relief of Melinda Batista Pachengo; to the Committee on the Judiciary.

By Mr. TOWER:

S. 1727. A bill for the relief of Col. Howell T. Walker, U.S. Air Force, retired; to the Committee on the Judiciary.

By Mr. PEARSON:

S. 1728. A bill for the relief of Dr. and Joao Fanganello; and

S. 1729. A bill for the relief of Dr. and Mrs. Gerald Smith; to the Committee on the Judiciary.

By Mr. PACKWOOD:

S. 1730. A bill for the relief of Kimball Bros. Lumber Co.; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 1731. A bill for the relief of Au Yeung Kwai Wing; to the Committee on the Judiciary.

By Mr. CHURCH:

S. 1732. A bill to designate certain lands in the Craters of the Moon National Monument in Idaho as wilderness; 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. JAVITS:

S. 1733. A bill to amend the Public Health Service Act to provide for grants for the construction and modernization of public health centers and public and nonprofit private facilities for long-term care, rehabilitation facilities, and diagnostic or treatment centers, to provide for loan guarantees for nonprofit private hospitals and other medical facilities, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. JAVITS (for himself, Mr. MONDALE, Mr. RANDOLPH, Mr. SCHWEIKER, and Mr. WILLIAMS of New Jersey):

S. 1734. A bill to amend the Elementary and Secondary Education Act of 1965 in order to authorize a program of grants to strengthen local educational agencies; to the Committee on Labor and Public Welfare.

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

By Mr. HARTKE:

S. 1735. A bill to increase from \$600 to \$1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Finance.

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

By Mr. MOSS:

S. 1736. A bill to reimburse the Ute Tribe of the Uintah and Ouray Reservation for tribal funds that were used to construct, operate, and maintain the Uintah Indian irrigation project, Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. NELSON:

S. 1737. A bill for the relief of Chen Yeh Chang; and

S. 1738. A bill for the relief of Wai Keung Tsang; to the Committee on the Judiciary.

By Mr. GORE:

S. 1739. A bill to extend the health insurance program established by title XVIII of the Social Security Act to disabled workers

who have not attained age 65 but are receiving disability insurance benefits under title II of the Social Security Act or the Railroad Retirement Act of 1937, and to amend title II of the Social Security Act to provide for cost-of-living adjustments in the benefits payable thereunder and to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits to which they are entitled thereunder; to the Committee on Finance.

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

By Mr. WILLIAMS of New Jersey:

S. 1740. A bill for the relief of Tzan Etos Melidonis;

S. 1741. A bill for the relief of Lap Wo Tsan;

S. 1742. A bill for the relief of Kei Yuen;

S. 1743. A bill for the relief of Chi Keung Ho;

S. 1744. A bill for the relief of Chau Chim;

S. 1745. A bill for the relief of Yuet Kwan Wong;

S. 1746. A bill for the relief of Wea Lum Phuan;

S. 1747. A bill for the relief of Wo Wa Cheng; and

S. 1748. A bill for the relief of Yuk Lam Chan; to the Committee on the Judiciary.

By Mr. MILLER:

S. 1749. A bill to provide for improved employee-management relations in the Federal services, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. BIBLE (for himself, Mr. CANNON, Mr. EASTLAND, Mr. GRAVEL, Mr. HATFIELD, Mr. HOLLAND, Mr. MCGEE, Mr. MCGOVERN, Mr. MONTOYA, Mr. NELSON, Mr. SPARKMAN, Mr. HARRIS, and Mr. METCALF):

S. 1750. A bill to amend the Small Business Act to authorize assistance to small business concerns in financing structural, operational, or other changes to meet standards required by Federal law or State law enacted in conformity therewith; to the Committee on Banking and Currency.

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

By Mr. NELSON:

S. 1751. A bill to declare that certain federally owned land is held by the United States in trust for the Lac du Flambeau Band of Lake Superior Chippewa Indians; and

S. 1752. A bill to authorize the Secretary of the Interior to conduct studies, surveys, and research relating to the Nation's natural resources, and ecological systems; to establish a Council on Environmental Quality, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. NELSON:

S. 1753. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as DDT; to the Committee on Agriculture and Forestry.

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

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

S. 1754. A bill to protect consumers from abuses relative to excessive charges for life, health, and accident insurance pursuant to consumer credit transactions; to the Committee on Banking and Currency.

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

By Mr. HARRIS:

S. 1755. A bill for the relief of Paolo Di Martino, his wife, Maria Di Martino, and their son, Agatino Di Martino; to the Committee on the Judiciary.

By Mr. MCGOVERN:

S. 1756. A bill to amend the Packers and Stockyards Act of 1921, as amended, in order to require packers and chain store firms to make public certain information relating to the number of cattle fed by them each week; 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. MOSS:

S. 1757. A bill to amend the Internal Revenue Code of 1954 to provide that a child's insurance benefit received by an individual under the Social Security Act shall be disregarded in determining whether such individual is a dependent of a taxpayer; to the Committee on Finance.

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

By Mr. DIRKSEN (for Mr. GOLDWATER):

S.J. Res. 85. A joint resolution to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week"; to the Committee on the Judiciary.

By Mr. JAVITS (for himself and Mr. GOODELL):

S.J. Res. 86. A joint resolution to authorize the President to issue annually a proclamation designating the 7-day period beginning October 19 and ending October 25 of each year as "National Play Schools Week"; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BIBLE:

S.J. Res. 87. A joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

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

S. 1736—INTRODUCTION OF A BILL TO REIMBURSE UTE TRIBE

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to reimburse the Ute Tribe of the Uintah and Ouray Reservation for tribal funds that were used to construct, operate, and maintain the Uintah Indian irrigation project, Utah, and for other purposes.

I introduced a similar bill in the 89th Congress (S. 1765) but objections were made to it by the Department of Justice and the Bureau of the Budget. Since that time a complete investigation has been made and the Department of the Interior has suggested some amendments. Those amendments are included in the bill I am introducing today.

The estimated cost of the bill is about \$3½ million. The amounts in the bill have been verified by the Ute Tribe and the Bureau of Indian Affairs.

The remedy sought by this legislation will not set a precedent for other tribes since similar remedies have already been made available, in one way or another, to the Crow, Blackfoot, Flathead, Fort Peck, and Wind River Indians.

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

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

The bill (1736) to reimburse the Ute Tribe of the Uintah and Ouray Reservation for tribal funds that were used to construct, operate, and maintain the Uintah Indian irrigation project, Utah, and for other purposes, introduced by Mr. Moss, 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. 1736

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to reimburse the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah for tribal funds that have been used for the construction, operation, and maintenance of the Uintah Indian irrigation project, Utah, computed and adjusted as follows:

(a) With respect to construction charges, the tribal funds originally involved amounted to \$920,112.74. From that sum there shall be deducted the amount of \$275,864.25, which represents a reimbursement of tribal construction funds under a judgment of the United States Court of Claims for the portion of the construction costs chargeable against non-Indian lands. From the balance so calculated, there shall be deducted an amount equal to the construction charges against irrigable land (determined according to the approved designation of 1964) which were collected from the proceeds of sales of land and deposited in the tribal accounts. From the balance so calculated there shall be deducted \$1,250, which represents the tribal funds used to purchase the following described lands, title to which was taken in the name of the United States and which hereafter shall be held by the United States in trust for the tribe:

West half southwest quarter southeast quarter southeast quarter section 18, township 1 south range 1 east, containing 5 acres;

South half southeast quarter northeast quarter northeast quarter section 36, township 1 south range 4 west, containing 5 acres;

Northeast quarter northeast quarter southwest quarter section 32, township 1 north range 1 west, containing 10 acres; and

Southwest quarter southwest quarter southwest quarter southwest quarter section 12, township 1 south range 4 west, containing 2.5 acres, all in Uinta special base and meridian, Utah.

The balance so calculated shall be increased by adding interest on the amounts that comprise the \$920,112.74 from the end of the year in which each amount was originally used for the project to January 28, 1958, the date of the Court of Claims judgment, and interest from January 28, 1958, to the date of this Act on \$920,112.74 adjusted by the deductions provided for in the foregoing provisions of this subsection.

(b) With respect to operation and maintenance charges, the tribal funds originally involved amounted to \$529,828.20. From that sum there shall be deducted the amount of \$158,856.17, which represents a reimbursement of tribal operation and maintenance funds under a judgment of the United States Court of Claims for the portion of the operation and maintenance costs chargeable against non-Indian lands. From the balance so calculated, there shall be deducted an amount equal to the operation and maintenance charges against irrigable land (deter-

mined according to the approved designation of 1964) which were collected from the proceeds of sales of land and other sources and deposited in the tribal accounts. The balance so calculated shall be increased by adding interest on the amounts that comprise the \$529,828.20 from the end of the year in which each amount was originally used for the project to January 28, 1958, the date of the Court of Claims judgment, and interest on the amounts that comprise the balance calculated pursuant to the first three sentences of this subsection, from January 28, 1958, or the end of the year in which each amount was used for the project to the date of this Act.

SEC. 2. The Secretary of the Interior is authorized to reimburse Indians and former members of the Ute Indian Tribe of the Uintah and Ouray Reservation terminated by the Act of August 27, 1954 (68 Stat. 868) who sold project lands that were nonirrigable (determined according to the approved designation of 1964) for the construction, operation, and maintenance charges which were collected from the proceeds of such sales.

SEC. 3. Twenty-seven and one hundred sixty-two thousandths per cent (27.162%) of the sum determined to be due the tribe under section 1 hereof shall be paid by the Secretary of the Interior directly to the Ute Distribution Corporation, a Utah corporation organized pursuant to said Act of August 27, 1954, *supra*.

S. 1739—INTRODUCTION OF A BILL TO EXTEND THE HEALTH INSURANCE PROGRAM

Mr. GORE. Mr. President, in these times of drastic increases in the price level, it is imperative that appropriate steps be taken to protect those who are unable to protect themselves from the ravages of inflation. Particularly cruel hardships are being inflicted upon the elderly who are retired and subsisting on fixed and already inadequate incomes, as well as upon those whose earning power has become impaired for one reason or another. The Federal Government has a duty, it seems to me, to these citizens, especially to those who depend on social security for a major portion of their income.

Furthermore, the social security benefits package ought to be improved from time to time as we become more experienced in the administration of the various programs such as medicare, and when such improvements are financially feasible.

Today I introduced a bill which would make three major improvements in social security. These are not the only changes which should be made, but I do want to place these suggestions before the Senate and before the Finance Committee in order that they will be considered, along with others, when social security amendments are next reviewed. I hope such a review can take place before this session is too far advanced.

This bill I have just introduced would provide medicare for those who are for social security purposes permanently and totally disabled, regardless of age. The lack of such a provision constitutes a major gap in the medicare program, and one which we can and should now close. I have limited coverage to primary beneficiaries, feeling that we should enter

this area one step at a time. Perhaps when the cost figures are all in and there has been a thorough examination of this proposal by the Finance Committee it will appear to be feasible to move ahead with a broader provision covering the dependents of primary beneficiaries. If such appears feasible, I shall support it.

The second major part of this bill would provide for increased cash benefits for social security beneficiaries, and would tie such benefits to a cost of living formula. The formula I have selected is a simple one. Using the first quarter of calendar year 1968 as the base period, benefits would be increased each calendar quarter by the same percentage the cost of living for that quarter had risen above the cost of living for the first quarter of 1968. Increases independent of the cost of living could still be voted as deemed desirable, and, of course, in the years ahead it might be necessary to move the base period forward. For the time being, however, and for any likely period of duration for the current wave of inflation, this formula should provide substantial relief and protection.

The third provision in this bill would allow those receiving social security benefits to earn up to \$200 per month without any loss in benefits. This seems to me to be appropriate, particularly during times of rising prices and a high degree of utilization of trained manpower.

Mr. President, I again voice the hope that the Finance Committee will soon begin active consideration of social security amendments. I am sure other Senators have offered or will offer amendments which ought to be considered and perhaps adopted.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1739) to extend the health insurance program established by title XVIII of the Social Security Act to disabled workers who have not attained age 65 but are receiving disability insurance benefits under title II of the Social Security Act or the Railroad Retirement Act of 1937, and to amend title II of the Social Security Act to provide for cost-of-living adjustments in the benefits payable thereunder and to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits to which they are entitled thereunder, introduced by Mr. GORE, was received, read twice by its title, and referred to the Committee on Finance.

S. 1749—INTRODUCTION OF THE FEDERAL EMPLOYEE-LABOR MANAGEMENT ACT

Mr. MILLER. Mr. President, I introduce, for appropriate reference, a bill entitled "The Federal Employee-Labor Management Act" and ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks. This is the same as the bill I introduced last year on this subject.

Mr. President, a growing restlessness among public employees has characterized the Federal sector the past few

years. The 3 million Federal civilian employees are actively demanding rights enjoyed by other workers in non-Government jobs.

The problem of increasing employee demands, along with increasing unionization, has caused some top Government officials to become concerned that the end result may not be in the public interest. Accordingly, some action by Congress to reconcile conflicting interests is needed. The bill I am introducing is designed to provide for improved employee-management relations in the Federal service.

Due to the conflict between the right to strike on the part of employees and the public interest that governmental services not be interrupted, it is essential that Federal employees be provided a prompt and fair method of settling their grievances, and my bill so provides in its statement of policy. The statement of policy also provides that the right of employees of the Federal Government and the officers or representatives of a union or organization of employees to present grievances without restraint, coercion, interference, intimidation, or reprisal is recognized and encouraged; and violation of this right on the part of any administrative official is contrary to the public interest.

One of the first steps to improving Federal employee-management relations is for the Federal agencies to develop labor-management programs. Provision is made in my bill for the Secretary of Labor, with the approval of the Civil Service Commission, to promulgate rules and regulations to be followed by the executive agencies in developing and administering labor-management programs. Also, the Department of Labor, again with the approval of the Civil Service Commission, is to prepare standards of conduct for unions or organizations of Government employees and a code of fair labor practices in employee-management relations in the Federal service with a view to securing uniform and effective policies and procedures.

Arbitration of grievances exists now in many areas of Federal employment. But one observer has commented that "employers sometimes exclude certain issues from arbitration, or view a decision only as advisory, and reject it." Arbitration, however, can be time consuming, and costly. Therefore, all other efforts to settle grievances should be exhausted first. That is why I provide in the grievance procedure set forth in my bill for the invocation by either party to a dispute of the services of the Federal Mediation and Conciliation Service.

If the efforts of the Service are not fruitful, then a party to the controversy can invoke the services of a labor-management relations panel. This panel would consist of three members: one nominated by the union or organization of Government employees; or, if an aggrieved employee is not a member of such union or organization, then one nominated by him; one member representing the management level of the executive agency; and one member appointed by the Civil Service Commission from outside the Federal Government who has

experience in the labor-management field and possesses a reputation for impartiality.

The makeup of such a panel insures that the public will be represented, that the employee or union will be represented, and that the management level of the agency will be represented. Also, the representation of both the employee or union side and the management side will be agency oriented, so that problems and conditions peculiar to the agency will be recognized and taken into consideration. This is one of the most significant points of my bill. Such a panel could be established in any Federal agency—a factor not possible under some proposals to create such a body for only one agency—but at the same time it would not be completely divorced from that particular agency.

My bill also makes appropriate exceptions in the case of Federal agencies having to do with intelligence, investigative, or security functions, and in the case of the office of the President.

Mr. President, I believe that the settlement of employee grievances and the establishment of clearly outlined procedures which are fair to employees as well as management and the public will go a long way toward averting future Federal employee-management crises. I believe that if legislation such as that embodied in my bill were acted upon favorably, it would represent a great—and long overdue—step toward improving the employee-management climate of our Federal Government.

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

The bill (S. 1749) to provide for improved employee-management relations in the Federal service, and for other purposes, introduced by Mr. MILLER, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1749

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 "Federal Employee Labor-Management Act."

LABOR-MANAGEMENT RELATIONS

SEC. 2. (a) Chapter 71 of title 5, United States Code, is amended by adding at the end thereof the following new subchapter:

"SUBCHAPTER III—LABOR-MANAGEMENT RELATIONS

"§ 7161. Policy.

"(a) Due to the conflict between the right to strike on the part of employees and the public interest that governmental services not be interrupted, it is essential that Federal employees be provided a prompt and fair method of settling their grievances.

"(b) The right of employees of the Government of the United States and the officers or representatives of a union or organization of such employees to present grievances without restraint, coercion, interference, intimidation, or reprisal is recognized and encouraged. Violation of this right on the part of any administrative official is contrary to the public interest and shall be cause for appropriate disciplinary action on the part of the executive agency concerned.

"§ 7162. Definitions.

"For the purposes of this subchapter—

"(1) 'grievance' means a complaint by any employee in the executive branch of the Government of the United States against the management of an executive agency, concerning the effect, interpretation, application, claim of breach, or violation of any law, rule, or regulation governing conditions of employment, which the head of an executive agency has the authority to correct;

"(2) 'union or organization of Government employees' means any national organization or its affiliates made up in whole or in part of employees of the Government of the United States, in which the employees participate and pay dues, and which has as one of its basic and central purposes dealing with the management of an executive agency concerning conditions of employment, but shall not include any organization whose basic purpose is solely social, fraternal, or limited to a single special interest objective which is only incidentally related to conditions of employment; and shall not include any organization which, by ritualistic practice, constitutional or bylaws prescription, by tacit agreement among its members or otherwise, denies membership because of race, color, religion, national origin, preferential or nonpreferential civil service status, or any organization sponsored by a department, agency, activity, organization, or facility of the Government of the United States; and

"(3) 'conditions of employment' shall include, but not be limited to, working conditions, work schedules, work procedures, automation, safety, transfers, job classifications and assignments, details, promotional procedures, demotions, rates of pay, reassignments, reduction in force, hours of work, disciplinary actions, and such other matters as may be specified by law, rule, or regulation.

"§ 7163. Labor-management programs.

"(a) The Secretary of Labor, with the approval of the Civil Service Commission, is authorized and directed to promulgate rules and regulations not inconsistent with the provisions of this subchapter to be followed by executive agencies in developing and administering labor-management programs.

"(b) Upon a finding by the Commission that an executive agency has failed to develop an adequate labor-management program or has permitted administrative violations of such program to occur, the Secretary of Labor shall, with the approval of the Commission, develop an adequate labor-management program and/or administer such a program in such agency until satisfactory evidence is produced by the agency that the deficiency has been eliminated.

"§ 7164. Fair labor practices.

"The Department of Labor, with the approval of the Civil Service Commission shall prepare (1) standards of conduct for unions or organizations of Government employees, and (2) a code of fair labor practices in employee-management relations in the Federal service appropriate to assist in securing the uniform and effective implementation of the policies, rights, and responsibilities described in this subchapter.

"§ 7165. Grievance procedure.

"In the case of disputes resulting from unresolved grievances, or from disagreement between a union or organization of Government employees and an executive agency over the policies enumerated in section 7161 (b) of this title, the following procedure shall be followed:

"(1) Any party may invoke the services of the Federal Mediation and Conciliation Service which shall immediately assign one or more of its mediators to work with the parties using every effort to bring the parties to an agreement.

"(2) If such efforts to bring about an amicable settlement through mediation and conciliation are unsuccessful, then a party to the controversy is authorized to invoke the services of a labor-management relations panel, hereinafter provided for.

"(3) (A) The Civil Service Commission shall appoint a labor-management relations panel for each dispute which has not been settled through mediation and conciliation. The panel shall consist of the following three members:

"(1) one member nominated by the union or organization of Government employees representing the employee or employees involved in the grievance, or, if an employee is not a member of a union or organization of Government employees, one member nominated by the employee;

"(ii) one member representing the management level of the executive agency; and
 "(iii) one member who is not receiving compensation from the Government of the United States and who has experience in the labor-management field and possesses a reputation for impartiality.

"(B) Each member of the panel who is appointed from private life shall receive \$100 for each day (including travel-time) during which he is engaged in the actual performance of his duties as a member of the panel. A member of the panel who is an officer or employee of the Government of the United States shall receive no additional compensation. All members of the panel shall be reimbursed for travel, subsistence, and the other necessary expenses incurred by them in the performance of such duties.

"(4) After its services have been invoked, the panel shall assist the parties in arriving at a settlement through whatever voluntary methods and procedures it may consider to be appropriate.

"(5) If the panel is unable to assist the parties to arrive at a settlement through other means, it shall promptly hold hearings at which both parties shall be given a full opportunity to present their case.

"(6) After the hearings have concluded, the panel shall, as soon as possible, render its decision in writing on the matters in dispute. This decision shall be promptly served upon the parties to the proceeding and shall be final and binding upon all parties.

"(7) Employees of the Government of the United States who participate on behalf of any party in any phase of the panel proceeding shall be free to do so without suffering any loss in pay. All such employees shall be free from restraint, coercion, interference, intimidation, or reprisal for their participation.

"§ 7166. Exemptions.

"(a) This subchapter shall not apply to—
 "(1) the Federal Bureau of Investigation;
 "(2) the Central Intelligence Agency;
 "(3) the office of the President of the United States; or

"(4) an executive agency, or to an office, bureau, or entity within such agency, primarily performing intelligence, investigative, or security functions, if the head of the executive agency determines that the provisions of this subchapter cannot be applied in a manner consistent with national security requirements and considerations.

"(b) When the head of an executive agency deems it necessary to the effective performance of the agency's duties, and subject to such conditions as he may prescribe, he may suspend any provision of this subchapter with respect to any agency installation or activity which is located outside of the United States."

(b) The analysis of chapter 71 of title 5, United States Code, immediately preceding section 7101, is amended by adding at the end thereof the following:

"SUBCHAPTER III—LABOR-MANAGEMENT RELATIONS

"Sec.

"7161. Policy.

"7162. Definitions.

"7163. Labor-management programs.

"7164. Fair labor practices.

"7165. Grievance procedure.

"7166. Exemptions."

S. 1750—INTRODUCTION OF A BILL TO ASSIST SMALL BUSINESS FIRMS IN COMPLYING WITH FEDERAL DEADLINES

Mr. BIBLE, Mr. President, on behalf of myself and other Senators, I am introducing today, for appropriate reference, a resolution and a bill dealing with problems of small business in complying with deadlines prescribed in Federal statutes. I ask that the text of both measures be reprinted at the conclusion of my remarks.

Great legislative strides have been made in assuring the Nation's consumer that meats and poultry offered in the marketplace will be wholesome and untainted. Major advances have been made in the critical battle against air and water pollution.

All of this is good, and the Congress must continue its efforts to assure necessary protection for the health and safety of the consuming public.

At the same time, however, another aspect of this type of legislation demands our very careful attention. I refer to the impact of such enactments on the businessman—particularly America's small businessman. The Wholesome Meat Act, the Wholesome Poultry Products Act, the Air Quality Act, and the Water Quality Act, require thousands of small businesses to comply with stricter Federal standards that often require costly modifications of their plant, equipment or procedures within fixed periods of time.

The size of the financial investment required to comply with new standards may be substantial, and may present an insurmountable burden in the case of small businesses. The need for prompt financing may arise at a time—such as now—when interest rates are at record heights, and government loan-assistance programs are hard pressed and unable to meet the need.

As a result, a great many small firms face hardship, and are threatened with serious economic injury or even extinction because of their inability to finance the required improvements within the deadlines fixed by law.

The resolution I introduce today recognizes the seriousness of this problem. It calls upon the Small Business Administration to conduct a pilot study of the needs for capital being experienced by one industry known to be of a predominant small business character—meat processing—which is under the December 15, 1969, deadline for compliance with Federal standards established in the Wholesome Meat Act of 1967.

The bill I am offering today, will, if financial need is demonstrated, permit the Small Business Administration, under proper safeguards established by regulation, to make emergency deadline-

compliance loans to small businesses at slightly lower interest rates and for longer terms than might otherwise be available. The purpose would be to assist small business to finance capital and operating improvements needed to comply with federally imposed deadlines.

Mr. President, our consumer protection legislation was not enacted with a view to forcing honest, hardworking, long-established small business concerns to the wall or out of business. Our national policy is to encourage small enterprise, not participate in its ruin.

The measures I introduce today address themselves to difficulties flowing from prior congressional enactments. There is reason to believe the pilot study called for by this resolution will show that many small businesses are in dire need of help. I therefore urge prompt completion of the study; and then early and favorable action to authorize the deadline-compliance loans proposed by my bill, or depending on the results of the study, other suitable emergency relief.

BACKGROUND

Although we in Congress are familiar with the health and safety legislation, I have described, the Senator from Florida (Mr. HOLLAND) has given this body evidence that many thousands of businesses do not yet realize the full consequences of these laws.¹ Pursuant to the Wholesome Meat Act, for instance, the U.S. Department of Agriculture must expand the scope of Federal inspection from the approximately 1,500 large-scale interstate firms now covered, to almost 15,000 processors throughout the country, the great majority of which are small businesses. It must do this before the 2-year deadline, which expires on December 15, 1969.

For those not familiar with the requirements of Federal meat inspection, I might point out that the Handbook of Federal Standards consists of 73 pages of detailed specifications, diagrams, tables, and appendixes. The chapter headings cover such topics as plans and specifications that must accompany application for inspection; water supply, plant drainage, and sewage disposal system; plant construction; lighting, ventilation, and refrigeration; equipment, design and installation; and so forth.

The newspaper report quoted in my remarks of May 1968 provides a graphic description of the problems which compliance may pose for small meat-processing firms.² I ask that my prior statement be inserted in the RECORD for the information of all concerned. That article concluded:

To meat dealers, sanitation means money.

The more recent commentary of the Secretary to the Wisconsin Department of Agriculture, is even more specific as

¹The Wholesome Meat Act, remarks on the Senate floor by Senator HOLLAND, CONGRESSIONAL RECORD, Mar. 4, 1969, page 5194.

²"Meats Plants Here Face U.S. Upgrading", *New York Times*, March 4, 1968, front page of second section.

to the scope of this problem for small meat-processing firms.³

As time goes on pressure will be applied continually to improve and upgrade physical and structural facilities in increasingly stricter compliance with federal law. This could conceivably mean major alterations of small plants with respect to such things as eleven-foot heading rails, sixteen-foot bleeding rails, doors of specified widths if used for different types of traffic, totally refrigerated facilities, etc. . . .

The federal program is designed for larger operations which can justify full-time inspectors. Limited funds and personnel, coupled with the supreme authority and direction given to the federal agency by the Wholesome Meat Act, could conceivably force thousands of small plants out of business. Many small slaughtering plants would not be reached for inspection due to low volume, which would preclude assignment of an inspector to the plant. The limited size of such plants makes it impossible to step up the rate of slaughter or processing to a point where an inspector could be profitably assigned.

A further complication, which I know has arisen in some of the Western States such as Nevada, relates to custom slaughtering facilities:

A small plant operator, who heretofore did custom slaughtering and processing and augmented it through a small retail operation, may not, under the provisions of the new federal law, engage in any sale of meat whatsoever—if his business is to be classed as a custom plant. Custom slaughtering and processing alone will not sustain a business. The alternative under the federal Wholesome Meat Act is to have completely separated facilities which means dual facilities, something very few operators could afford.

A leading small business organization has informed us that—

The Department of Agriculture is serving notice on the nation's 7000 locker-freezer plants that they have to abide by the Wholesome Meat Act regulations. More than half of these plants are in towns of 2,000 or under . . . (and) two-thirds of the operators have an annual volume of less than \$50,000.⁴

Yet, to construct the separate plants—one to slaughter animals for the farmers and the other to sell meat to local citizens—is estimated to cost from \$60,000 to \$120,000.⁵

It is well to bear in mind also that the owners of these small firms are important to their areas—not only as employers, but as leaders in the many local associations and institutions which are at the heart of community life. The closing of such businesses would thus represent far more than an economic loss.

Already we know 49 meat-processing plants have been shut down, and more than 300 others have been warned that they do not meet the new Federal standards.⁶

The future impact of new Federal standards will, of course, vary somewhat by State. At the time the Wholesome

Meat Act was passed, for example, 28 States had meat inspection systems. However, nearly one-half of the States did not have any, and even the existing systems vary from the strict Federal standards. Most State inspectors visit plants only periodically; the U.S. program calls for daily or continuous inspection. So it appears that most of the 13½ thousand small meat-processing firms may have major adjustments to make by December 15 of this year.

According to this preliminary information, we know that although the Wholesome Meat Act may be administered with the best will in the world, compliance will often require outlays of capital for construction, installation of major new equipment, or changes in procedures. This may involve a considerable amount of money, especially when it must be raised upon short notice, and especially relative to the size of a small business.

DESCRIPTION OF THE RESOLUTION

The resolution which we introduce today is similar to Senate Resolution 290, introduced during the 90th Congress.⁷

Although Senate Resolution 290 was the subject of favorable comment by both the U.S. Department of Agriculture and the Small Business Administration, there was not sufficient time to have the measure reported in the 90th Congress.

Following the introduction of Senate Resolution 290, the Small Business Administration responded to the situation by undertaking to design the study contemplated by the resolution. I am pleased to inform the Senate that SBA is ready to proceed with gathering the facts and figures. We are advised that the reintroduction and progress of the resolution will be helpful in securing the kind of information needed to inform our judgments in this matter.

We hope that SBA will be able to discover and assess the type and extent of the improvements necessary pursuant to the Wholesome Meat Act, as an example of the type of Federal deadline statute that concerns us. We hope the study will go on to show the nature of the financing called for, the degree to which these needs can be met by internal sources and are reasonably obtainable through commercial banking sources, and any excess requirements which do not appear to fall within the available combined resources of the private sector and present SBA-assisted financing. We want to have the agency's specialized recommendations on what may ultimately be needed, but we also want to look at the fundamental statistics so that we may be able to exercise independent congressional decisions.

The terms of our resolution call for a report as soon as practicable, and in no event later than 60 days after the resolution's approval. Since SBA is ready to proceed, and I commend the agency upon its initiative in preparing the study to

this point, the approximately 6 months needed to perform this work should nearly coincide with the 60-day provision, which would take effect after the resolution is reported from committee and approved by the Senate.

The resulting information will give Congress, the Small Business Administration, and other Federal and State agencies a sounder factual basis for determining what legislative and/or administrative actions may then be appropriate. The authors of the resolution believe that the study would be most helpful to all concerned.

We are not asking SBA to extend this study beyond the meat industry because the agency's resources are limited, and the situation in this small-business industry should be indicative of the general problem. However, we hope that other industries will be encouraged to prepare their case, so that the views of small businesses in all lines of commerce which may be under Federal deadlines can be considered and weighed at any hearings which may be held on this legislation.

In the event that the study or the testimony presented by other small firms or their associations reveals that there are gaps which cannot be filled by existing institutions and under current financial and budget stringencies, I hope the Congress will proceed with the consideration of our bill, which is designed to afford one possible avenue of relief.

DESCRIPTION OF THE BILL

This bill provides for what might be called deadline-compliance loans upon terms and conditions that the small firms seeking to bring their facilities within the law will be able to live with.

As these deadlines approach, law-enforcement agencies such as the Meat Inspection Division of the Department of Agriculture, which have no particular competence in small business matters, nor any administrative procedures through which a firm slated for closing could appeal, would be in the position of closing down an undetermined number of small firms and depriving the owners and employees of their livelihood. If thousands or hundreds of these firms were suddenly faced with going out of business, conditions in the industry would be chaotic.

Mr. President, all of us welcome an improvement in the quality of the food products destined for the tables of people throughout the country, as we do safeguards on the quality of our air and water. The congressional legislation which I described represents substantial advances for the American people who will now be well protected in their purchases of meat and other products and can breathe a little easier about their environment. However, all of this desirable new cleanliness should not result in an epidemic of business closings.

The Federal Government has created a real dilemma for many thousands of small businessmen and it seems to me only justice that the Federal Government should provide some avenue of relief.

Our bill is designed to afford effective relief by providing for what might be

³ See "Implications of the Wholesome Meat Act" by D. N. McDowell, Winter 1968 Quarterly edition of "State Government" Magazine, reprinted *Congressional Record*, March 4, 1969, at Page 5195.

⁴ Release of December 9, 1968 on consequences of the Wholesome Meat Act by the National Federation of Independent Business, Inc.

⁵ Release, loc. cit., Page two.

⁶ See "Meat Plants Closed," *Congressional Quarterly*, June 21, 1968, p. 1511.

⁷ "Senate Resolution 290—Resolution to assist small meat packing companies in complying with new federal inspection requirements." *Congressional Record*, vol. 114, pt. 11, p. 13805. Accompanying remarks of Senator Bible reprinted following this statement.

called deadline-compliance loans under the disaster provisions of the Small Business Act.

By introducing this bill we do not mean to suggest that it is the only alternative, or even that the full dimensions of the problem have been marked out. We hope that the efforts of all who are affected by this legislation will develop the facts and whatever additional solutions may seem appropriate. When the full picture is before us, we hope that whatever measures may be necessary to aid, counsel, assist, and protect small business firms will be speedily adopted and put into effect.

It is our hope, however, that offering our Resolution and bill at this time, with compliance dates all too imminent, will contribute to equitable treatment for the many members of the Nation's small business community which are now imperiled by government deadlines.

Mr. President, I ask unanimous consent that a more detailed technical explanation of the deadline-compliance loan bill, and its relation to other disaster provisions of the Small Business Act, also be included in the RECORD following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, statement, and technical explanation will be printed in the RECORD.

The bill (S. 1750) to amend the Small Business Act to authorize assistance to small business concerns in financing structural, operational, or other changes to meet standards required by Federal law or State law enacted in conformity therewith, introduced by Mr. BIBLE, for himself and other Senators, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1750

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 7(b) of the Small Business Act is amended—

(1) by striking out the period at the end of paragraph (4) and inserting in lieu thereof “; and”; and

(2) by adding after paragraph (4) a new paragraph as follows:

“(5) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in effecting additions to or alterations in its plant, facilities, or methods of operation to meet requirements imposed by Federal law or State law enacted in conformity therewith, if the Administration determines that such concern is likely to suffer substantial economic injury without assistance under this paragraph.”

(b) The third sentence of section 7(b) of such Act is amended by inserting “or (5)” after “paragraph (3)”.

Sec. 2. Section 4(c) (1) of the Small Business Act is amended by inserting “7(b) (5),” after “7(b) (4).”

(The resolution referred to will be printed under a separate heading.)

The material presented by Mr. BIBLE follows:

Mr. BIBLE. Mr. President, over the next 2 to 3 years, thousands of meat processing and

packing plants across the country will come under the Federal requirements of the Wholesome Meat Act of 1967.¹ This legislation amends the basic Federal Meat Inspection Act of 1907² and will require all local and intrastate meat plants, which were not previously subject to Federal inspection standards, to conform with either the strict U.S. rules or with an equally strict State system.

The law has one purpose.

Said one observer—

“To protect American consumers by forcing the States to tighten quality safeguards on all meat, wherever processed, wherever sold.”³

One of the principal sponsors of the 1967 act, the Senator from Minnesota (Mr. MONDALE) characterized it as “one of the most significant pieces of consumer-protection legislation ever signed into law.”⁴

What may have been overlooked so far is that the Wholesome Meat Act is also far reaching and significant business legislation.

As a member of the Select Committee on Small Business, I have been pleased to participate in a 3-year study of the overseas market potential for the American beef industry, including its vital meat processing and packing segments.⁵ We have been in touch with the associations representing the small business meatpackers and were made aware of their potentials and problems. In many cases they are small or family, independent operations. Typically they have a long record of service to their local communities.

The seriousness of this program to the business community is indicated by the estimate that in mid-1967 there were 14,832 nonfederally inspected facilities—compared with 1,969 federally inspected plants—and of these only 5,555 were subject to some form of State sanitation inspection.⁶

By July 1 of this year, 26 States will have mandatory meat inspection of animals before and after slaughter. Twenty-five States have mandatory inspection of meat processing facilities. Thirteen other States have voluntary inspection programs, while nine States presently have no laws in this area although there are many municipal and county systems in populous areas.

It is thus apparent that approximately 15,000 businesses are vitally affected. These firms are involved in producing a basic commodity. They account for about 15 or 16 percent of our entire commercial meat supply in this country, and an even higher proportion of the product in their localities.

Over the years since 1907, the Meat Inspection Division of the Department of Agriculture has developed a series of requirements that must be met in order to gain Federal approval.⁷ In the fields of construction and layout of plants, these are often highly specific and detailed, prescribing such

¹ Public Law 90-201, approved December 15, 1967.

² 21 U.S.C. 71-91.

³ “States must plug it by 1970; Despite New U.S. Meat Law, Meat Inspectors Gap Exists”, by Paul M. Branzburg, from U.S. Courier-Journal and Times, Reprinted CONGRESSIONAL RECORD, vol. 114, pt. 6, p. 7301.

⁴ CONGRESSIONAL RECORD, vol. 114, pt. 6, p. 7301.

⁵ See “Expansion of Livestock Exports”, Report of the Select Committee on Small Business, Senate Report 343, 90th Congress, 1st Session, June 12, 1967.

⁶ Testimony by Rep. Thomas S. Foley in Hearing before the Senate Committee on Agriculture on Bills to Clarify and otherwise amend the Meat Inspection Act etc., November 15, 1967 at page 243.

⁷ These are contained in the Handbook of the Meat Inspection Division, U.S. Department of Agriculture.

things as the materials that can be used in floors and walls, the heights of ceilings and rails, spacing and disposal systems. Other requirements cover cleaning procedures, and are illustrated by the following excerpts from a recent article in the New York Times:⁸

“Part of the problem is lack of space. Many small wholesalers perform all their functions in one room. They store, cut, age and sell meat in a cooler where the temperature is 50 degrees or lower.

“Much of their equipment such as hand saws and grinders, cannot be moved easily, and would have to be cleaned in place.

“If he has a cooler full of meat,” said an inspector, “I know he’s not going to put a 180-degree hose in there to clean his equipment.”

“Often the floors are wooden and have no drains. There is no place for the waters to go, and the dealers ‘go in for spring cleaning,’ according to a Department of Agriculture official, by carrying their tools to the sidewalk and washing them there.

“Concrete floors with drains are the best answer, according to the department, but in any case the Federal inspector is required to check for cleanliness each morning before the plant may begin work.

“To meat dealers, sanitation means money.”

As the newspaper correctly points out: “Sanitation means money.”

Where construction or cleaning requirements are at issue, we are often talking about a good deal of money.

This concern prompted the Senate-House Conference on the wholesome meat bill to request assurances from the Department of Agriculture that this act was not going to be used to put thousands of meatpackers out of business. In a letter to the Senator from Florida (Mr. HOLLAND), Deputy Assistant Secretary Leonard responded:

“The only mandatory construction requirements are set forth in general terms in the regulations. . . . For example:

“The floors, walls, ceilings, partitions, posts, doors, and other parts of the structure shall be of such materials, construction, and finish as will make them susceptible of being readily and thoroughly cleaned . . . in the light of operating procedures which are to be used in the establishment.”⁹

In other words, there is some flexibility in the application of these standards, and this is desirable.

As the Senate Committee on Agriculture observed in its report:

“(S)ome of the Federal standards for plant construction may sometimes be unrealistic (for small non-federally inspected plants) and it would be unreasonable to arbitrarily apply them when the operational practices of a small facility (enable them to meet equivalent standards)”¹⁰

However, eventually, with the best faith in the world, decisions will be made and money will have to be invested by our small meatpackers in modifying the features in their buildings, equipment, and procedures that do not now qualify under Federal or equivalent standards.

Furthermore, they must do so in a short period of 2 years, unless an optional 1-year extension is applied for by the company and granted.

⁸ “Meat Plants Here Face U.S. Upgrading”, New York Times, March 4, 1968, front page of second section.

⁹ Letter to Senator Holland contained in the Conference Report on the Federal Meat Inspection Act, House Report 998, 90th Congress, 1st Session, December 6, 1967, pages 21-22.

¹⁰ S. Rept. 779, 90th Congress, 1st Session, November 21, 1967, page 3.

For these companies to comply with the standards previously applicable only to large, interstate plants, will involve substantial outlays of capital for new machinery and new construction. If they do not conform to the Federal specifications they will be out of business.

It is apparent to many of us that these firms will need a ready source of funds to finance the purchase of the new equipment and construction. The meatpacking industry traditionally is a low-profit-margin operation, as has been made clear to our Small Business Committee on several occasions.¹¹

Many of these companies, of course, are in a position to take care of themselves, and will do so. Others may not be so fortunately situated. They may be in remote areas where banking resources are smaller or already strained—the expenditures may be large in relation to the current income of the firm. Or, the terms on which loans can be granted, might not match the needs created by this legislation.

I feel strongly that the 2-year deadline is a special factor which greatly increases the pressure on our smaller firms. After all, the useful life of meat-processing equipment has been declared to be 12 years.¹² I question whether the great majority of the businessmen affected can get loans on such terms.

In view of the circumstances, Senator SPARKMAN and I are submitting the resolution which I now send to the desk and ask unanimous consent that it be printed in the RECORD following my remarks.

It is in the form of a Senate resolution, calling upon the Small Business Administration to make a study of the needs for capital of small firms in the meat processing and meat packing industries as a result of the Wholesome Meat Act.

As a result of such study, we in the Senate could discover the magnitude of the need, how much of it can be met by conventional sources of funds such as local banks, the extent to which the resources of the SBA and other Government agencies could respond to the excess requirements, and what, if any, additional authority or funds the SBA might need.

It is my hope that the major trade associations and their membership, as well as the Agriculture Department and the Library of Congress, will join this preparatory inquiry which will enable us in the Congress to determine what further steps should be taken to protect the interests of small businesses in the meat industry.

A further complication is that this is an era of tight money on the part of agencies such as the Small Business Administration, which are supposed to be the lenders of last resort in emergency situations such as this.

In addition to the impact of the international situation on the budget of SBA, this agency is also being called upon to devise special programs of assistance to the small manufacturers which must meet deadlines for upgrading their equipment and processes because of new water and air pollution standards.

However, the interest of our small firms in the meatpacking industry, and of the communities they service, are also immediate and pressing. It is my hope that, with the information gathered by the Small Business Administration pursuant to this study, we will

¹¹ See "Industry Survey—the Meat Packing Industry etc." prepared by Carl M. Loeb, Rhodes & Co. of New York; contained in hearings on the Expansion of Livestock Exports, May 18 and 19, 1966, pages 40-45. See also "The Meat Packers" from "The Exchange", magazine of the New York Stock Exchange, loc. cit. pages 341-43.

¹² Depreciation, Guidelines and Rules, Revenue Procedure 62-21, Internal Revenue Service Publication 456, page 7.

be able to fashion sound and effective measures to assist industry in meeting these needs.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 290) was referred to the Committee on Agriculture and Forestry, as follows:

"S. RES. 290

"Whereas the Wholesome Meat Act requires all meat plants, not previously subject to Federal regulation, to conform to strict standards under Federal or State law; and

"Whereas for many small business enterprises compliance with this Act may require substantial outlays of capital for new machinery and plant facilities; and

"Whereas meeting such capital needs will be extremely difficult if not impossible for many such enterprises without assistance; and

"Whereas Federal assistance to small business concerns in the interest of preserving free competitive enterprise is a declared policy of the Congress: Now, therefore, be it

Resolved, That the Small Business Administration is requested (1) to undertake a study to determine the extent to which financial assistance under statutes administered by it is available to small business concerns in effecting compliance with the requirements of the Wholesome Meat Act, and (2) to report to the Senate at the earliest practicable date, in no event later than 30 days after the approval of this resolution, the results of its study, together with such recommendations for additional legislation as it deems necessary."

TECHNICAL EXPLANATION OF DEADLINE-COMPLIANCE LOAN BILL, S. 1750

The proposed financial assistance provisions would be added to Section 7(b) of the Small Business Act which contains the authorization for emergency disaster lending (Public Law 536, 86th Congress, 15 U.S.C. 631, at Section 636). In order to understand this placement, a review of the present structure of this legislation, subsection (b) (1) provides for loan assistance after major disasters such as floods or hurricanes, when such condition is declared by the SBA Administrator.

Subsection (2) covers the same kind of natural disasters, as may be declared by the President when federal facilities are damaged, or by the Secretary of Agriculture under other conditions.

Subsection (3) provides for loan assistance when small business firms are displaced by federally aided urban renewal or highway construction.

Subsection (4) allows loans to small firms who are unable to market food products because of an outbreak of disease, such as occurred in the Great Lakes Region some years ago.

A more detailed explanation of these programs may be found in a statement by Logan B. Hendricks, Associate Administrator for Financial Assistance, before the Small Business Subcommittee, Senate Banking and Currency Committee, February 6, 1969.

There are several analogies between these existing programs and the deadline-compliance loan concept. There is a similarity to subsections (1) and (2) in legal principal, in that natural disasters and acts of a sovereign power have long been related in insurance law. The deadlines with which the bill is concerned are as a result of acts by the sovereign United States Government, which require action under the drastic penalty of closing the business. Both types of action are beyond the control of the individual business, and the sovereign is immune from any legal recourse, unless it consents to allowing such relief.

Subparagraph (3) is an example of an instance where the Federal Government has consented to providing a remedy for the economic injury which its actions have caused. This is quite similar to the deadline-compliance problem in terms of the source of the action. However, the nature of the injury is different because damage will be total if it is allowed to occur at all. Many of the businesses involved, under the meat and poultry processing statutes produce a staple commodity. It is likely that if such a firm is closed, its accounts will migrate to other manufacturers. To be effective, help must be preventive. The legal and financial proceedings must begin sufficiently before the deadline so that a business seeking compliance has adequate lead-time to make improvements required by the law. This prospective feature is explicit in the bill.

There is similarity at Subsection (4) also, in that food processing is involved. However, although the bill was prompted originally by complaints from firms affected by the Wholesome Meat Act, its application would be more general. For instance, if the evidence elicited in hearings so justifies, it would apply to small businesses under comparable deadlines posed by federal poultry and fish processing legislation, the Air Quality Act of 1967, the Water Quality Act of 1965, and other statutes creating national health and safety standards with which small companies must make capital improvements under short-term federal deadlines.

Care has been taken that the bill provide equally for equivalent State standards pursuant to a federal deadline statute, so that States will not be discouraged from coming forward with their own programs by any possible discrimination under such a bill if it is enacted.

Because of the foregoing similarities and differences, the deadline-compliance proposal has been cast as a separate Subsection (5) which would be inserted serially after the other four subsections of 7(b) of the Small Business Act.

The terms and conditions of such loans would be under regulations established by the Small Business Administration to assure balanced standards so that the companies that are deserving are included in the program, and those which are able to take care of themselves or be serviced by commercial financing are excluded.

It is intended that the Small Business Administration would provide for administrative procedures insuring a full and fair hearing to any applicant for assistance who is threatened with going out of business under a statutory deadline of this character. The rate of interest proposed would be the "market rate", i.e., one-quarter of 1% above the actual cost to the Federal Government of borrowing the money, as is now applicable in Section 7(b) (3). The terms, to be set by regulation adopted by the Small Business Administration within the 30 year maximum applying to Section 7(b) assistance, should be long enough to allow the small firm to repay its loan out of future earnings.

S. 1752—INTRODUCTION OF A BILL TO ESTABLISH A COUNCIL ON ENVIRONMENTAL QUALITY

Mr. NELSON. Mr. President, I introduce a bill to authorize the Secretary of the Interior to conduct studies, surveys, and research relating to the Nation's natural resources, and ecological systems; to establish a Council on Environmental Quality, and for other purposes, and ask unanimous consent that the text of the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred;

and, without objection, the bill will be printed in the RECORD.

The bill (S. 1752) to authorize the Secretary of the Interior to conduct studies, surveys, and research relating to the Nation's natural resources, and ecological systems; to establish a Council on Environmental Quality, and for other purposes, introduced by Mr. NELSON, 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. 1752

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Resources, Conservation, and Environmental Quality Act of 1969".

DECLARATION OF POLICY

SEC. 2. It is the purpose of this Act to produce an understanding of the Nation's natural resources and the environmental forces affecting them, to promote and foster means and measures which will prevent or effectively reduce any adverse effects on the quality of the environment in the management and development of the Nation's natural resources, and to create and maintain a national policy and conditions under which man and nature can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations of Americans through a comprehensive and continuing program of study, research, review, and coordination.

TITLE I—ECOLOGICAL RESEARCH

SEC. 101. The Secretary of the Interior (hereinafter referred to as the "Secretary"), in order to carry out the purposes of this title, is authorized—

- (1) to conduct investigations, studies, surveys, research, and analyses;
- (2) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;
- (3) to develop and maintain an inventory of natural resource development projects, including reclamation projects, engineering works, and other major projects such as, but not limited to, eradication projects contemplated or planned by public or private agencies or organizations which may make significant modifications in the natural environment;
- (4) to establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals;
- (5) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps;
- (6) to initiate and utilize ecological information in the planning and development of resource-oriented projects;
- (7) to encourage other public or private agencies planning development projects to consult with the Secretary on the impact of the proposed projects on the natural environment;
- (8) to encourage and assist public (non-Federal) or private agencies or organizations, including educational institutions, museums, and botanical and zoological gardens, and other scientific or conservation organizations, or individuals, to acquire, designate, and maintain representative samples of important natural environmental systems,

including natural areas for observation and for manipulation, and to encourage such agencies, organizations, and individuals to utilize existing areas under their control or jurisdiction for such purposes;

(9) to establish through interagency coordination, on federally owned lands, a Federal system of natural areas for scientific purposes and develop the means and methods for withdrawal of such areas from nonconforming uses, and provide for their management and protection to serve the natural research needs of all agencies, both public and private; except that in developing standards governing any such withdrawals, the Secretary shall give due consideration to future alternative uses of such areas subject to withdrawal; and

(10) to assist and advise the Council on Environmental Quality established under title II of this Act.

SEC. 102. The Secretary is further authorized for the purposes of this title (1) to make grants and enter into contracts or cooperative agreements with public or private agencies or organizations, or individuals, (2) to accept and use donations of funds, property, personal services, or facilities, (3) to acquire selected areas of lands or interests in lands by donation, acquisition with donated funds, devise, or exchange for acquired lands or public lands under his jurisdiction which he finds suitable for disposition, (4) to administer such lands or interests for experimental purposes, including the observation and manipulation of natural areas, and (5) to issue such regulations as he deems necessary with respect to the administration of such lands.

SEC. 103. Activities authorized under this title may be carried out on lands under the jurisdiction or control of other departments or agencies of the Government only with the approval of the head of the department or agency concerned.

SEC. 104. The Secretary shall consult with and provide technical assistance to departments and agencies of the Government, and he is authorized to obtain from such departments and agencies such information, data, reports, advice, and assistance as he deems necessary or appropriate, and which can reasonably be furnished by such departments and agencies in carrying out the purposes of this title. Any Federal agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement by the Secretary.

SEC. 105. Nothing in this title is intended to give, or shall be construed as giving, the Secretary any authority over any of the authorized programs of any other department or agency of the Government, or as repealing, modifying, restricting, or amending existing authorities or responsibilities that any department or agency may have with respect to the natural environment. The Secretary shall consult with the heads of such departments and agencies for the purpose of identifying and eliminating duplication of effort.

SEC. 106. (a) The Secretary is authorized to establish such advisory committees as he deems desirable for the purpose of rendering advice and submitting recommendations to him relating to the carrying out of the purposes of this title. Such advisory committees shall render advice and submit recommendations to the Secretary upon his request and may submit recommendations to the Secretary at any time on their own initiative. The Secretary may designate employees of the Department of the Interior to serve as secretaries to the committee.

(b) Members of advisory committees appointed by the Secretary may receive not to exceed \$100 per day when engaged in the actual performance of their duties, in addition to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

SEC. 107. The Secretary is authorized to participate in environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations if he determines that such activities will contribute to the objectives and purposes of this Act.

TITLE II—COUNCIL ON ENVIRONMENTAL QUALITY

SEC. 201. (a) There is hereby created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate, each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret environmental information of all kinds, to appraise the environmental quality programs of Federal, State, and local governments, and to formulate and recommend national policy to promote the improvement of the quality of the environment.

(b) The Council may employ such officers and employees as may be necessary to carry out its functions under this title. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this title, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

(c) It shall be the principal duty of the Council to develop comprehensive national policies and programs to improve and maintain the quality of the environment needed to meet the emerging conservation, social, economic, material, and other requirements of the Nation.

(d) In addition to those in subsection (c), it shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the Environmental Quality Report required to be transmitted under Section 202;

(2) to gather timely and authoritative information concerning the conditions and trends in environmental qualities both current and prospective, to analyze and interpret such information and to compile and submit to the President studies relating to such conditions and trends;

(3) to appraise the various programs and activities of the Federal government (including proposed programs and activities), for the purpose of determining the extent to which such programs and activities affect environmental quality, and to make recommendations to the President with respect thereto;

(4) to make and furnish such studies, reports, and recommendations with respect to matters of policy and legislation as the President may request; and

(5) to foster study and research in the social, technical, administrative, economic, political, and other aspects of environmental quality at institutions of higher learning throughout the Nation.

(e) In exercising its powers, functions, and duties under this title—

(1) the Council shall, on or before December 1, 1969, make a written report to the President, which report shall contain a comprehensive and detailed account of all the activities of the Council since its establishment, together with its conclusions, findings, and recommendations, and shall thereafter, on or before December 1 of each year, make such a report to the President covering any period not covered by such a report previously submitted;

(2) the Council shall consult with such representatives of science, industry, agriculture, labor, conservation, State and local

governments, and other organizations and groups, as it deems advisable; and

(3) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of public and private agencies, organizations, and individuals, in order that duplication of effort and expense may be avoided.

SEC. 202. The President shall transmit to the Congress, on or before January 20 of each year, an Environmental Quality Report which shall set forth (1) the status and condition of the major natural, manmade, or altered environmental systems of the Nation, including, but not limited to the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; (2) current and foreseeable trends in management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation; and (3) his recommendations on the formulation and implementation of national policies to protect and enhance the quality of the environment.

TITLE III—JOINT COMMITTEE ON ENVIRONMENTAL QUALITY

SEC. 301. (a) There is hereby established a joint congressional committee which shall be known as the Joint Committee on Environmental Quality. The joint committee shall be composed of eight Members of the Senate, to be appointed by the President of the Senate, and eight Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. In each case, the majority party shall be represented by five members and the minority party shall be represented by three members. The joint committee shall select a chairman and a vice chairman from among its members.

(b) Vacancies in the membership of the committee shall not affect the authority of the remaining members to execute the functions of the committee.

(c) A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

(d) No legislative measure shall be referred to the committee, and it shall have no authority to report any such measure to the Senate or the House.

SEC. 302. It shall be the duty of the joint committee to—

(1) conduct a comprehensive study and investigation of appropriate matters contained in any Environmental Quality Report transmitted to the Congress pursuant to title I of this Act and of such matters related thereto as will provide means of coordinating programs in order to further the purposes of this Act, and recommend any such studies and investigations to the appropriate standing committees of the Congress; and

(2) make an annual report to the Congress and the appropriate committees of Congress on or before March 1 of each year on the Environmental Quality Report transmitted to the Congress pursuant to title I of this Act, which report shall contain the findings and recommendations of the committee with respect to the views and recommendations of the President contained in such Environmental Quality Report, and to make, from time to time, such additional reports to the Congress and the appropriate committees of Congress concerning the results of the committee's studies and investigations, together with its recommendations, as it may deem desirable.

SEC. 303. (a) In carrying out its duties under this title the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings; to sit and act

within or outside the United States at such times and places; to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths; to take such testimony; to procure such printing and binding; and to make such expenditures as it deems advisable. The committee may make such rules respecting its organization and procedure as it deems necessary.

(b) Subpenas may be issued over the signature of the chairman of the committee or by any member designated by him or the committee, and may be served by such person as may be designated by such chairman or member. The provisions of sections 102-104 of the Revised Statutes (2 U.S.C. 192-194) shall apply in the case of any failure of any witness to comply with a subpoena or to testify when summoned under authority of this section.

SEC. 304. (a) The committee is authorized to appoint and fix the compensation of such experts, consultants, technicians, and staff employees as it deems necessary and advisable.

(b) Members of the committee, and its employees and consultants, while traveling on official business for the committee within or outside the United States, may receive either the per diem allowance authorized to be paid to Members of the Congress or its employees, or their actual and necessary expenses provided an itemized statement of such expenses is attached to the voucher.

SEC. 305. The expenses of the committee shall be paid from the contingent fund of the Senate from funds appropriated for the committee, upon vouchers signed by the chairman of the committee or by any member of the committee duly authorized by the chairman.

TITLE IV—APPROPRIATIONS

SEC. 401. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1969, and for each of five succeeding fiscal years, such amounts as may be necessary for the purposes of this Act.

S. 1753—INTRODUCTION OF A BILL TO IMPOSE NATIONWIDE BAN ON DDT PROPOSED

Mr. NELSON. Mr. President, today I am introducing legislation for appropriate reference, to establish a nationwide ban on the use of the pesticide DDT.

The accumulation of DDT in our environment and in fish and wildlife is reaching catastrophic proportions. The path of this persistent pesticide's deadly contamination has left its mark from the reindeer of Alaska to the penguin of the Antarctic.

In a single generation, DDT has polluted our environment on a worldwide basis, infiltrating the atmosphere, the water and the tissues of most of the world's creatures, pushing some, like the peregrine falcon and the bald eagle, to the brink of extinction.

The seizure of 21,000 pounds of contaminated Lake Michigan Coho salmon by the Food and Drug Administration could be the straw that breaks DDT's back. The presence of dangerous concentrations of DDT in these Lake Michigan fish indicate that the pesticide pollution of the lake has reached a critical level and immediate action is necessary.

This bill would prohibit the interstate sale or shipment of DDT in the United States.

I have also urged Food and Drug Administration Commissioner Herbert Ley to intensify his agency's inspection pro-

grams on pesticide residues for all marine life taken from the Great Lakes.

Despite the fact that the DDT traveled hundreds of miles through the air, soil, water, and the food chains of perhaps a half dozen organisms, it still had such tremendous persistence that it concentrated in very dangerous levels in the Coho salmon.

This should serve as a warning signal for all local, State, and Federal food monitoring agencies to closely review pesticide concentrations in all food products susceptible to pesticide residues.

FDA analyses have shown the concentration of DDT in the salmon to be up to 19 parts per million and have shown the concentration of a more toxic pesticide, Dieldrin, to be just short of three tenths of a part per million. The coho were taken in Michigan streams bordering the eastern side of Lake Michigan and were processed in Michigan. They are now under an embargo in storage in Wisconsin and Minnesota.

At last year's Lake Michigan Water Pollution Conference a spokesman for the U.S. Bureau of Commercial Fisheries testified that the concentration of pesticides in Lake Michigan could reach a level lethal to both man and aquatic life if the use of pesticides was continued at such a heavy rate in the Lake Michigan Watershed.

The discovery of these pesticide-contaminated coho salmon certainly substantiates that testimony. The future of all the Great Lakes will be imperiled unless action is taken soon to stop this poisoning of our waters by these pesticides.

Last spring, pesticides were also blamed for the death of nearly 1 million coho salmon fry. This finding has raised a serious question about the future of salmon reproduction in the waters of Lake Michigan.

There is also growing concern among scientists that the reproduction capabilities of other fish may be harmed. This is especially the case with the lake trout, which spend 6 or 7 years in the water before sexual maturity as compared with only about 2 years for the salmon.

I ask unanimous consent that the text of the bill be printed in the RECORD at this time.

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

The bill (S. 1753) to prohibit the sale or shipment for use in the United States of the chemical compound known as DDT, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 1753

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163; 7 U.S.C. 135-135k) is amended by adding at the end thereof a new section as follows:

"Sec. 17. Notwithstanding any other provision of this or any other Act, after June 30, 1970, it shall be unlawful for any person to distribute, sell, or offer for sale in any territory or in the District of Columbia, or to

ship or deliver for shipment from any State, territory, or the District of Columbia, to any other State, territory, or the District of Columbia, or to receive in any State, territory, or the District of Columbia, from any other State, territory, or the District of Columbia, or a foreign country the chemical compound dichlorodiphenyltrichloroethane, commonly known as DDT."

S. 1754—INTRODUCTION OF THE CONSUMER CREDIT INSURANCE ACT

Mr. PROXMIRE, Mr. President, I introduce a bill, on behalf of myself and Senator HART, to protect consumer financing from abuses relative to excessive charges for credit life, health, and accident insurance. This bill, which would amend the Consumer Credit Protection Act, may be cited as the Consumer Credit Insurance Act.

In the 90th Congress the Subcommittee on Antitrust and Monopoly, chaired by Senator HART, conducted extensive hearings on the consumer credit industry. The record of those hearings runs to four volumes and more than 3,600 pages of testimony, exhibits and articles. I want to commend Senator HART for an outstanding job of fact-finding. This bill to establish Federal safeguards results from his discoveries in that topsy-turvy world known as the consumer credit insurance business.

Excluding home mortgages of \$250 billion, outstanding consumer credit now totals about \$112 billion. The cost of consumer credit and the practices of this giant industry touch virtually all American families. One of its shelf items is consumer credit insurance, whose proceeds cover the consumer's unpaid balance of indebtedness if he suffers death or disability.

This insurance is an awesome offspring of the credit industry. Born in 1917, it grew moderately for 30 years, then put on a tremendous spurt. At the end of 1947, insurance in force covered only about 10 percent of outstanding consumer debt. Now it blankets in about 67 percent. The sale of this insurance produces nearly 35 percent of finance charge income to finance companies.

Consumer credit insurance affords two-way protection. The insured debtor pays premiums to protect his family and his estate. The creditor is named beneficiary, guaranteeing his recovery of whatever is owed him should death or disability strike down his debtor. Under this arrangement a bereaved widow is spared burdensome repayment obligations, while the creditor need not entreat, sue or seize to recoup his investment. Thus his investment risk is substantially reduced.

Paradoxically, credit insurance originated in the lender's desire to protect himself in the case of a borrower's death. Self-interest motivated most lenders to pay the premiums themselves. It was good business to do so since losses could be reduced. In time it was realized that the premium cost could be passed on to the consumer whose estate also benefits. Not only that, but the lender could make a bonus profit at the same time he was insuring his own business. I emphasize

that some lenders, primarily credit unions and a few banks, still pay the premiums themselves because they believe it is still good business to do so.

Today the amount of consumer credit insurance in force is estimated to exceed \$70 billion. If those who pay for that enormous debt shield exerted any price influence, one would expect it to be a buyer's market. One would expect consumer competition to control prices as in other products and services. Lamentably, it does not work that way at all. Consumer credit insurance functions uniquely. This is how a State insurance commissioner has described it:

Generally, the installment buyer or borrower pays the entire premium. The premium rate, however, is negotiated between the installment seller or lender and the insurance company. These creditors tend to bargain for the highest possible rate as the insurance companies kick back to the creditors in one way or another virtually all of the premium left after the payment of claims and expenses. The higher the rate, the more the creditor makes from the insurance and, of course, the public pays.

Mr. President, the problem is that some lenders and sellers on credit are making windfall profits at the borrower's expense, assisted by insurance companies who vie for the business by sweetening the pot. Creditors jockey for position not in a race to give the consumer the best possible buy, but to find the highest cost insurance. They get away with this because their clients are at a distinct disadvantage.

THE CASE OF THE CAPTIVE CONSUMER

Since the sale of credit insurance is incidental to the main credit transaction, what the creditor is dealing with is a captive consumer. He is using his loan or installment business to sell insurance. Success can be measured by the record of one finance company in which 95 percent of all its borrowers across the country also get its credit insurance despite its high price. In the vast majority of cases, an insured debtor has no dealings with an insurance company. The creditor not only controls the sale of insurance but often requires coverage as a condition for granting credit.

What this means to the consumer walking into his finance company or bank for a loan is that he is paying more than he would if normal competition prevailed. What it means to some finance companies or banks is that for practical purposes usury laws may be circumvented and what it means to a car buyer is that he may be paying twice the amount for credit insurance that he would if he shopped for his insurance as he shops for his car.

In too many instances, the customer walks in to buy or borrow, then, like a bridge player, finds himself end-played. He either takes the insurance or he does not get what he came for. He has no exit card. He is a captive consumer, pressured into buying credit insurance pursuant to a primary credit transaction. Boxed into an inferior bargaining position, he becomes an easy mark for the creditor. None of us should applaud the accuracy of businessmen shooting fish in a barrel.

One upshot of this captivity is that the consumer is not likely to notice how

much he is paying for credit insurance. If he shops carefully and makes what he thinks is a good deal on a new car, he then may readily agree to a \$90 charge for credit insurance that really should cost only \$30.

A finance company's promissory note form was put in the hearing record to show how a no-choice insurance sale can ride piggyback on the primary transaction. In tiny print was noted:

It has been explained and I fully understand that I am entitled to purchase any group credit life and accident and health insurance or any insurance on tangible personal property required by the Licensee from any insurance company, agent or broker.

Yet the name of an insurance company owned by the creditor has been pre-printed in the space for designation of insurer.

Mr. President, the consumer becomes vulnerable because he has to commit himself to buy or borrow before credit insurance has any applicability. As a captive consumer his credit insurance options are, for all practical purposes, foreclosed. The excessive premium he can end up paying may be quite small in relation to the price of his primary transaction, but consider in our increasingly credit-oriented economy how many times each day this situation is reenacted. Creditors multiply their insurance profits through high volume and low overhead.

THE CURSE OF REVERSE COMPETITION

In consumer credit insurance, competition is for the business of the lender or seller—not for the business of the ultimate consumer. It is competition in reverse, and assorted methods have been devised to reward the lender-seller—captive insurance companies, reinsurance arrangements, rebates, commissions, interest-free accounts and compensating balances, to name a few. Whatever the method, the bonus to the creditor ultimately comes out of the premiums paid by the consumer. So long as this distortion of normal competition continues, inequities will persist.

A favorite technique of larger creditors is creation of subsidiary or "fronting" insurance companies whose primary purpose is the writing of consumer credit insurance on the loans granted. I ask unanimous consent to print after my remarks a list of the country's top 30 consumer creditors, ranked by capital funds, showing that 29 of them own or control or have affiliated with active insurance companies. To engage one's own underwriter, of course, makes it unnecessary to deal with independent insurance companies. It keeps the profits at home and confines cash flow to one's own backyard.

A second technique, akin to the favored-nation approach to international trade, is the reinsurance agreement, by which an underwriter lays off part of his risk. An underwriting company can limit its risk exposure by transferring part of its liability to other insurance companies. The direct writer becomes a "ceding" company and the reinsurer becomes an "assuming" company. Reinsurance typically serves to reduce liability on extraordinarily large risks, but

then, consumer credit insurance is an atypical world in which reinsurance is nothing more than profit-shifting. The following from a court case tells the story:

In the early 1950's Old Republic (Old Republic Life Insurance Company of Chicago, Ill.) found itself confronted with a worrisome development. Some of its important customers had begun to press for more commission compensation from their placing of credit life business with Old Republic, and some had even formed their own credit life insurance companies to which they shifted their credit life business. To Old Republic's management this development constituted a threat to the company's future volume of credit life insurance. However, rather than accede to the demands for larger commissions and retrospective rate adjustment, Old Republic began to suggest to its more important customers that they form their own life insurance companies, as subsidiary corporations, with which Old Republic would agree to reinsure proportionate segments of its credit life insurance. Old Republic's argument in support of its suggestion was that, in return for its customer assuming part of the risk, Old Republic could afford a more generous sharing of the premium income, the end result being "more of the pot" to its customers.

Mr. President, the other techniques—rebates, commissions, interest-free accounts and so on—serve to achieve the same basic purpose of channeling profits from consumer credit insurance back to the creditor. One of the many edifying exhibits in Senator HART's subcommittee's hearing record is a letter from a credit life insurer to a Los Angeles banker detailing some extra added attractions for marketing the company's product—among them, a 37.5 percent "service fee" and a handy cash buildup.

Reverse competition exerts a steady upward pressure on premium rates, at the consumer's expense. Creditors compete amongst themselves to maximize their profits for merchandising insurance which protects their own business. When, through an intermediary, a creditor does offer credit insurance to consumers at a reasonable price, his efforts can boomerang. If the intermediary wants a bigger insurance payoff and goes elsewhere to get it, the creditor can find his market position deteriorating. That is what happened to Ford Motor Credit Co. Robert S. Olson, chairman of the board of directors of the finance and insurance subsidiaries of Ford Motor Co., told the subcommittee:

We still support vigorously our initial objective of offering low-cost competitive financing and insurance services to Ford Motor Co. dealers and car buyers. But in more and more of our market our credit life insurance plan has lost its value to Ford product dealers and their customers and to us because it is not being used. Worse yet, our customers are using our competitors' insurance plans and we either provide the financing that makes this possible or risk loss of our entire relationship with the customer.

The exhibits furnished by Ford for the hearing record document this point.

Reverse competition and a captive clientele characterize the consumer credit insurance business. Creditors scramble for new ways to utilize their superior bargaining position in relation to debtors. As a result, American consumers pay far too much for credit insurance.

THE BIG BITE

An industry survey for 1967 indicates to me that direct earned premiums for consumer credit insurance totaled \$837 million. On this enormous volume it can be reckoned that consumers paid excessive charges of at least \$220 million by using a yardstick which parallels the yields on group life insurance.

Mr. President, I shall make available a table explaining the formula used to make these computations, so that I need not go now into cumbersome detail. An overcharge of this magnitude delays repayment of proper consumer debt, thus impeding the national economy. This overcharge is a hidden component in the cost of consumer credit. It is a terribly big bite.

When challenged about their profit margins, creditors can do some pretty fancy footwork. Now, the cost factors in consumer credit insurance are death or disability expense, creditor compensation and the insurer's administrative expense and profit, of which creditor compensation is the biggest variable. As a diversion, however, creditors indulge in fantastic conjecture about their costs in selling or administering this insurance. They do not have the figures, but they are intuitively certain that their costs are quite high. At the hearings a finance company representative said:

Well, as I indicated previously, we believe that we have about the same costs in handling the credit insurance as we have in handling the loan business, which means 70 percent of the gross is eaten up by costs. So, why not assume that 70 percent of this amount is eaten up by costs . . .

Indeed, why not assume it? The assumption is most helpful to lenders, and disposes of factual questions. Why bother to ascertain the truth if there is an assumption handy? When this finance man was confronted with figures his company filed in California as required by law, he expressed ignorance. The cost figures, extrapolated by the California Insurance Commissioner from data the firm submitted to the commissioner of corporations, showed its administrative costs for credit life insurance to be 8.9 percent of premiums received, or 6.1 cents on the 68-cent rate then applying. These 1966 figures were up from 8.38 percent and 5.7 cents in 1965. That actual range is of course, a mere pittance compared to the speculative percentage urged by the witness.

Another finance man testifying before Senator HART's subcommittee took this tack:

As an example, assume a hypothetical fixed administrative cost of \$4 for writing and recording the insurance transaction. On an \$800 loan for two years, the total life premium of 75 cents per \$100 per annum would be \$12. The \$4 administrative cost would represent 33 percent of the total premium. On a \$2,400 automobile loan for the same period and at the same rate the total life premium would be \$36. In this case the \$4 administrative cost would represent only 11 percent of the total premium.

This example clearly demonstrates how inappropriate it is to compare small loan credit insurance transactions with large dollar volume transactions such as new car automobile financing, personal loans by banks, or employer-employee group life coverage.

Then he was informed that figures his firm filed with the commissioner of corporations in California, on a schedule called "Expenses of Licensee Related to Credit Life Insurance," made such hypothetical examples unnecessary. The figures indicated his firm's expenses in 1965 were 2.2 percent of premiums, or 1.5 cents at the 68-cent rate, and in 1966 were 2.4 percent, or 1.6 cents at the 68-cent rate. The substantiated costs being somewhat less than \$4, a discussion of the disparity followed, leading to this admission by the witness:

Well, we do not keep costs, I can tell you that frankly, and I do not think any other company does. Some attempt has been made at conducting these studies but they produce certain vagueness and inaccuracies, so that every attempt so far has been given up. We have never attempted it because we consider our business as a single business and do not try to separate these parts because it is almost impossible.

Mr. President, these cases from the hearing record should explode once and for all the myth of high costs. These costs have existed nowhere but in the imagination of industry spokesmen hard pressed to account for their excessive rates. When there is hard evidence, it indicts them. When it is lacking, we are asked on faith to accept their guesswork and supposition. Stripped of their cost camouflage, creditors are revealed as jealous guardians of their unreasonable insurance profits.

FAILURE OF STATE REGULATION

State regulation simply has not protected the public in the area of consumer credit insurance. It is true that 34 States have enacted some form of broad credit insurance law, but only one of them has done so since 1963. The pace of enactment has come to a near standstill. More importantly, these laws do not guarantee reasonable rate regulation: They merely permit it. It still falls to the regulator to establish and enforce a reasonable rate.

Now, it is argued widely that a rate is reasonable if the benefits provided amount to at least 50 cents of each premium dollar collected. This is the so-called 50-percent benchmark—which contrasts sharply, I should point out, with what ordinary group insurance policies generally pay out. Their death payments average 70 to 85 percent of premiums collected.

Without arguing the fairness of a 50-percent benchmark, what should it mean in actual rates? The National Association of Insurance Commissioners in a comprehensive study determined that the average credit life insurance benefit payment rate was 30 cents per hundred. According to the benchmark ideal, this would mean an allowable maximum premium rate of 60 cents. Actually, only a handful of States have a rate of 60 cents or less.

Furthermore, adherence to the 50-percent benchmark is not conspicuous among those who urge it. A table submitted at the hearings, summarizing the consumer credit insurance experience of the insurance subsidiaries of selected finance companies, indicated average benefit payments of only 40 percent—10 percent lower than the benchmark. These

are some of the ways in which State regulation has failed:

A new, higher rate set by insurance authorities tends to become a minimum rate. With the impetus of reverse competition, a creditor may suddenly find it desirable to honor the regulator and his more profitable premium rate. A classic example of this came to light at the hearings. A California bank had asked an insurance company to raise its rate, putting the insurer in the bind of complying or losing the account. Queried about this, an insurance company spokesman answered:

I would say that there had been an understanding between the insurer and the bank as to what was a reasonable rate for credit insurance that was being furnished, and then there was action taken by the State in promulgating a rate which was significantly above that. This triggered the reaction. Well, we are a profit-making enterprise. The State says that this is a good rate. This rate is in compliance with all the benchmarks that have been established and is a fair and equitable rate and, therefore, in the interest of our stockholders why do we not take advantage of the profits we can make by moving to this higher rate?

On the other hand, a new, lower rate tends to be shouted down, on grounds regulatory authorities lack hard, current data to justify it, or the administrative capacity to oversee it. In 1967 the California Insurance Commissioner adopted regulations substantially reducing credit life rates and estimated that through 1969 they would save California borrowers about \$25 million. Then the State legislature passed a bill severely limiting the commissioner's power to regulate rates and invalidating the lower rates adopted. Millions in borrower savings disappeared into creditor coffers.

Mr. President, the very fact some commissioners are cutting rates in States which have enacted the model bill, leads industry lobbyists to fight even harder to defeat the model bill in States not now having it. And a State commissioner last year said this about the 50-percent loss ratio benchmark:

Yet, the pathetic fact, of which Senator Hart is all too aware, is that even this triumph of mediocrity and ambiguity has not been effectively adopted or enforced so far as I know in any state. (A few states may have achieved industrywide loss ratios higher than 50 percent, but they have done so by ignoring the 50 percent test and going to size scaled rates. It is doubtful that even the few \$.60 to \$.64 rates have produced a 50 percent loss ratio industrywide, due to attrition in experience caused by the cumulation of upward deviations.) To the best of my knowledge, no state seriously polices the loss ratios to require downward deviations to consistently meet the test.

A FEDERAL REMEDY

These regulatory problems should not be optimistically dismissed as simple friction between the industry and State insurance departments ultimately producing reasonable rates. It may produce them, as it has in New York and New Jersey. Where it does not, and that means most places most of the time, the loser—the heavy loser—is the consumer. Since the States have failed to act, it is time

for Federal action to protect consumers from being overcharged for consumer credit insurance. My bill is based on these findings:

First, substantial increases have occurred since World War II in the volume of consumer credit—its growth rate having exceeded that of the national economy—and in the percent of family income used to repay such credit, making timely repayment of consumer debt essential to the well-being of the national economy. Thus it is in the public interest to reduce impediments to strong and effective competition among grantors of consumer credit in order that the payments required to liquidate such credit be kept to a minimum.

Second, Credit life, health, and accident insurance is an increasingly important element in the total cost of consumer credit. In the marketing of such insurance, the inferior bargaining position of the debtor prevents effective competition and results in excessive premium charges. This raises the total amounts of repayments pursuant to consumer credit transactions and, accordingly, obstructs commerce and prejudices consumers and the sound functioning of credit structure.

Third, Based on the foregoing, and in order to enhance economic stability and promote effective competition among financial institutions and others extending consumer credit, it is held to be in the national interest to regulate the maximum premiums which may be charged for credit life, health, and accident insurance when such insurance is provided or arranged by a creditor pursuant to a consumer credit transaction.

Mr. President, my bill would establish this regulatory process: The Board of Governors of the Federal Reserve System shall by regulation limit the maximum premiums which consumers may be charged directly or indirectly for life, health, and accident insurance, when such insurance is provided or arranged for by a creditor pursuant to a consumer credit transaction.

In prescribing such regulations, the Board shall insure that the maximum premiums so established are reasonable in relation to the benefits conferred and that consumers are adequately protected against excessive premium charges.

In turn, the rates so established shall be based upon a ratio of losses to premiums which is reasonable and which protects consumers against excessive premium charges. In arriving at this ratio the Board shall consider:

First, The ratio of losses to premiums experienced by other lines of insurance marketed on a group basis; and

Second, The ratio of losses to premiums experienced by creditors who provide life, health, and accident insurance pursuant to consumer credit transactions in which the cost of the insurance is included in the finance charge paid by the consumer and is not a separate charge paid by him; and

Third, The actual losses and expenses experienced by insurance companies and

the actual incremental administrative expenses experienced by creditors; and

Fourth, Whatever other factors the Board determines are relevant to achieving the purposes of this legislation.

The Board may prescribe such maximum premiums for particular creditors, classes of creditors, or transactions based upon the loss ratio—determined as outlined above—and actual loss experience.

The Board shall from time to time raise or lower the maximum premium charges permitted for any particular class of creditor or class of transactions whenever it determines that actual loss experience for the particular creditor, class of creditor, or class of transactions produces a loss ratio which differs substantially and systematically from the loss-ratio set by the Board. So that this provision can be implemented, creditors shall file an annual report setting forth data pertaining to actual losses in relation to premiums, and whatever other information the Board may require in furtherance of this act.

I might note, Mr. President, that no State regulatory apparatus need suffer from this. My bill provides for exemption of State regulated charges wherever the Board determines that the State has established substantially similar restrictions on such charges, with adequate provision for enforcement. I ask unanimous consent that a copy of the Consumer Credit Insurance Act be published after my remarks, as well as the computation of excessive charges and various exhibits from the hearing record to which I have referred.

In closing, I want to comment on the see-no-evil propensity of people from the consumer credit industry. Sometimes they refer to abuses in quotes, as if the word were unknown to them—implying, of course, that the sky's the limit in credit insurance. Or, if acknowledging abuses, they relegate them to some other time or place. They like to argue that the profit motive is basic to business nature, but choose to overlook the equally basic fact that profit can only be justified when real competition exists.

The penetrating inquiry by Senator HART's subcommittee shook up State authorities and the consumer credit industry, causing a flurry of activity. In the last few months, for example, regulatory action has been taken or proposed in California, Wyoming, Tennessee, Rhode Island, Pennsylvania, and Indiana. Each move toward consumer protection should be lauded, but the fact indisputably remains that State action has been too little and too infrequent. Each year of hesitation costs consumers not less than \$220 million in excessive charges, and they cannot afford to have their pockets picked any longer.

COMPUTING EXCESSIVE CHARGES FOR CONSUMER CREDIT INSURANCE

To determine the amount of excessive charges, I have used a formula recommended to the Antitrust and Monopoly Subcommittee by James H. Hunt, Fellow of the Society of Actuaries and then Commissioner of Banking and Insurance for the State of Vermont. I have adjusted aggregate figures taken from a monthly

magazine, the Spectator, an insurance authority since 1868, which last October summarized the experience of companies writing an estimated 90 percent or better of the consumer credit insurance in the United States.

Then I have set creditor commissions at 3 percent and profit to the insurer at 3 percent, and have pegged creditor compensation for expenses at 10 percent of premium volume, after reducing the volume by the amount of extra compensation actually paid. The result indicates excessive charges of \$220 million. This is the formula:

Estimated excessive charges for consumer credit insurance, 1967

Total earned premiums.....	\$837, 100, 000
Total losses and loss expenses.....	435, 000, 000
Total general expenses.....	71, 050, 000
Commissions (3 percent of premium volume).....	25, 113, 000
Profit to insurer (3 percent of premium volume).....	25, 113, 000
Total	558, 276, 000
Left after subtracting expenses from premiums	280, 824, 000
Cost figure for creditor expenses (10 percent of premium volume reduced by \$229,669,440, which is the sum of commissions and dividends and retrospective rate credits paid).....	60, 700, 000
Total	220, 124, 000

Mr. President, I ask unanimous consent to have printed in the RECORD some letters, tables, and other data, as well as a copy of the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection the bill and material will be printed in the RECORD.

The bill (S. 1754) to protect consumers from abuses relative to excessive charges for life, health, and accident insurance pursuant to consumer credit transactions, introduced by Mr. PROXMIER, for himself and Mr. HART, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1754

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

Act may be cited as the "Consumer Credit Insurance Act".

Sec. 2. (a) Title I of the Consumer Credit Protection Act is amended by adding at the end thereof the following new chapter:

"CHAPTER 4—CONSUMER CREDIT INSURANCE
"Sec.

- "151. Findings and declaration of purpose.
- "152. Regulation of maximum premiums.
- "153. Exemption of State regulated charges.

"Section 151. Findings and declaration of purpose

"(a) The Congress finds that substantial increases have occurred since World War II in the volume of consumer credit (the rate of growth of such credit having exceeded that of the national economy), and in the percent of family income used to repay such credit, making the repayment of debt by consumers on a timely basis essential to the well-being of the national economy. It is in the public interest, therefore, to reduce impediments to strong and effective competition among grantors of consumer credit in order that the payments required to liquidate such credit be kept to a minimum.

"(b) Congress further finds that life, health, and accident insurance provided or arranged for in connection with consumer credit transactions is an increasingly important element in the total cost of consumer credit and that in the marketing of such insurance the inferior bargaining position of the debtor prevents effective competition and results in excessive premium charges, thereby raising the total amounts of repayments pursuant to consumer credit transaction, and accordingly, obstructing commerce and prejudicing consumers and the sound functioning of the credit structure.

"(c) In view of the foregoing, and in order to enhance economic stability and promote effective competition among financial institutions and others extending consumer credit, the Congress declares it to be in the national interest to regulate the maximum premiums which may be charged for life, health, and accident insurance when such insurance is provided or arranged for by a creditor pursuant to a consumer credit transaction.

"Section 152. Regulation of maximum premiums

"(a) Not later than one year following the date of enactment of this chapter, the Board shall, by regulation, limit the maximum premiums which may be charged consumers directly or indirectly for life, health, and accident insurance when such insurance is provided or arranged for by a creditor pursuant to a consumer credit transaction. In prescribing such regulations, the Board shall insure that the maximum premiums so established are reasonable in relation to the benefits conferred and that consumers are adequately protected against excessive premium charges.

"(b) Maximum premiums established

under this section shall be based upon a ratio of losses to premiums which is reasonable and which protects consumers against excessive premium charges as determined by the Board in determining such a ratio, the Board shall consider:

"(1) The ratio of losses to premiums experienced by other lines of insurance marketed on a group basis; and

"(2) The ratio of losses to premiums experienced by creditors who provide life, health, and accident insurance pursuant to consumer credit transactions in which the cost of such insurance is included in the finance charge paid by the consumer and is not a separate charge paid by the consumer; and

"(3) The actual losses and expenses experienced by insurance companies and the actual incremental administrative expenses experienced by creditors in the sale of such insurance; and

"(4) Such other factors as the Board determines are relevant to achieving the purposes of this Act.

"(c) The Board may prescribe such maximum premiums for particular creditors, classes of creditors, or transactions based upon the loss ratio determined under subsection (b) and actual loss experience.

"(d) The Board shall from time to time raise or lower the maximum premium charges permitted for such insurance for any particular class of creditor or class of transactions whenever the Board determines that the actual loss experience for the particular creditor, class of creditor, or class of transactions produces a ratio of losses to premiums which differs substantially and systematically from the loss ratio established by the Board under sub-section (b). In order to implement this subsection, creditors shall, under regulations of the Board, file an annual report with the Board setting forth data pertaining to actual losses in relation to premiums and such other information as may be required by the Board to further the purposes of this Act. Such information shall be made available to the general public upon request.

"Section 153. Exemption of State regulated charges

"The Board shall, by regulation, exempt from the requirements of this chapter charges for life, health, or accident insurance in any State where the Board determines that the State has established substantially similar ceilings on such charges and that such ceilings are being adequately enforced.

"Section 154. Reports

"The Board shall report annually to Congress on its responsibilities under this Act."

(b) The chapter analysis at the beginning of title I of the Consumer Credit Protection Act is amended by adding at the end thereof the following:

"4. Consumer Credit Insurance..... 151".

The material, presented by Mr. PROXMIER, follows:

DATA SUBMITTED BY THE STANDARD LIFE INSURANCE CO. OF MISSISSIPPI, NOV. 27, 1967

CREDIT LIFE DEPARTMENT

	Premium received			Claims paid			
	Life	Dollar Rep.	A. & H.	Total	Death	A. & H.	Total
1960.....	\$1,670,374.47	\$103,030.64	\$125,470.12	\$1,898,875.23	\$578,000.04	\$27,104.14	\$605,104.18
1961.....	1,602,982.04	144,075.87	135,383.37	1,882,441.28	586,469.57	47,060.29	633,529.86
1962.....	1,696,396.02	203,875.88	172,815.00	2,073,086.90	694,570.10	43,009.60	737,579.70
1963.....	1,974,488.72	256,008.89	258,070.28	2,488,567.89	699,525.70	47,148.63	746,674.33
1964.....	2,344,484.62	291,750.33	267,854.10	2,904,089.05	832,212.04	56,999.55	889,211.59
1965.....	2,854,877.14	370,322.20	282,081.67	3,507,281.01	995,442.57	71,224.76	1,066,667.33
1966.....	3,224,338.69	418,990.99	333,856.32	3,977,186.00	1,233,344.38	77,862.68	1,311,207.06
1967 (through October).....	2,705,740.85	380,519.60	417,134.62	3,503,395.07	1,120,298.69	71,730.03	1,192,028.71
Total.....	18,073,682.55	2,168,574.40	1,992,665.48	22,234,922.43	6,739,863.09	442,139.68	7,182,002.77

DATA SUBMITTED BY THE STANDARD LIFE INSURANCE CO. OF MISSISSIPPI, NOV. 27, 1967—Continued
COMMISSIONS

	Life	A & H	Total	Life	A & H	Total	
1960.....	\$849,083.69	\$72,062.44	\$921,146.13	1965.....	\$1,458,975.66	\$144,956.25	\$1,603,931.91
1961.....	824,128.37	75,977.31	900,105.68	1966.....	1,747,390.24	173,635.18	1,921,025.42
1962.....	869,684.86	93,946.64	963,631.50	1967 (through October).....	1,444,623.70	226,415.18	1,671,038.88
1963.....	1,042,330.49	142,416.61	1,184,747.10	Total.....	9,461,632.22	1,067,521.38	10,529,144.60
1964.....	1,225,406.21	138,111.77	1,363,517.98				

CREDIT LIFE AND CREDIT ACCIDENT AND HEALTH INSURANCE EXPERIENCE¹ OF THE LIFE INSURANCE SUBSIDIARIES OF SELECTED FINANCE COMPANIES, 1965 AND 1966

[Dollar amounts in thousands]

Finance company	Year	Earned premiums	Death and accident and health benefits incurred ²	Commissions and experience refunds	Net gain (or loss) to insurer ³	Loss ratio (benefits to premiums) (percent)	Finance company	Year	Earned premiums	Death and accident and health benefits incurred ²	Commissions and experience refunds	Net gain (or loss) to insurer ³	Loss ratio (benefits to premiums) (percent)
Allied Finance of Texas.....	1965	\$5,344	\$1,884	\$2,060	\$1,076	35.0	ITT Aetna Finance Co. of Missouri.....	1965	\$3,764	\$1,093	\$1,329	\$814	29.0
	1966	4,866	1,795	2,745	(143)	37.0		1966	4,134	1,224	1,282	1,514	29.0
American Credit of North Carolina.....	1965	3,900	1,142	1,797	596	31.0	Laurentide Finance Corporation of California.....	1965	872	401	185	273	46.0
	1966	3,954	1,218	1,562	816	30.0		1966	1,446	892	357	72	66.0
American Investments of Missouri.....	1965	8,082	2,987	3,401	927	37.0	Liberty Loan of Missouri.....	1965	7,259	2,483	3,199	1,000	34.0
	1966	9,243	3,377	3,253	1,675	37.0		1966	8,356	2,659	3,294	1,759	31.0
Associates Investments of Indiana.....	1965	15,828	6,969	822	7,317	44.0	Local Finance Co. of Rhode Island.....	1965	841	446	155	186	53.0
	1966	17,594	7,828	2,148	7,182	44.0		1966	848	404	175	224	47.0
Avco-Delta of New York.....	1965	1,640	409	641	25.0	25.0	Pacific Finance of California.....	1965	10,635	4,428	1,520	2,628	42.0
	1966	2,244	916	399	639	40.0		1966	12,228	4,932	1,953	2,916	40.0
Beneficial Finance of New Jersey.....	1965	6,666	4,086	17	2,507	61.0	Peoples Financial Corp. of Georgia.....	1965	460	123	293	3	28.0
	1966	8,131	4,940	18	3,194	60.0		1966	548	147	346	24	27.0
C.I.T. Finance of New York.....	1965	15,709	7,072	117	7,502	44.0	Midland Guardian Co. of Ohio.....	1965	1,854	804	156	702	43.0
	1966	17,628	8,104	104	8,386	46.0		1966	1,572	599	143	746	38.0
Commerce Acceptance Corp. of Kansas.....	1965	609	117	383	75	17.0	Murdock Acceptance of Mississippi.....	1965	555	70	289	43	13.0
	1966	439	61	329	2	14.0		1966	(*)				
Commercial Credit Co. of Maryland.....	1965	17,738	8,819	169	4,646	49.0	Seaboard Finance Co. of California.....	1965	8,119	3,427	2,896	1,523	42.0
	1966	19,307	10,198	246	4,608	53.0		1966	8,629	4,187	3,033	1,151	48.0
Colonial Acceptance Corp. of Illinois.....	1965	1,265	790	300	170	62.0	Southern Discount Co. of Georgia.....	1965	542	121	351	59	22.0
	1966	1,545	934	388	(71)	60.0		1966	563	135	296	41	24.0
CMC Finance Group, Inc.....	1965	606	133	335	124	21.0	Southwestern Investment Co. of Texas.....	1965	3,138	1,033	323	659	32.0
	1966	622	179	293	88	28.0		1966	3,012	979	358	605	32.0
Consolidated Credit Corp. of North Carolina.....	1965	4,866	1,147	3,087	185	23.0	State Loan & Finance of Delaware.....	1965	9,729	3,476	4,639	1,327	35.0
	1966	4,729	1,192	2,654	350	25.0		1966	10,864	3,689	5,152	1,751	34.0
Creditthrift Finance of Indiana.....	1965	3,823	1,349	2,197	34.0	34.0	Stephenson Finance Co. of South Carolina.....	1965	1,442	382	902	67	26.0
	1966	4,318	1,718	2,269	39.0	39.0		1966	1,287	329	729	143	25.0
Crown Finance of Missouri.....	1965	964	397	515	24	41.0	Sun Finance & Loan Co. of Ohio.....	1965	837	416	257	147	26.0
	1966	1,215	419	663	99	34.0		1966	853	282	301	259	25.0
Dial Finance Co. of Iowa.....	1965	4,121	1,274	1,837	974	30.0	Thorp Finance of Wisconsin.....	1965	3,051	912	15	1,368	30.0
	1966	4,519	1,517	1,866	1,103	35.0		1966	4,634	2,356	530	616	50.0
Family Finance of Delaware.....	1965	10,436	2,869	727	3,692	27.0	Total (37).....	1965	189,596	72,203	43,483	*47,030	38.1
	1966	8,538	2,878	1,301	4,561	34.0	Total (35).....	1966	201,531	81,318	45,613	*49,531	40.3
Federal Discount of Iowa.....	1965	848	399	265	112	47.0							
	1966	754	193	117	185	25.0							
Fidelity Acceptance (Minnesota).....	1965	526	150	121	177	29.0							
	1966	1,446	656	360	269	45.0							
General Acceptance of Pennsylvania.....	1965	12,655	4,059	3,644	2,582	32.0							
	1966	12,511	4,751	3,489	2,580	37.0							
General Finance of Illinois.....	1965	8,162	2,997	3,736	1,048	37.0							
	1966	8,688	2,998	4,027	1,221	35.0							
Interstate Finance Co. of Iowa.....	1965	1,000	375	591	24	37.0							
	1966	(*)											
Interstate Securities Co. of Missouri.....	1965	11,710	3,164	3,050	941	27.0							
	1966	10,369	2,634	1,702	*(338)	25.0							

* Data not available.

¹ On a direct and assumed credit life and credit accident and health insurance basis.

² Benefits paid and adjustments for changes in claim reserves.

³ After all expenses of operation, commissions, dividends and rate credits, but before investment income and Federal income tax.

⁴ \$1,631,000 was ceded.

⁵ \$502,351 was ceded.

⁶ \$1,341,921 realized with respect to credit accident and health business ceded.

⁷ \$965,428 realized with respect to credit accident and health business ceded.

⁸ Some \$1,700,000 in experience refunds ceded.

⁹ Excludes net gain (or loss) on business ceded.

Source: Annual convention statements, including credit life and accident and health exhibits supplement thereto, for 1965 and 1966.

EXHIBIT 54

TABLE 47.—Insurance companies owned, controlled, or affiliated with major consumer creditors ranked by total capital funds (as of April 1967)

CONSUMER CREDITORS AND OWNED, CONTROLLED OR AFFILIATED INSURANCE COMPANIES

1. General Motors Acceptance Corp.: Motors Insurance Co. of New York; GIM Insurance Co. of New York.

2. CIT Financial Corp.: North American Co. for Life, Accident and Health Insurance; Patriot Life Insurance Company; North American Accident Insurance Company; Service Casualty Co. of New York; Service Fire Insurance Co. of New York.

3. Commercial Credit Company: American Health and Life Insurance Co.; Farmers and Bankers Life Insurance Co.; American Credit Indemnity Co. of New York; Calvert Fire Insurance Co.; Cavalier Insurance Corporation; Eastern Insurance Company.

4. Beneficial Finance Co.: Guaranty Life Insurance Co. of America of Delaware; Guaranteed Equity Life Ins. Co. of Arizona.¹

5. Associates Investment Co.: Capital Life Insurance Co. of Colorado; Emmco Insurance Co. of Indiana; Excel Insurance Company.

6. Household Finance Corporation: None.

7. Ford Motor Credit Co.: American Road Insurance Co.; Ford Life Insurance Co.

8. Sears, Roebuck and Co.:² Allstate Insurance Co.³

¹ Wholly owned by Spiegel Inc. (Mail order sales and financing of customers' receivable), which is wholly owned by Beneficial Finance Co.

² Wholly owns Sears Roebuck Acceptance Corp.

³ Wholly owns Allstate Fire Insurance Co.; Allstate Life Ins. Co.; Cross Country Life Ins. Co.; National Emblem Ins. Co.; and Allstate International, S.A. (an insurance holding company).

9. Pacific Finance Corp.:⁴ Pacific Fidelity Life Ins. Co. of Cal.; Countrywide Life Ins. Co. of Texas; Mt. Beacon Ins. Co. of New York; Olympic Insurance of Cal.; Marathon Ins. Co. of Texas; Spartan Ins. Co. of Cal.

10. Avco Delta Corp.: Phoenix Life & Accident Ins. Co. of Texas.

11. General Acceptance Corp.: Stuyvesant Life Ins. Co. of Pa.; Stuyvesant Ins. Co. of Pa.; Trans-Oceanic Life Ins. Co. of Puerto Rico.

12. Seaboard Finance Co.: Provident Alliance Ins. Co., Ltd. of Hawaii; Balboa Ins. Co.

13. American Investment Co.: Charter National Life Ins. Co. of Mo.; Charter National Ins. Co.

14. Montgomery Ward and Co., Inc.: Montgomery Ward Life Ins. Co.

15. Chrysler Credit Corp.: Car City Insurance Co.

⁴ Wholly owned by Transamerica Corp. of California.

16. State Loan and Finance Corp.: General Fidelity Life Ins. Co. of Va.; Atlas Life Ins. Co. of Del.

17. Family Finance Corp.: Diamond State Life Insurance Co.

18. Liberty Loan Corp.: Personal Life Ins. Co. of Mo.; People's Standard Life Ins. Co.; Twentieth Century Life Ins. Co.

19. General Finance Corp.: Mid-State Life Ins. Co. of Fla.

20. American Credit Corp.: Citadel Life Ins. Co.; Carolina Central Life Ins. Co.; East Coast Life Ins. Co.; Southeastern Fire Insurance Co.; Twin States Ins. Co.; South State Ins. Co.

21. Midland-Guardian Co.: Main Life Ins. Co. of Ariz.

22. Dial Finance Co.: Consumers Life Ins. Co. of Mo.

23. Interstate Finance Corp. (Ind.): Merit Life Ins. Co. of Ind.

24. Budget Finance Plan, Inc.: Transnational Ins. Co.; Transnational Life Ins. Co. of Ariz.

25. Southwestern Investment Co.: Western National Life Ins. Co. of Texas; Commercial Ins. Co.

26. ITT Aetna Finance Co.: ITT Life Ins. Co. of Texas.

27. Standard Financial Corp.: Bay Life Ins. Co. of Texas.

28. Interstate Securities Co.: Old Security Life Ins. Co. of Mo.; Old Security Casualty Ins. Co.

29. Thorp Finance Corp.: Lyndon Life Ins. Co. of Texas; Thorp Life Ins. Co. of Wisconsin; Lyndon Ins. Co. of Wisconsin.

30. Laurentide Finance Corp.: Allied Life Ins. Co. of Ariz.

31. Mercantile Financial Corp.: Insurance company ownership not known.

32. Coburn Credit Co.: Arlington Life Ins. Co.; CIC Fire and Casualty Ins. Co.

33. Securities Investment Co.: Mercury Life Ins. Co. of Ariz.

34. Thrift Interstate Corp.: Monongahela Assurance Ltd. of Nassau.

35. Industrial First Thrift Corp.: Insurance company ownership not known.

36. Sun Finance and Loan Co.: Sun States Life Ins. Co. of Ariz.

37. Industrial Credit Co.: Northland Life Ins. Co. of Ariz.

38. Ritter Finance Co.: Insurance company ownership not known.

39. United States Finance Co.: Motor Life Ins. Co.

40. Government Employees Corp.⁶

41. Commonwealth Loan Company: Insurance company ownership not known.

42. Union Investment Co.: Guard Life Ins. Co. of Ariz.

43. Murphy Finance Co.: Insurance company ownership not known.

44. Fidelity Acceptance Corp.: Admiral Life Insurance Co. of Ariz.

45. Associates Capital Corp.: Cumberland Life Ins. Co. of Tenn.

46. Consolidated Credit Corp.: Builders Life Ins. Co. of N.C.

47. Allied Finance Co.: Industrial Life Ins. Co.; Southern Ins. Co.

48. Local Finance Corp.: Insurance company ownership not known.

49. Kentucky Finance Co.⁷

50. Approved Finance Co.: Insurance company ownership not known.

51. Interstate Finance Corp. (Iowa): Midwest Security Life Ins. Co. of Ariz.

52. Texas Consumer Finance Corp.: Trans-Texas Life Ins. Co.

⁶ Wholly owned by International Telephone and Telegraph Corporation. Co. of Mo.

⁷ Affiliated companies: Government Employees Insurance Co.; Government Employees Life Ins. Co.; Criterion Ins. Co.

⁸ Chairman of the Board of Directors and President is President and a major stockholder of Kentucky Central Life Ins. Co.

53. Automobile Banking Corp.: ABCO Life Ins. Co. of Pa.

54. Morris Plan Co. of Calif.: Yosemite Life Insurance Co.; Yosemite Ins. Co.

55. Commercial Securities Co.: Insurance company ownership not known.

56. Northern Illinois Corp.: Protective Life Ins. Co.

57. Merchants Acceptance Corp.: Insurance company ownership not known.

58. Century Acceptance Corp.: Insurance company ownership not known.

59. Oxford Finance Co.: Insurance company ownership not known.

60. Stephenson Finance Co.: Superior Life Ins. Co.

61. Local Finance Finance Co. (R.I.): Imperial Life Ins. Co. of Ariz.

62. Franklin Finance Co.: Insurance company ownership not known.

63. Provident Loan Security of N.Y.: Insurance company ownership not known.

64. Economy Finance Corp.: Insurance company ownership not known.

65. Continental Commercial Co.: Gateway Life Ins. Co. of Pa.; Gateway Ins. Co.

66. Federal Discount Corp.: Life of Mid-America Ins. Co.

67. Mutual System, Inc.: Insurance company ownership not known.

68. Public Finance Service, Inc.: Insurance company ownership not known.

69. State Securities, Inc.: Insurance company ownership not known.

70. Indian Finance Corp.: Insurance company ownership not known.

71. Colonial Acceptance Corp.: Colonial Reserve Life Ins. Co. of Ariz.

72. Crown Finance Corp.: Corona National Life Ins. Co. of Ariz.

73. Guardian Loan Co., Inc.: Tilden Life Ins. Co. of Ariz.

74. Winter and Hirsch, Inc.: Insurance company ownership not known.

75. Atlas Finance Co.: Arbor Life Ins. Co.

76. Atlantic Discount Corp.: Atlantic Security Life Ins. Co. of Ariz.

77. Commerce Acceptance Co.: Midland Empire Life Ins. Co.; Midland Empire Ins. Co.

78. Southern Discount Co.: Consumer Life Ins. Co. of Ariz.

79. Murdock Acceptance Corp.: Continental-American Life Ins. Co. of Miss.

80. Investors Loan Corp.: Eastern Life Insurance Co. of Ariz.

81. Peoples Financial Corp.: National Automobile Ins. Co.; Georgia Peoples Life Ins. Co.

82. Commonwealth Finance Corp.: Lincoln National Ins. Co.

83. Girard Investment Co.: Insurance company ownership not known.

84. Consumer Acceptance Corp.: Whitehall Life Ins. Co. of Ariz.

85. City Finance Co. of Md.: Insurance company ownership not known.

86. M & J Finance Corp.: Southern Standard Life Ins. Co.; Beacon Fire Ins. Co.

87. CMC Finance Group, Inc.: Amity Life Ins. Co. of Ariz.

88. Owners Discount Corp.: Michiana Life Ins. Co.

89. Rochester Cap. Leasing Corp.: Insurance company ownership not known.

90. Time Finance Corp.: Insurance company ownership not known.

91. Tower Finance Corp.: Tower Life Ins. Co. of Ariz.

92. Investors Commercial Corp.: Insurance company ownership not known.

93. Family Credit Corp.: Insurance company ownership not known.

94. Pioneer Credit Corp.: Insurance company ownership not known.

95. Town and Country Security Corp.: Insurance company ownership not known.

96. Southern Frontier Finance Co.: Insurance company ownership not known.

97. Fairlane Finance Co.: First Carolina Ins. Co.

98. American Security Co. of Bedford: Insurance company ownership not known.

99. Town Enterprises: Insurance company ownership not known.

100. Friendly Finance, Inc.: Insurance company ownership not known.

101. Industrial Credit Co.: Insurance company ownership not known.

102. Continental Acceptance Corp.: Eastern American Life Ins. Co.

103. All-State Credit Corp.: Insurance company ownership not known.

104. Security Leasing Co.: Insurance company ownership not known.

105. Finance Factors, Ltd.: Grand Pacific Life Ins. Co. of Hawaii.

106. Sterling Discount Corp.: Motor Life Ins. of Del.

Sources: *Moody's Bank and Finance Manual*, 1966 Ed.; *American Banker*, May 31 1966, pp. 11-13; 1966 Life Insurance Company or both. 1 has interlocking management, p. 17, line 11; *Best's Insurance Reports*, 1966 (Alfred M. Best Co., of New Jersey).

Out of 106 major consumer creditors: 68 are known to own, control or be affiliated with a life, fire and casualty insurance company or both. 1 has interlocking management with a life insurance company. 2 are in an affiliated group with life and casualty insurance companies. 43 own or control a life insurance company only. 4 own or control a fire and casualty insurance company only. 21 own or control both a life and casualty insurance company.

JANUARY 9, 1968.

HON. WILLIAM R. MORRIS,
Chairman, Life, Accident and Health Insurance Committee, National Association of Insurance Commissioners, Director of Insurance, State of Ohio, 115 East Rich Street, Columbus, Ohio.

DEAR BILL: As I will not be able to attend the meetings of the Life Committee at Columbus on January 11, 1968, I am forwarding to you regarding response to Senator Hart's inquiry addressed to Jim Bentley under date of December 14, 1967.

I want to address myself first to Senator Hart's specific questions, which are relatively narrow, and second to the broader issues involved.

Senator Hart poses two specific questions, relating them to the NAIC credit life mortality study and the conclusion of the Bittel-Gingery analysis indicating that on a national industrywide basis the pure mortality cost is about \$.30 per hundred:

"It is the position of the NAIC that a \$1.00 credit life premium level, in general, would produce at least 50 percent in benefits to borrowers and installment purchasers?"

"What are your comments with respect to a 75 cent credit life premium level producing at least 50 percent in benefits?"

The obvious simple answers to Senator Hart's questions are "No." Neither a \$.75 nor a \$1.00 rate will produce a 50 per cent industrywide or countrywide loss ratio on credit life.

Senator Hart's apparently naive, but really acute questions penetrate to the heart of the matter. The NAIC adopted as the guide for rate administration under the Model Bill the 50 per cent loss ratio benchmark resolution, which in itself can scarcely be held up as an example of either clarity or aggressive enforcement. For most of the business, it is a ratio substantially below what would obtain were true competition operative. Moreover, the resolution has been and is the subject of several widely variant interpretations.

Yet, the pathetic fact, of which Senator Hart is all too aware, is that even this triumph of mediocrity and ambiguity has not been effectively adopted or enforced as far as I know in any state. (A few states may have achieved industrywide loss ratios higher than

50 per cent, but they have done so by ignoring the 50 per cent test and going to size scaled rates. It is doubtful that even the few \$.60 to \$.64 rates have produced a 50 per cent loss ratio industrywide, due to attrition in experience caused by the cumulation of upward deviations.) To the best of my knowledge, no state seriously polices the loss ratios to require downward deviations to consistently meet the test.

At Richmond, in a fit of masochism, the NAIC adopted an industry sponsored resolution admonishing the member states to do what they had always said they should do as a minimum.

The fact then is, and this is what Hart's questions pinpoint, that after ten years the states have not regulated or been able to regulate credit life rates to even the rather minimal standards which the NAIC itself recommended. Moreover, and this even more devastating, there is ample evidence in the committee record, that the NAIC resolutions have been used to defeat or discourage more aggressive regulation in states where it has been attempted. Rarely have the commissioners gone to such lengths to become scapegoats for the industry.

I would be most cautious about claiming that a certain amount of recent activity is evidence of any enduring trend. Passage of the Model Bill in additional states has almost come to a standstill. There has been a spate of hearings and some instances of reduction of presumptive rates in a few states. There have also been some glaring evidences of the power of creditor interests to forestall or undo more aggressive regulation. The difficulty is that the failure of state regulation to achieve any sort of consistent pattern of meaningful regulation is going to become more, not less, evident as times goes on. The very fact that commissioners are cutting rates leads the more piratical creditors and insurers who will sacrifice all for short range continuance of high profits, to defeat the Model Bill in states not now having it. Meanwhile, among the states having the Model Bill or laws like it, there is an increasing lack of uniformity in administration. As the national rate pattern develops greater variations, the incongruities resulting from the state regulatory administration will become more apparent to Congress.

Without deprecating the sincerity of those who espouse it, I frankly think real enforcement of the 50 per cent benchmark is unlikely except in California where it is now mandated in sandwich style by the statute. The technical problems involved are such that most departments cannot cope with them from a staff standpoint and the competitive repercussions of actually applying it consistently will inevitably prevent it in most states.

Under the circumstances, I think that the most limited and candid response possible to Senator Hart's letter is desirable. This is particularly true where it is not possible for the association to pass on the matter as a whole and in light of its controversial nature, I question whether any sweeping position should be asserted on the strength of views developed in a quickie meeting of the Life Committee.

I urge a response that recognizes that the situation is not very satisfactory, points out that part of the problem is the deep involvement of creditors interests, mentions what recent activities there have been, and expresses an intent to review the whole question of implementation of the Model Bill.

The record of the NAIC and of the states on this subject is not very good. Senator Hart knows that. It is neither right nor safe to attempt an unqualified defense of that which is indefensible. In this situation, I think that the NAIC as an organization and state regulation as an institution is more apt to earn Congressional esteem from an expression of honest recognition of shortcomings and of real determination to seek effective solutions

in the future than it is from a glib defense of the sorry past.

Very truly yours,

RICHARD S. L. RODDIS,
Insurance Commissioner,
State of California.

DEPARTMENT OF INSURANCE,
Los Angeles, Calif., February 21, 1968.
To All Members of the E Committee and E2 Subcommittee:

I will be unable to attend the meeting of the E Committee and the E2 Subcommittee in Las Vegas on February 26-28, 1968. Before expressing my views on the subject of that meeting, I want to observe that the situation illustrates one of the serious problems confronting many of us arising from the lack of effective coordination in the scheduling of meetings. For some of us, at least, both budgetary and time pressures render frequent out of state trips very difficult. This meeting was tentatively set up following the Columbus meeting. Not long afterward, Ned Price called a meeting of the Executive Committee in March coincident with the Zone V meeting in Jackson Hole. There is no particular time pressure that requires this credit life meeting to be held three weeks earlier. It would have been possible to set the E and E2 meetings coincident with the Zone V meeting also, and many of us would have been able to cover both and better attendance would be secured.

A more systematic and determined control over the scheduling and coordination of committee meetings is going to be necessary.

I am somewhat at a loss to know what procedure is being followed. It was my understanding that what was intended at the Columbus meeting for the now scheduled Las Vegas meeting was that it was to be a workshop to prepare some sort of informational report for Senator Hart's committee or some members of it. There was no mention of a definition or redefinition of the NAIC resolutions concerning administration of the Model Credit Insurance Law. The announcement for the meeting from Commissioner Mastos indicates that this now is the purpose of the meeting. I assume that any report or resolution by the E2 Subcommittee on this subject will have to be submitted to the Convention in June or otherwise subjected to vote of the membership.

For the record, I will state my position on the subject briefly:

1. The Model Credit Insurance Law does not contain a 50% bench mark criteria, either expressly or by implication. I understand the omission was deliberate. Any suggestion that it does or that a law that incorporates it expressly is in fact an enactment of the Model Law is misleading.

2. I am opposed to any action by the NAIC that suggests that a state in the administration of the Model Law or otherwise should not require a loss ratio greater than 50% either overall or as to particular classes of business or categories of account. The 50% mark if it is to be retained at all should be regarded as a minimum acceptable level of public protection.

For the NAIC to commit itself to an organized position that a 50% loss ratio is in all events reasonable and that a state should not require a higher ratio is a suicidal position. Although perhaps reasonable for some classes of the business, for large blocks of the business a 50% ratio is not in fact reasonable in light of loss ratio trends in recent years on life and disability insurance business marketed and administered in ways which are comparable from an expense factor standpoint in a truly competitive market. The NAIC can pass all the resolutions it wants, but it cannot change the economic facts.

3. Having said this, I should make it equally clear that I have no desire to have the NAIC seek to impose any particular obligation on individual states to require a higher ratio than 50% either generally or as to particular classes or categories of business.

My view, in other words, is that the NAIC should not permit its resolutions to be usable as a barrier or deterrent argument against a state determining that a higher than 50% ratio should be required, but that it need not be in the position of suggesting that a state should be criticized if it does not require more. This is an appropriate role for the NAIC—to suggest the minimum acceptable level of public protection which all states should require but to recognize that it is intrinsic in our concept of the federal system and of state regulation that beyond that minimum standard the determination should be made by each state for its own circumstances, needs and the desires of its people.

To have the NAIC commit to the position that it regards the 50% loss ratio bench mark as the test of reasonableness and its resolutions susceptible to be used as an argument against a state requiring a greater proportionate return of premium dollar to beneficiaries is intolerable and potentially disastrous.

The NAIC should either lead or get out of the way. To endorse what many within the industry, among regulators, and in Congress regard as a pallid measure at best as the ultimate which member states should require is to invite discreditation of the Association as a constructive and progressive force for the future. This is particularly true where the principal beneficiaries of the higher rates are creditor interests and the serious charge is being made that the states are tolerating the use of the insurance as a circumvention of laws regulating lenders.

Congress gave the states one bite at the credit insurance problem a few years ago. It is problematical whether it will give us another bite. Certainly we won't get a third.

RICHARD S. L. RODDIS,
Insurance Commissioner, State of California.

FORD MOTOR CREDIT CO. AUTOMOTIVE GROUP CREDIT LIFE INSURANCE PLAN

Mr. OLSON. In 1960, Ford Motor Credit Co.'s first full year of operation, 77 percent of the automotive finance contracts we purchased included insurance under our group policy. This figure was 79 percent in 1961, dropped to 74 percent in 1962, 69 percent in 1963, 68 percent in 1964, and 66 percent in 1965. It then deteriorated even more rapidly to 60 percent in 1966 and 53 percent during the first 10 months of 1967.

This deterioration in our market position has not been uniform throughout the United States. In some areas our market percentage has held up quite well while in other areas our group plan is used very little. Our loss of market position can be traced to areas where permissible customer rates are high enough—usually in the 60 cents to \$1 range—to provide a margin over mortality costs sufficient to enable insurers to offer attractive commissions to producers (in our market, these are dealer-agents). Our All-state plan does not provide such commissions.

Our market loss can be sudden and severe when a competitor or competitors decide to promote a commission plan vigorously. The following table illustrates what can happen to us in an area in just a 3-month period. These are our percentage of automotive retail finance contracts insured under our group policy.

(The table referred to follows:)

PERCENTAGE OF AUTOMOTIVE RETAIL FINANCE CONTRACTS INSURED UNDER OUR GROUP POLICY

Area	Base month	Percent	3 months later
Fort Wayne, Ind.	January 1967	81	49
Henderson, Ky.	February 1967	92	41
Huntsville, Ala.	February 1966	70	43
Oklahoma City, Okla.	April 1967	75	47
Philadelphia, Pa.	May 1967	40	15

Mr. OLSON. Our ratio of benefits to premiums for the entire period is 82 percent. There was an indication of a rising trend in the ratio during the early years but the volume of business was relatively small then and the loss results may not have been representative. The ratio is more stable in recent years.

We would like to continue offering insurance protection at the present low price. We hope very much that our experience will permit us to do so.

APRIL 2, 1968.

Re Creditors Life and Disability (A&H).

Mr. GEORGE GRAZIADIO,
President, Imperial Bank,
Los Angeles, Calif.

DEAR MR. GRAZIADIO: It is with pleasure that I submit my information concerning our Creditors Life. I wish to detail and confirm some outstanding points of information for you and Mr. Eltinge to consider.

1. The final rate effective March 1, 1968, established by the Department of Insurance for our company. The Standard Life Insurance Company of Indiana, was Decreasing Life .60c per \$100 per annum. Disability (Accident & Health) coverage .60¢ per \$100 per annum for a 30 days elimination, which you are now using and that which is used by the majority of banks in California. The Level Term rate is \$1.20 per 100 per annum.

2. We are a direct writing company which means we supervise all the banks using our Credit Life plan directly thru our office and not thru agents or brokers, mainly because we insist on maintaining our fine reputation of service, first in claims and second in simplicity in operation at the bank level.

3. This method of handling permits us to pay the highest service fee to the banks in the industry which is currently 37½% of the written premium.

4. Due to our firm handling everything for your bank at our Los Angeles office and being specialist in Credit Life for banks, your customer receives the finest, thereby creating a perfect relationship between your offices and their accounts, also eliminating the need for you to choose a new company every 2 years or so, or being shopped for a company to handle your banks, by an agent.

5. We offer the broadest program for banks of any company in this business. Under the Standard Life Insurance Company of Indiana program direct, you can insure any borrower that you loan to for either Life and A & H or Life Only, up to and including age 65 for any type loan, whether it be commercial loans, unsecured loans, home improvement loans, installments and so on. We provide the facilities for your dealers to write our coverage thru your bank at your request, thereby giving you a tremendous lever in establishing a strong relationship with them.

6. Now you may insure all borrowers up to \$15,000 per person, not only individual loans, but co-partnerships, key men in corporate loans, husband and wives, co-signers, etc. In other words our plan fits all your borrowers, including Level Life.

7. Due to our orientation type installation at each office level and service directly to your 4 offices, you should develop approximately \$60,000 premium annually and at 37½% of premium your earnings would be about \$22,500 or \$2,000 per month.

8. Standard Life deposits 55% of the written premium each month to their non-interest bearing commercial account which would develop in 12 months to about \$33,000, this is carried as a reserve account and allowed to build year by year as claims are not paid from it. So 55% on deposit and 37½% in service fees, 92½% remains right in your community where the money should stay.

9. The finest and simplest of rating charts are supplied for your officers and dealers from 6 months thru 84 months.

10. Standard Life will also place a sizeable C. D. with your bank as well.

11. There are no doubt questions or data not covered by this letter, which I assure you I will look forward to discussing and answering.

12. We write Creditors Life and Disability for over 100 branch banks and lending institutions in California.

Sincerely,

DONALD R. HORST, Manager.

Mr. HART. Mr. President, first, I congratulate the senior Senator from Wisconsin (Mr. PROXMIRE) for once again coming to the aid of consumers who are the innocent victims of excessive charges for consumer credit insurance.

As the figures he gave us demonstrate, each month the Congress delays in passing this legislation is costing consumers about \$18 million in overcharges. In a period when many family budgets are pulling apart under inflationary stress, this waste of money is particularly trying.

Senator PROXMIRE has highlighted magnificently the points developed during the Senate Antitrust and Monopoly Subcommittee hearings. It would be burdensome for me to repeat them.

This bill, if enacted, will help keep rates within reasonable limits. But it will not be a cure-all for other problems growing out of consumer credit insurance. There are steps which States can take, and I urge that serious consideration be given to them—and soon.

Most important, perhaps, is a recognition that consumer credit insurance premiums may be used to bypass State usury laws.

When nearly 35 percent of the Companies' finance charge income comes from credit life and disability premiums, I do not think it unreasonable to suggest that these charges may be a slight of hand means of charging the consumer more than usury laws allow.

Certainly they are a cost of credit to the consumer. With that in mind, it would make sense to me if the States once again adopted the practice of including all credit charges as one finance charge—subject to State usury laws.

Companies told us during our hearings that they needed the credit life and disability income to stay in business. This may be so. But if it is, let them convince the State legislatures to amend the usury laws.

We fought the battle with truth-lending to make sure consumers would know the exact percentage of finance charges they are paying. It makes no sense to allow credit life premiums—and other tacked-on finance charges—to undermine that legislation.

The States can help the consumer in other ways:

Fifteen years ago—when the Antitrust Subcommittee first held hearings on consumer credit insurance under Senator Langer—a number of unsavory practices were turned up. Many of them are still in existence today in States with lax enforcement. These include:

First. Pyramidizing: Piling of one loan on one yet unpaid in order to get the fatter interest charges on the beginning on each loan.

Second. Excessive coverage: Selling a

policy for more than the loan or to run months longer than the payoff term.

Third. Not refunding unearned premiums and finance charges on early payment or refinancing of loan.

Fourth. Not passing on benefits to survivors.

Fifth. Improper handling of claims.

Sixth. Nondisclosure.

Seventh. Coercion.

As I said, these are practices the States should stop in order to assure that the consumer gets full value from his credit life policy.

Should the bill be passed, it will enable the Federal Reserve Board to do more than stop excessive charges.

The Board may consider the limitations, exceptions, and exclusions in policies in setting rate ceilings.

A number of creditors complained that some of their large competitors with low credit life and disability rates used policies containing such exclusions and limitations. They expressed the fear that unless rates took these factors into account, smaller creditors would be driven out of business.

Obviously such a limited policy is worth less to the consumer, too—and he should pay less for it.

Mr. President, in cosponsoring this bill I do so with a sense of urgency. I hope that early hearings can be arranged so that the roll can be called soon. Eighteen million dollars a month is a lot to pay for nothing.

S. 1756—INTRODUCTION OF A BILL TO AMEND THE PACKERS AND STOCKYARDS ACT OF 1921, AS AMENDED

Mr. MCGOVERN. Mr. President, many farmers have become concerned about the growing number of cattle being fed by meatpackers and large grocery chains, fearing that the packers might use their own livestock to maneuver market prices.

If a packer were to slaughter large numbers of livestock from his own feedlots in any single week, he could reduce substantially the demand for livestock in his buying area that week and thus lower the price in that area temporarily.

The best protection for farmers against meatpackers thus using their own livestock to manipulate the market is full publicity. Therefore I am introducing a bill to require each meatpacker and chain stores which slaughters its own livestock to report fully to the Packers and Stockyards Administration, Department of Agriculture, on packer feeding and on the marketing of its own livestock—week by week—and that this information be posted in a prominent place at all stockyards and all buying points for such a packer.

Most farmers are able to select from several market outlets, so any meatpacker who carried on such an operation could soon be discriminated against by farmers if they thought that he was manipulating his own cattle or sheep to lower prices he paid to farmers.

I am suggesting also that the Economic Research Service, Department of

Agriculture subsequently use these reports to make an objective study of the actual effects of such packer feeding on market prices paid to farmers.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1756) to amend the Packers and Stockyards Act of 1921, as amended, in order to require packers and chain store firms to make public certain information relating to the number of cattle fed by them each week, introduced by Mr. McGOVERN, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

S. 1757—INTRODUCTION OF A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954 TO PROVIDE SOCIAL SECURITY CHILD BENEFITS AND TAX DEDUCTIONS

Mr. MOSS. Mr. President, a number of people in Utah have called my attention to the need to assist low-income widows or widowers who have one or more children receiving social security child benefits, and who have great difficulty in providing the 50-percent support requirement necessary to take an income tax exemption for the child or children.

Child social security benefits are considered a child's own contribution to his support, and in a low-income family they may cover a substantial part of that child's expenses. The widowed mother or father must, therefore, keep very detailed records of expenditures for each child in order to claim dependency, and this is sometimes hard to do, especially in the difficult days which immediately follow the death of the other partner.

In order to help widows or widowers in these hard circumstances, I am today introducing an amendment to the Internal Revenue Code of 1954 to provide that a child's insurance benefit received by an individual under the Social Security Act be disregarded in determining whether such an individual is a dependent of a taxpayer.

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

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

The bill (S. 1757) to amend the Internal Revenue Code of 1954 to provide that a child's insurance benefits received by an individual under the Social Security Act shall be disregarded in determining whether such individual is a dependent of a taxpayer, introduced by Mr. Moss, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 152 of the Internal Revenue Code of 1954 (relating to definition of dependent) is amended by adding at the end thereof the following new subsection:

"(f) Child's Insurance Benefits Paid under Social Security Act.—For purposes of subsection (a), amounts received by an individual as a child's insurance benefit under section 202(d) of the Social Security Act shall not be taken into account in determining whether such individual received more than half of his support from the taxpayer."

(b) The amendment made by subsection (a) shall apply to taxable years ending on or after the date of the enactment of this Act.

SENATE JOINT RESOLUTION 86—INTRODUCTION OF JOINT RESOLUTION DESIGNATING THE 7-DAY PERIOD BEGINNING OCTOBER 19 AND ENDING OCTOBER 25 OF EACH YEAR AS NATIONAL PLAY SCHOOLS WEEK

Mr. JAVITS. Mr. President, I submit for myself and my colleague from New York (Mr. GOODELL) a joint resolution designating the week of October 19–25 as National Play Schools Week.

Today, play is considered an essential and powerful force in the lives of children. It is a force which helps children to learn while they are developing emotional and social maturity. As a study published in the New York Times of September 10, 1967, observed:

With the sharpening of psychological insight, we have learned that play is the first important step in education, character development and social adjustment.

For more than five decades, play schools throughout our Nation have enabled thousands of American youngsters to become better citizens through healthy and constructive play activities. National Play Schools Week recognizes both the importance of play in promoting this development and the role of the play school in furthering it.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 86) to authorize the President to issue annually a proclamation designating the 7-day period beginning October 19 and ending October 25 of each year as "National Play Schools Week," submitted by Mr. JAVITS (for himself and Mr. GOODELL), was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATE JOINT RESOLUTION 87—INTRODUCTION OF A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION TO LOWER THE VOTING AGE TO 18 YEARS.

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a proposed amendment to the Constitution to extend the franchise in all elections, Federal, State, and local to citizens 18 years of age or older.

Measures to lower the voting age have been introduced in the Congress frequently ever since the First World War. I have supported a lowering of the voting age to 18 throughout my service in the Senate, and I think the adoption of a constitutional amendment to bring this about is long overdue.

Many of my colleagues in the Senate will recall that during my years as chairman of the Committee on the District of Columbia as we pressed for home rule here in the Nation's Capital, I actively supported legislative provisions to establish the voting age at 18 years.

In the 87th Congress, the Senate District Committee favorably reported Dis-

trict of Columbia elections legislation recommending that the vote be allowed at age 18. However, as passed, the bill (H.R. 8444) established the voting age at 21.

Again in 1965 in the 89th Congress the District Committee reported and the Senate approved home rule legislation calling for 18-year-old voting—but the measure failed in the House of Representatives.

To me, Mr. President, there has never been any sound argument offered in opposition to a lowering of the voting age. There is no special wisdom that is magically acquired on reaching age 21. And indeed, heavy responsibilities come to young Americans long before they reach the present magic age.

Our young men bear the grave obligation of military service. Too often they find themselves in armed combat facing death for their country nearly 3 years before they are permitted to vote.

But this "old enough to fight, old enough to vote" argument—however compelling it may be—is not by any means the sole rationale for a change in the voting age.

Our young citizens today are better educated, better informed, and better equipped to participate in our democratic form of government. The average person of 18 today undoubtedly knows more about issues, events, politics and government than his counterparts and even many of his elders did at the turn of the century.

There is the question of maturity. When does a person become mature enough to cast a wise and intelligent ballot? Again, I say, there is no magic in age 21.

When an American citizen becomes mature enough to enter into and be held to his contracts, earn his living, pay taxes, start a family, become a soldier, and take on many other responsibilities at age 18, I say he or she is mature enough to vote.

I realize that certain events in the past few years seem to work against 18-year-old voting proposals. We have heard and read about irresponsible demonstrations on our college campuses and elsewhere by militant youngsters who seem to feel they are entitled to determine higher education policies and other matters. At times some demonstrations have degenerated into rowdiness, and were not the kind of performance to inspire confidence in the maturity of our younger generation.

These occurrences do not stand as a valid argument against a lowering of the voting age. We must maintain a proper perspective, and understand that the militants and renegades who foment and fuel campus and other disruptions are but a tiny minority of our young people. For every rowdy demonstrator there are thousands of serious, responsible, hardworking youngsters going about their daily business of earning a living or getting an education. They do not make television and newspaper headlines, but they constitute legions of socially minded men and women who are eager to register their opinions and have their views made known through the orderly democratic process of the ballot box.

Mr. President, I believe a lowering of the voting age to 18 will be a tonic for the entire electoral system in the Nation. Today, I understand that on the average some 30 percent or more of our registered voters fail to get to the polls on election day. Many others do not even bother to register.

I think the injection of a younger voting element would spark more activity among the present electorate, and would bring to bear on public issues a larger and better rounded public voice.

It is high time that the Constitution recognizes that the bulk of the population of the United States is growing younger as the years pass. More and more of our younger citizens want to participate in their government. Their votes will enrich our democracy. I hope and urge that this Congress will act favorably on the necessary Constitutional amendment.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 87) proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older, introduced by the Senator from Nevada (Mr. BIBLE), was received, read twice by its title, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Iowa (Mr. MILLER), the Senator from Kentucky (Mr. COOK), and the Senator from Kansas (Mr. DOLE) be added as cosponsors of the bill (S. 1478) to establish a Commission on the Antitrust Laws.

The VICE PRESIDENT. 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 Oklahoma (Mr. HARRIS) be added as a cosponsor of the bill (S. 437) to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Oklahoma (Mr. HARRIS) be added as a cosponsor of the bill (S. 421) to provide increased annuities under the Civil Service Retirement Act, and the bill (S. 422) to amend the Internal Revenue Code of 1954 to provide that the first \$5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross income.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senators from Pennsylvania (Mr. SCHWEIKER and Mr. SCOTT) be added as cosponsors of the bill (S. 849) to strengthen the penalty provisions of the Gun Control Act of 1968.

The VICE PRESIDENT. It is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Texas (Mr. TOWER), the Senator from Alaska (Mr. STEVENS), and the Senator from Hawaii (Mr. FONG) be added as cosponsors of the bill (S. 1478) to establish a Commission on Antitrust Laws.

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

Mr. SCHWEIKER. 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 bill (S. 1433) the Draft Reform Act of 1969.

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

Mr. PELL. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from West Virginia (Mr. RANDOLPH) be added as a cosponsor of the bill (S. 1611) to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped.

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

Mr. MUNDT. Mr. President, at the request of the Senator from Arizona (Mr. FANNIN), I ask unanimous consent that, at its next printing, the name of the Senator from Utah (Mr. BENNETT) be added as a cosponsor of the bills (S. 1482) to amend the Norris-La Guardia Act so as to permit the granting of injunctive relief in suits brought to enforce the provisions of contracts between employers and labor organizations, (S. 1483) to amend the Internal Revenue Code of 1954 to deny tax-exempt status to labor organizations which use membership dues or assessments for political purposes, and (S. 1547) to amend the National Labor Relations Act so as to make it an unfair labor practice for a labor organization to require an employer to pay for unnecessary services.

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

Mr. BROOKE. Mr. President, Friday, April 4, is the first anniversary of the tragic death of Dr. Martin Luther King, Jr.

His was a truly great life, and his ideals are worthy of our remembrance. It is for this reason that I introduced, on January 15, 1969, a resolution declaring that day, the day of his birth, a day of commemoration. At this time it gives me great pleasure to ask unanimous consent that, at its next printing, the names of the senior Senator from New Jersey (Mr. CASE); the junior Senator from California (Mr. CRANSTON); the senior Senator from Connecticut (Mr. DODD); the junior Senator from New York (Mr. GOODELL); the junior Senator from Alaska (Mr. GRAVEL); the junior Senator from Wyoming (Mr. HANSEN); the senior Senator from Oklahoma (Mr. HAR-

RIS); the senior Senator from Michigan (Mr. HART); the senior Senator from Indiana (Mr. HARTKE); the senior Senator from Oregon (Mr. HATFIELD); the junior Senator from Iowa (Mr. HUGHES); the junior Senator from Hawaii (Mr. INOUYE); the senior Senator from Washington (Mr. MAGNUSON); the senior Senator from Iowa (Mr. MILLER); the junior Senator from Utah (Mr. MOSS); the junior Senator from Maine (Mr. MUSKIE); the junior Senator from Wisconsin (Mr. NELSON); the senior Senator from Kansas (Mr. PEARSON); the junior Senator from Rhode Island (Mr. PELL); the senior Senator from Wisconsin (Mr. PROXMIER); the junior Senator from Connecticut (Mr. RUBICOFF); the junior Senator from Pennsylvania (Mr. SCHWEIKER); the senior Senator from Alaska (Mr. STEVENS); the senior Senator from Maryland (Mr. TYDINGS); the senior Senator from Texas (Mr. YARBOROUGH); and the senior Senator from Ohio (Mr. YOUNG) be added as cosponsors of the joint resolution (S.J. Res. 14) designating January 15 of each year as "Martin Luther King Day."

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wyoming (Mr. HANSEN) be added as a cosponsor of the bill (S. 1708) to amend title I of the Land and Water Conservation Fund Act of 1968 (78 Stat. 897) and for other purposes.

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

Mr. MANSFIELD. Mr. President, on behalf of the Senator from West Virginia (Mr. RANDOLPH), I ask unanimous consent that, at its next printing, the names of the Senator from Nevada (Mr. BIBLE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wisconsin (Mr. NELSON), the Senator from Rhode Island (Mr. PASTORE), the Senator from Georgia (Mr. TALMADGE), the Senator from Texas (Mr. YARBOROUGH), be added as cosponsors of the joint resolution (S.J. Res. 7) proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older.

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

Mr. SCHWEIKER. Mr. President, I ask unanimous consent that at its next printing, the name of the Senator from Kentucky (Mr. COOK) be added as a cosponsor of the joint resolution (S.J. Res. 73) to amend the Constitution to allow 18-year-olds to vote in Federal, State, and local elections.

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

SENATE CONCURRENT RESOLUTION 15—RESOLUTION PROVIDING FOR THE PRINTING OF A SENATE DOCUMENT, A COMPILATION OF THE STUDIES ON THE SURVEY OF THE ALLIANCE FOR PROGRESS

Mr. FULBRIGHT submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 15

Resolved by the Senate (the House of Representatives concurring), That there shall be printed as a Senate document a compilation of the studies on the Survey of the Alliance for Progress prepared at the request of the Subcommittee on American Republics Affairs, Committee on Foreign Relations, and the hearings held relating thereto, with illustrations.

SEC. 2. There shall be printed three thousand additional copies of such Senate document. Such additional copies shall be for the use of the Committee on Foreign Relations.

SENATE RESOLUTION 176—RESOLUTION PROVIDING FOR THE SMALL BUSINESS ADMINISTRATION TO CONDUCT A PILOT STUDY OF THE FINANCIAL NEEDS OF SMALL BUSINESS CONCERNS WHICH MUST MODIFY PLANT, EQUIPMENT, OR PROCEDURES IN ORDER TO COMPLY WITH RECENTLY ENACTED FEDERAL HEALTH AND SAFETY STANDARDS

Mr. BIBLE (for himself and Mr. CANON, Mr. DOMINICK, Mr. EASTLAND, Mr. HOLLAND, Mr. MCGOVERN, Mr. SPARKMAN, Mr. GRAVEL, Mr. HATFIELD, Mr. JAVITS, Mr. MCGEE, Mr. MONTROYA, Mr. NELSON, Mr. PERCY, Mr. HARRIS and Mr. METCALF) submitted the following resolution; which was referred to the Committee on Banking and Currency:

S. RES. 176

Whereas several recently enacted Federal statutes, establishing Federal standards for health and safety, require many small business concerns, not previously subject to Federal regulation in such areas, to conform to strict standards under Federal or State law; and

Whereas for many small business concerns compliance with such standards may require substantial outlays of capital for new plant facilities, equipment, or procedures; and

Whereas meeting such capital needs will be extremely difficult if not impossible for many such small business concerns without assistance; and

Whereas Federal aid, counsel, assistance, and protection to small business concerns in the interest of preserving free competitive enterprise is a declared policy of the Congress: Now, therefore, be it

Resolved, That in order to determine whether or not a special program to provide financial assistance under the Small Business Act may be necessary to enable small business concerns to comply with certain Federally imposed standards relating to health and safety, the Small Business Administration is hereby requested (1) to conduct a pilot study to determine the extent to which small business concerns engaged in meat processing operations need financial assistance in effecting compliance with the Wholesome Meat Act; the extent to which such financial assistance may be obtained for such purpose from commercial sources; and the extent to which such financial assistance is available under existing Federal programs; and (2) to submit the results of such study to the Senate, together with such recommendations for legislation as it deems appropriate, at the earliest practicable date, but not later than sixty days after the approval of this resolution.

NOTICE OF HEARINGS ON "ECONOMICS OF AGING: TOWARD A FULL SHARE IN ABUNDANCE"

Mr. WILLIAMS of New Jersey. Mr. President, the Special Committee on

Aging will conduct hearings on "The Economics of Aging: Toward a Full Share in Abundance" at 10 a.m. on April 29 and 30 in Washington, D.C., in room G-308, auditorium, New Senate Office Building.

Testimony taken on those 2 days will continue an intensive study by the committee on many matters related to retirement income, including: the widening income gap between Americans living in retirement and those still in the labor force; effects of rising productivity and inflation upon fixed incomes; projections of future inadequacy of public and private pension systems; income maintenance of widows—a particularly disadvantaged group; effects of rising medical costs; problems associated with homeownership and taxation; and implications of early retirement trends.

It is our hope to provide a public forum for intensive discussion of matters that concern not only the present population of 20 million Americans past 65, but also on matters that should be of concern to those in middle age or younger who are encountering problems in providing adequately for their own retirement years.

As chairman of the Special Committee on Aging, I invited four experts in the field of aging to submit a working paper which would provide essential information and perspectives on subjects that will receive committee attention at hearings.

They have provided such a document, and it has been published for the use of the committee. While the findings in the working paper are tentative and subject to change by the members of the task force, I believe that the publication of the study is an important and timely event. As I said in the preface to the working paper:

As no other document has yet done, it states a fundamental truth:

The economic problems of old age are not only unsolved for today's elderly, but they will not be solved for the elderly of the future—today's workers—unless this Nation takes positive, comprehensive actions going far beyond those of recent years.

A section of the working paper entitled "Facts and Findings: The Task Force Report in Brief" provides a clear picture of the many subjects that should receive committee attention. I ask unanimous consent that it be printed in the Record.

Finally, I would like to thank the task force members—Dr. Juanita Kreps, Ph. D., professor of economics, Duke University; James Schulz, assistant professor of economics, University of New Hampshire; Agnes W. Brewster, consultant on medical economics; and Harold L. Shepard, Ph. D., staff social scientist, W. E. Upjohn Institute for Employment Research—who enthusiastically responded to my request for their help by contributing knowledge and thought. Special gratitude goes to consultant Dorothy McCamman, whose interest in policy questions raised in the working paper is deep. She has served in Federal agencies, as a technical adviser for the White House Conference on Aging in 1961, and as a staff member of the Committee on Aging. Without her hard work and long experi-

ence, the working paper could not have been written.

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

ECONOMICS OF AGING: TOWARD A FULL SHARE IN ABUNDANCE—FACTS AND FINDINGS

THE TASK FORCE REPORT IN BRIEF

I. Americans living in retirement are suffering from an income gap in relation to younger people. And as the gap widens, low income continues to be the Number One problem facing most of our 20 million persons 65 years or older, as well as other millions just a few years younger.

The "gap" is widening: Median income of families with an aged head with 51 percent of that for younger families in 1961, but only 46 percent in 1967.

Three out of 10 people 65 and older—in contrast to one in nine younger people—were living in poverty in 1966, yet many of these aged people did not become poor until they became old.

An additional one-tenth of our aged population was on the poverty borderline.

About five in 10 families with an aged head had less than \$4,000 income in 1967; about one in five was below \$2,000.

Of older people living alone or with non-relatives in 1967, half had incomes below \$1,480, and one-fourth had \$1,000 or less.

Even the level of living set by the Bureau of Labor Statistics in its Retired Couple's Budget is well beyond the means of most older people, especially for those who retired years ago. The average social security benefit of a couple retiring in 1950 met half the BLS budget cost then, but today it meets less than one-third.

Unemployment and early retirement among the 60 to 64 population are creating problems that demand much the same attention as that required by the population aged 65 and over.

II. More Americans are spending more years in retirement periods of indeterminate length and uncertain needs, causing a mounting strain on resources they had when they began retirement. For an ever-rising proportion of women—most of them widows—the problem is especially severe.

Half of all people now 65 and over are about 73 or older. In the years ahead, the increase will be particularly great at the oldest ages. With the population 65 and older projected to rise 50 percent between 1960-85, the population 85 and older may double.

Increasingly, the rising population of widows is attempting to live independently, even if independence is purchased at the price of poverty.

Our "retirement revolution" reflects two trends: at one end an increase in the number of very old aged; at the other, earlier departure from the labor force.

III. Unless positive action is taken, the economic position of persons now old will deteriorate markedly in the years ahead.

National economic growth, while putting added dollars into pockets of the working group, increases pressures on the retiree. A rise in earnings of 4 percent annually—a not unrealistic assumption in view of recent performance—means consumption levels would approximately double in two decades, placing those on fixed income at a seriously deepening disadvantage in the marketplace.

Earnings drop as advanced age further curtails already limited earnings opportunities. (In comparison to the age group 65-72, only half as many men 73 and over and a third as many women worked in 1962, and the earnings of the oldest workers were significantly lower.)

Assets are reduced—in some cases, exhausted. Homeownership—the most important asset of the elderly—becomes especially difficult to maintain with advanced age, mounting taxes and other rising costs.

Medical needs and the costs of meeting these needs rise with declining health. The rise in these costs is only partly met by Medicare, which covered 35 percent of health costs of the aged in 1967.

Inflation erodes already inadequate incomes over longer retirement periods. (An annual rise of only 2 percent will reduce the purchasing power of fixed incomes by 18 percent after one decade and by 33 percent after two decades.)

IV. Today's inadequacies in retirement income—and the policies and trends that perpetuate them—should be of direct concern not only to our population of aged and aging Americans, but also to those in middle age or younger. Most parents today face a common problem: How can they allocate earnings to meet current obligations to their family and still have something left over for retirement?

The margin for saving—the excess of income over consumption expenditures—has been small for most families during most years of the worklife, especially for workers in the less skilled occupations.

In addition, with an outlook for sustained economic growth, how realistic is it to expect today's workers voluntarily to forgo consumption in order to save for the years ahead when this requires that they significantly reduce their present standard of living to provide adequately for an uncertain and "distant" old age?

V. Projections and various studies indicate that Social Security, private pensions, and other forms of retirement income are not improving fast enough to reverse or significantly counter present economic trends.

The overwhelming proportion of people retiring today receive total pension income—from both public and private pensions—which is only 20 to 40 percent of their average earnings in the years prior to retirement.

Of families retiring in the next decade and a half, it has been projected that almost 60 percent of those with preretirement earnings between \$4,000 to \$8,000 will receive pension income of less than half these earnings.

Projections to 1980 indicate that about half the couples and more than three-fourths of the unmarried retirees will receive \$3,000 or less in pension income. And these projections use relatively liberal assumptions with respect to increases in private and public benefit levels.

The same projection found that more than two-thirds of retired couples could be expected to receive less than \$3,000 in social security benefits in 1980.

Even under earlier projections, now known to be too optimistic, only a third to two-fifths of all aged persons in 1980 were expected to have income from private group pensions.

In addition, private pensions cover less than half the work force and this coverage is concentrated among higher paid workers; those in the greatest need in old age will be least likely to receive these pensions.

Early retirement is a developing trend that could seriously impede attempts to improve the income position of future aged populations. (In recent years, more than half of the men retiring have done so before age 65.)

Among the proposed methods of raising the incomes of the aged population are various proposals for improved pensions, constant purchasing bonds, tax relief, increased public services, and improved welfare payments. No single proposal, however, can be expected to have a significant impact unless tied to broad policy decisions.

VI. Facing what must be recognized as a worsening retirement income crisis, the Nation must take positive, comprehensive actions going far beyond those taken within recent years. The Nation faces these basic policy issues:

What is an adequate level of income for retired persons?

What part in attaining this level should be played by governmental programs, by voluntary group action, and by individual effort?

Is the economic problem of aging a temporary problem that requires a different solution or a different "mix" of solutions for today's aged than for those reaching old age in the future?

CONCLUSIONS

The task force has not attempted to enumerate and evaluate the many policy alternatives that have been recommended to deal with the economic problems of the aged. There are, however, a number of important conclusions which we feel are supported by the statistics summarized here and discussed more fully in the Report:

Low income in old age is *not* a transitional problem that, given present trends, will solve itself.

Unless action is taken now, most aged will not have sufficient income to provide in retirement "A healthful, self-respecting manner of living which allows normal participation in community life."

The Social Security system has failed to keep up with the rising income needs of the aged.

To a large extent social security benefit increases in the past have resulted, not from legislation with the purposeful intent of tapping a greater part of the rising national product for old people, but rather as a secondary result of attempts to deal with the severe and potentially explosive hardship problems facing many older people. In consequence, these past efforts have been aimed primarily at maintaining the economic status of the aged at some minimal standard or subsistence level in the face of rising prices.

Sufficient evidence now exists to spotlight certain special economic problems of the aged which compound the general problem of low income. Among the areas identified for immediate congressional attention are:

- (a) Income maintenance of widows—a particularly disadvantaged group.
- (b) Health needs and rising medical costs.
- (c) Problems associated with homeownership and taxation.
- (d) Employment opportunities in old age.
- (e) Implications of early retirement trends.

Simultaneously, congressional attention should be directed to (1) the various techniques for measuring and projecting the income needs of the aged population and to their use in decision making and (2) the appropriateness of methods now used or proposed for use in the adjustment of retirement benefits to changing conditions.

A reasonable definition of adequacy demands that the aged population, both now and in the future, be assured a share in the growth of the economy.

If old age is to be more than a period when people decline and die, some way must be found whereby the aged, who have helped in the past to provide the basis for rising living standards, are guaranteed a share in some of the "harvested fruits". What this requires is a substantial transfer of income from the working to the retired population in order to improve the relative economic status of the aged.

Such assurance can best be provided, or can only be provided, through governmental programs, particularly the social insurance system of OASDHI, which carry commitments for future older Americans—the workers of today—as well as for this generation of the aged.

The financial soundness of the Social Security system depends, essentially, on the Government's taxing powers which, in a vigorously growing economy, permit great flexibility to meet changing retirement needs. And retirement needs are changing as expecta-

tations rise and as American families increasingly begin to evaluate the adequacy of their retirement income in relation to their standard of living prior to retirement.

Private group pensions and personal savings—tailored as they are to individual needs, preferences, and financing ability—will continue to be essential supplements to basic social security benefits in the future. The Government should explore and lend support to various methods of promoting and encouraging such supplementary sources of retirement income.

FRANCO'S BLACKMAIL ATTEMPT MUST NOT BE TOLERATED

Mr. YOUNG of Ohio. Mr. President, the United States is negotiating for renewal of air and naval bases in Spain under circumstances which can be described as only extortion. It was announced last Thursday that Secretary of State Rogers and the Spanish Foreign Minister have agreed in principal on the conditions for maintaining these bases and that both governments are confident that terms for renewal can be worked out promptly.

Dictator Franco's original demand for extending the leases called for a military aid package of more than \$1 billion. This was later scaled down to \$700 million, and reportedly now to \$300 million with a pledge that the United States will come to Spain's aid in case of attack. In other words, Franco feels that the United States should pay him for the privilege of protecting Spain.

These bases are part of the NATO defense system. I have visited our naval and air bases in Spain and conferred with our officials there. Without doubt these bases are completely unnecessary so far as the defense of the United States or Western Europe is concerned. Officials in the Pentagon have yet to produce convincing evidence that they will be in any way necessary to American and Western European security in the 1970's.

When the original agreements were signed with Franco in 1953, these air bases were crucial as forward bases for strategic bombers of limited range. Their importance diminished—in fact, disappeared—with the coming into service of B-52 bombers and intercontinental missiles based in the United States. The naval base at Rota serves our Polaris submarine fleet in the Atlantic and Mediterranean. However, the facts are that our Polaris submarines can remain under water for 300 days and nights, and they could be based on our east coast without in any way decreasing their effectiveness as a deterrent force.

Unless officials of the Defense Department can produce compelling arguments for our retaining these bases—and to date they have not done so nor can they do so—the administration should politely inform Franco's Foreign Minister that the United States no longer requires these bases and will evacuate them within the specified year.

Apart from the fact that these bases are no longer of any benefit to us whatever, the political cost of renewal is likely to be greater than the military benefit. Millions of liberty-loving Spaniards regard our tremendous aid to Franco as the most powerful factor in keeping this dic-

tator in power. The fact is that today the Spanish people are deprived of even the rudiments of civil liberty, parliamentary rule and democratic processes. We would do well to consider the wise words of John Gunther in his book, "Inside Europe Today":

It is always dangerous for a democracy, like the United States, to become too closely involved with a dictator or semi-dictator, no matter how convenient this may seem to be. It is the people who count in the long run, and no regime is worth supporting if it keeps citizens down . . . if only for the simple reason that they will kick it out in time.

The administration should give more serious consideration as to whether retaining these useless bases is worth the growing political liability of a major American military presence in Franco's Spain. These bases will almost certainly become the focus for anti-American sentiment after the Spanish people have gained greater freedom whether it be before or after the death or retirement of Generalissimo Franco, whose coffers we have enriched by hundreds of millions of dollars. This, despite the fact that Franco has been flirting with the Soviet Union as part of his blackmail attempt on the United States, and has been one of Fidel Castro's staunchest supporters. Franco has maintained an airline to Cuba, and Spain annually purchases \$40 million worth of goods from Cuba and sells Cuba about \$60 million to \$70 million worth of goods, some of them strategic. Nevertheless, while the United States cut off aid to other nations trading with Cuba, we continue to give military assistance to Franco.

Franco would not be dictator in Spain today except for the help he received during the Spanish Civil War from Hitler and Mussolini. In March 1946, the State Department published a "white paper" on Spain which exposed Spain's intimate relations with Nazi Germany. It contains a letter to Hitler on February 26, 1941, in which Franco states:

I stand ready at your side, entirely and decidedly at your disposal, united in a common historical destiny.

Mr. President, in 1946 the Governments of France, the United Kingdom, and the United States agreed that so long as Franco remained in power, Spain could not participate in the United Nations. At that time it was hoped that Franco's power would collapse and a democratic government established in Spain.

In 1953, an astonishing turnabout took place when it was decided that the United States required naval and air bases in Spain. The United States signed three military aid agreements with Spain. Franco by this single act acquired international respectability. In 1955 Spain was admitted to membership in the United Nations.

Thus, the United States, the greatest democracy in the world, changed overnight from contempt to high appreciation for Franco. This development has continued.

However much American foreign policy has changed, there has certainly been no change in Franco Spain. It is still a tyrannized nation with a ruthless fascist dictator in power.

The time is long past due for our country to reexamine a policy whereby we have supported and enriched one of the world's most powerful dictators. To allow our country to be blackmailed by him must not be tolerated. We should state definitely that if Franco is willing to contribute to his own country's defense by providing bases for American warships and warplanes, that is agreeable to us. Let it be clear that we will not pay bribes. If this is not agreeable to him, we should close our bases there and get out as soon as possible.

LET BRAGGART KY LEAD THAT BOMBING MISSION

Mr. YOUNG of Ohio. Mr. President, now that the flamboyant braggart, Vice President Ky, of the Saigon militarist regime, makes public statements that he will defy the United States and resume bombing of North Vietnam and that his regime will unilaterally make the decision to bomb the north, it would be good news indeed if this tinhorn air marshal would carry out his statement. Ky says:

Our planes are ready. There is not any reason why we can't bomb Hanoi.

He boasts he will do this "in retaliation for the nationwide Communist offensive in the south." He further threatens:

I ask for retaliation. If they continue to shell Saigon we should go ahead and bomb Hanoi.

This arrogant pipsqueak has never been bashful about urging engagements that would cost the lives of young Americans, but he has been noticeably reticent in exposing himself to any danger whatsoever.

More Americans have been killed in combat in Vietnam than were killed in combat throughout the entire Korean war which was fought by the way, under the flag of the United Nations.

Mr. President, I urge that Air Marshal Ky personally lead South Vietnam warplanes on a bombing mission over Hanoi. American officers in Saigon should encourage Ky to undertake this mission provided he personally leads it and really makes his boast good and drops some hundreds of thousands of pounds of bombs on targets in North Vietnam.

I conclude by saying, "Good luck Vice President Ky. Make good your boast. If you are shot down and killed or captured few Americans would have any feelings of sorrow." If this braggart and phony air marshal, who was born and reared in North Vietnam, who served in the Air Force of the French Government in 1954, and fought against the forces of his own countrymen seeking national liberation until the forces of the French colonial oppressors were defeated, should lead his Air Force in a bombing mission over North Vietnam and be captured or killed, I would not experience any feeling of sorrow. Why not encourage this tinhorn air marshal to make good his boast.

Ky delayed the peace negotiations in Paris nearly 4 months. Then, the South Vietnamese delegation, brought and

maintained in Paris at our taxpayers' expense, did nothing except hold lavish receptions. After Ky finally arrived with a delegation of 100, he first insulted Ambassador Harriman, making a public statement calling attention that he wore a hearing aid. While American taxpayers are bearing the expense of this social reception in Paris, we tolerate Ky preening himself, insulting Averell Harriman, a very great American, and denouncing Defense Secretary Clark Clifford.

It is a sad situation that we, a great nation, humiliate ourselves to a dictator who once said that Adolf Hitler was his hero and who, along with his cronies in the Saigon regime, has deposited many millions of American taxpayers' dollars in Swiss and Hong Kong banks.

The Saigon militarist regime is incapable of making peace. Reason: Thieu and Ky have a vital interest in continuing the war and the bloodletting. Their political and perhaps even their physical lives depend upon it. When the civil war in South Vietnam is brought to an end Thieu and Ky will rendezvous with their unlisted, but well larded by corruption, bank accounts in Hong Kong and Switzerland. They will get out fast when American GI's no longer sustain them in power in Saigon, and then no doubt leisurely join the colony of other ex-dictators on the French Riviera and Swiss Alps.

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

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

THE CIGARETTE HAZARD

Mr. MOSS. Mr. President, support for the proposal of the Federal Communications Commission to ban cigarette advertising over the air is to be found in an editorial carried recently in the Catholic Review, published in Baltimore, Md., and sent to me by its editor, Mr. A. E. P. Wall. The editorial also expresses an interesting idea on the responsibility of Government in finding other productive uses for the land now growing tobacco for cigarettes. I ask unanimous consent that the editorial be printed in the RECORD.

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

THE CIGARETTE HAZARD

If you live on the far side of the generation gap you may remember some of the old slogans: Not a cough in a carload . . . it's toasted . . . they satisfy.

Today the slogan is less soothing: "Caution: Cigarette smoking may be hazardous to your health."

Earlier this month the Federal Communications Commission proposed rules to prohibit cigarette advertising on radio and television. More recently, State Sen. Edward Azrael of Baltimore has proposed that the warning now printed on cigarette packages be included in cigarette advertising within Maryland's borders.

The Azrael proposal would apply to advertising on billboards and posters, on tele-

vision and in magazines published in Maryland and having more than 60 per cent of their circulation within the State.

Because television and radio stations are granted licenses to use the public airways in the public interest, the Federal Communications Commission is acting properly in seeking an end to cigarette advertising over the air. There is reasonable evidence that the promotion of cigarette smoking is contrary to the public interest.

Cigarette commercials on radio and television today constitute a dangerous form of air pollution. The air, in this case, belongs to the public and is used under public license. It has long been obvious that harmful narcotics should not be promoted over the air, and it is becoming obvious that cigarettes should be excluded as well.

It is to be hoped, in fact, that newspapers will take a new look at cigarette advertising in terms of public service and public responsibility.

There is another obligation, however, in connection with discouraging the use of cigarettes. This is the obligation, which must be assumed by government, to find and to encourage socially productive use of lands and facilities now devoted to tobacco growing and cigarette manufacture.

A unified program to help the tobacco farmer move into a more useful form of agriculture, to prohibit all cigarette advertising on radio and television and to continue educational efforts concerning the dangers of cigarette smoking is a major national need today.

Nothing is more tragic than to see countless human lives going up in smoke.

RETIREMENT OF BRIG. GEN. RICHARD I. CRONE, NATIVE OF UTAH

Mr. MOSS. Mr. President, on behalf of myself and Senator MAGNUSON I would like to bring to the attention of the Senate the retirement of Brig. Gen. Richard I. Crone, a native of Utah and presently the commanding general at Madigan General Hospital in Tacoma, Wash.

General Crone has had a distinguished military career. After graduating from medical school at the University of California and serving in private practice for 1 year, he was commissioned a 1st lieutenant in the Officer Reserve Corps on January 1, 1939. He served a short time as a surgeon at Letterman General Hospital and was assigned as regimental surgeon for the 38th Infantry, Fort Douglas, Utah, and afterward attended the Medical Field Service School at Carlisle Barracks, Pa. During World War II he served at various hospitals in the United States until assigned to the China-Burma-India Theater in March 1945.

He returned to the United States in June 1946 and served on the medical service staff of Madigan Army Hospital, 1 year as senior resident and then assistant chief of the medical service. After duty overseas for several years, General Crone returned to Madigan General Hospital as chief, department of medicine and director of medical education. In 1963, he left Madigan to serve as chief, department of medicine and consultant to the surgeon general on internal medicine at Walter Reed General Hospital in Washington, D.C. General Crone returned to Madigan in 1965 and became commanding general.

Senator MAGNUSON and I wish to congratulate General Crone on his outstand-

ing military career. We wish to thank him particularly for his efforts in reducing the incidence of child poisonings.

Under General Crone's direction, post exchanges in Tacoma, Wash., began dispensing children's aspirin and all prescription drugs in child-resistant containers. Accidental poisonings from aspirin dropped 97 percent; poisonings from prescriptions dropped from a rate of one every 5,100 to one for every 62,300 prescriptions.

Because of the initiative and foresight of General Crone and his staff, I will soon introduce legislation authorizing the Secretary of Health, Education, and Welfare to require the child-resistant packaging of hazardous household substances. The initial protection extended to Army children in the Fort Lewis-McChord area of Washington will soon be extended to all children in the United States.

Our thanks go to General Crone for paving the way to the prevention of child poisonings and we congratulate him on his many accomplishments in his distinguished military career. We send best wishes to the general in his new role as civilian advocate for preventive medical care.

DEPLOYMENT OF ABM SYSTEM

Mr. GORE. Mr. President, there appeared before the Subcommittee on International Organization and Disarmament, on March 28, 1969, three distinguished preeminent Americans; namely, Dr. W. K. H. Panofsky, Dr. Donald G. Brennan, and Dr. G. W. Rathjens.

These gentlemen gave very able testimony with respect to the issue of the deployment of the ABM system and I ask unanimous consent that their statements be printed in the RECORD.

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

STATEMENT BY W. K. H. PANOFSKY, BEFORE THE DISARMAMENT SUBCOMMITTEE OF THE FOREIGN RELATIONS COMMITTEE, MARCH 28, 1969

Mr. Chairman and Members of the Committee: I appreciate very much having the opportunity to testify before your committee on this important issue. I am speaking to you as an individual scientist who has been interested in the ABM problem for a long time, beginning with my service on a special ABM subpanel of the Scientific Advisory Board of the Air Force in 1955, and continuing in various advisory roles.

To clarify the record I would like to state that I did not participate in any advisory capacity to any branch of the government in reviewing the decision to deploy the current modified Sentinel or Safeguard System—I appreciate having had the opportunity for an informal discussion with Mr. David Packard, Deputy Secretary of Defense, several weeks ago prior to the Modified Sentinel decision.

I consider the arms race between the USA and the Soviet Union one of the great tragedies of our time. For this reason I very much welcomed President Nixon's statement that he had especially intended the ABM decision not to interfere with forthcoming talks between the U.S. and the Soviet Union on limiting strategic offensive and defensive forces on both sides. In particular I welcomed the President's statement that any contemplated ABM deployment should not be interpretable by the Soviets as threatening their deterrence against the U.S. Accordingly Pres-

ident Nixon emphasized the role of an ABM system in protecting our retaliatory force in contrast to a full city defense. In this particular connection I agree emphatically with the other testimony you have heard that a city defense would escalate the arms race because it would cause the Soviet Union serious concern about its ability to deter us from a first strike attack against them. I therefore opposed the old Sentinel deployment precisely because it could be expanded to grow into a heavy city defense and also because in my view the argument for a thin ABM against Chinese aggression lacked validity. I will say more about this particular role of Sentinel later.

My principal criticism of the modified Sentinel-or-Safeguard System therefore relates not so much to its stated purpose but rather to its present urgency and to the actual technical concept of its planned execution. The stated aims of the modified Sentinel System are both defense of the hardened Minuteman sites and of our strategic bomber bases. Additional objectives are protection against accidental launch and protection against a limited Chinese attack. The urgency of proceeding with deployment is attributed to the newly raised technical possibility that the Soviets may have developed a "first-strike" capability by 1975. What does first-strike capability mean? It means in principle that the Soviets could launch an attack so highly synchronized that it would at the same time take our Polaris fleet, our strategic bombers, and our Minuteman force out of action to the extent that they could not launch a retaliatory attack sufficient to penetrate Soviet defenses.

I would like to express considerable skepticism that an attack of the kind envisaged by the Department of Defense witnesses could be mounted by the Soviets with any confidence of success. One has to recognize that such a "first strike" implies that the Soviet decision makers would have to make a rational decision for such a fully coordinated attack and that in the absence of having carried out any operational tests involving nuclear warheads they would have confidence that such an attack would actually work. I consider this to be an extremely implausible projection of our available intelligence, including that concerning the SSG9. I can think of no better prescription for accelerating the arms race than taking the position that we must prepare a fully safe counter-measure for any technically imaginable contingency. It is this kind of planning which, from the narrow point of view of the military, may appear conservative but which can lead to disastrous consequences for the survival of the U.S., or in fact, the entire world.

Next, let me say that I specifically object to the inclusion of bomber defense in the modified Sentinel plan as an element of a defense against a first strike. Bombers can take off from their runways on very short delay. If we did imagine a coordinated attack both on our missile sites in the north by multi-megaton missile warheads, and at the same time an attack from the sea on our bomber bases, then the amount of warning available from the ICBM attack against our missiles would be adequate to get the SAC bombers into the air. On the other hand, if the bomber bases were attacked first, although part of the bomber force might not escape destruction, our missiles would be intact and the Soviet planners would know that they would be exposed to a retaliatory strike from our Minuteman force. They also know that the Minuteman force by itself far exceeds the level of destructive capability required for a retaliatory second strike. Furthermore, in a period of heightened international tension it is possible (as we have done in the past) to put our SAC bomber force on "airborne alert", that is, to keep a substantial fraction of them in the

air at all times to give additional security against a successful first strike. Finally, I am very concerned that the inclusion of the bomber defense beyond Phase I in the modified Sentinel plan makes the system less easily distinguishable from a first step toward a city defense which would, as President Nixon has said, be provocative.

In short I can see no justification whatsoever for including bomber defense in an ABM system designed to protect our retaliatory force.

How is the present modified Sentinel actually configured? The first chart shows the Defense Department's presentation. As you see in Phase I which is the only decision now under consideration, only two of our Minuteman bases are to be protected but in the follow-on phases bomber bases are also to be defended, some of which are in areas fairly close to cities but not near any Minuteman launch sites. It is this component of the system which I conclude lacks validity in the context of the President's statement. I recognize that the Administration's proposal is for a phased deployment and that only Phase I is now to be authorized with further deployment to proceed on a year-by-year basis after suitable review. I note, however, that no operational experience will have originated from Phase I before the scheduled decision on Phase II is to be made.

I want to turn now to serious criticism of an engineering nature in connection with those installations which are intended to protect the Minuteman force. My point is that an economical hardpoint defense—that is a defense of sites which have already been hardened to withstand impact of megaton weapons at relatively close distances—requires a design greatly different from a defense of soft targets such as cities. The next chart tabulates this comparison. The Sentinel System was originally designed to defend "soft" targets, but now essentially the same components have been taken over for a completely different purpose (The exception is that additional faces have been added to the MSR radars for looking in all directions.) Let me elaborate on the differences.

1. A hardpoint defense radar can be much simpler and cheaper than one intended for city defense since it is permissible to intercept the incoming missiles at very much lower altitudes where the atmosphere has done most of the job in filtering out decoys or any innocuous material accompanying the warhead.

2. The defense installation should be extremely hard itself if it is going to be able to defend a set of hard targets. The MSR radars can withstand an overpressure of less than one-tenth of what can be tolerated by the missiles they are to defend. Clearly an enemy in planning a first strike would attack primarily the more vulnerable radar and thereby deny the effectiveness of defense.

3. For the hard point mission the short-range missiles required for terminal intercept could be much smaller and simpler than the Sprints which cost about two million dollars each.

Time does not permit me to elaborate on the other differences in requirements for a hard point defense and a city defense; I may only say here that they would demand different engineering solutions.

Now one can always give the usual "but it is better than nothing and we need it now" argument. Here I again disagree. The defense as described here is still very imperfect. To maintain their present threat to Minuteman the Soviets could defeat the present system with its relatively small number of anti-missiles by increasing their offensive forces correspondingly.

If one believes that the Soviets are preparing for a first strike—and if future Soviet missile deployments make this interpretation more plausible than it is now—

we may need a really effective defense of our missiles and surely the cost to achieve this is far from irrelevant; inefficient design of the system for this purpose would make such a race a losing one for the United States, quite apart from the strong incentive to prevent this kind of a race at all.

Let me comment on the two additional stated objectives of the modified Sentinel System. In addition to defending the land-based bomber and missile retaliatory force, it is intended to provide protection against a single accidental launch of enemy missiles, and protection against the emergent Chinese nuclear missile threat. The modified Sentinel system does indeed give some protection against a small accidental launch and I consider this to be a valid objective. However, the degree of protection it does offer is highly limited. For one thing the chance of such an accident occurring is in itself directly related to the level of armaments and the degree of tension in the world, and therefore heightening of the arms race increases the likelihood of an accident. On a more technical level the effectiveness of the modified Sentinel in preventing damage from an accidental launch would depend very much on the nature of the accident. If it were due to some malfunction of control, the "accident" could include the dispersal of decoys or could involve multiple warheads; then in general the Sentinel System could be penetrated. It is true that a single accidental launch might be stopped by the Sentinel; however, here we have the practical problem of whether the state of alertness of the system in peacetime can be kept at a high enough level that it would be effective against a single incoming missile. In short, I agree that the modified Sentinel has some limited value in providing protection against accident.

Protection against a Chinese attack was the initial motive for proposing deployment of the original "thin" Sentinel System and it has remained one of the objectives of the modified system. The President has agreed that active city defense against a heavy Soviet attack is ineffective as well as being provocative, and that prevention of nuclear war through deterrence or other means is our only fruitful approach to safety. The proponents of an active thin city defense against Chinese attack are thus implying that deterrence would not be acceptable protection in relation to China. At present we have two forms of protection against Chinese nuclear attack: One is deterrence—we can indeed inflict enormous damage on the Chinese in case of an attack on their part. We also have preemptive capability, that is we could strike Chinese launch sites which might emerge in the 1970's without fear of substantial retaliation. At present the U.S. has an undeniable first strike capability against China, that is, we could resort, but happily have not chosen to, to a nuclear attack without fear of retaliation on their part. All the Modified Sentinel System would do is to extend by an uncertain period the time over which this country would have such a first strike potential against China.

To summarize, if the Soviet threat continues to grow rapidly I would support development of a system which would truly implement the President's decision to defend the hardened Minuteman sites. I am aware of many studies which have shown that should our Minuteman force be seriously threatened it would be cheaper to increase our Minuteman force rather than to defend it. However, I also agree that it would be less provocative to the Soviet Union to defend the force we have, rather than to increase it. Such a defense should be efficiently designed for this purpose and for this purpose only. The Modified Sentinel or Safeguard is simply a reconfiguration of the City Defense Sentinel and I consider its deployment an unwise decision from many points of view: engineering

judgment, economy, and stopping of the arms race. And this last goal is more important than all others.

TECHNICAL REQUIREMENTS FOR ABM

City defense—High-value target

Intercept at high altitude.
Long fly-out range.
Soft or slightly hardened Radar.
Decoy discrimination at high altitude.
Complete elimination of incoming missiles.
Cost per anti-missile may be substantial.
Number of anti-missiles related to strength of enemy force.

"Hard point" defense—Low-value target

Intercept at low altitude.
Short fly-out range.
Very hard Radar.
Atmosphere eliminates decoy.
Attrition of incoming missiles.
Anti-missiles should be inexpensive.
Number of anti-missiles related to number of retaliatory missiles protected.

STATEMENT BY DONALD G. BRENNAN, BEFORE THE SUBCOMMITTEE ON INTERNATIONAL ORGANIZATION AND DISARMAMENT AFFAIRS OF THE COMMITTEE ON FOREIGN RELATIONS, U.S. SENATE, MARCH 28, 1969

Mr. Chairman, and Members of the Committee. It is a privilege for me to appear before you. The last time I was thus privileged was when I appeared before the sessions of the full Foreign Relations Committee in 1963 to record my support of the Nuclear Test Ban Treaty. I appreciate your willingness to hear me in this present setting, to set forth some views I know some of you now oppose. It is encouraging that there may still be some open minds.

Let me tell you something of my background for speaking on ballistic missile defense, which I shall call BMD for short. My main professional background and training were technical, and came primarily from MIT, with which I was associated in various ways from 1951 to 1962. However, I acquired a strong interest in arms control and other aspects of national security policy beginning in about 1957. I joined Hudson Institute as its first president in 1962 and continued in that capacity to 1964, when I resigned the presidency but continued there since to conduct studies of arms control and other problems of national security policy. I edited, and wrote part of, the special issue of *Daedalus* on arms control (fall 1960) and its successor book version titled *Arms Control, Disarmament, and National Security*, published by George Braziller in 1961, a book that was endorsed by Senator Fulbright among others. I have continued to write frequently on such matters and I now edit the new international journal titled *Arms Control and National Security*. I have been following the technical developments in BMD for about the past twelve years and have closely studied the strategic and political implications for about the past six years. A more detailed biographical sketch is attached at the end of my statement.

It might be useful to remark that my first widely circulated paper on missile defense was a satire written in 1958, called "Project Turnabout", that implicitly ridiculed some of the technical possibilities for missile defense then being studied. I was opposed to the deployment of BMD to protect cities until about the middle of 1964. Since then I have tended to favor such deployment, though not necessarily any possible program at any possible time.

I should like to stress that I am appearing here purely as an individual, and I do not speak for anyone else at Hudson Institute, nor for anyone in the Government or elsewhere. This is especially important to stress because I shall advocate a more substantial defense of cities than the deployment cur-

rently recommended by the Administration, and you should not blame them for my views.

Let me now turn to the substance of the issues before us. I should perhaps warn you that some of the things I shall say are quite different from the statements you have been hearing.

Broadly speaking, there are two main possible applications of ballistic missile defense: for the protection of strategic nuclear offensive forces, and for the protection of people and civil resources. The program announced by President Nixon on March 14 has elements of both kinds. The program is intended to lead to a defense of offensive forces that would protect at least some of those forces against a substantial Soviet attack. And it is intended to provide substantial protection of the population against a modest attack, of the sort the Chinese might be able to mount in the 1970's or that might result from unauthorized launch of a portion of the Soviet force. The component intended to protect people is of a kind called "area defense" and is based on the long-range Spartan missile; it would not provide very much protection against an overwhelming Soviet attack.

I shall come back to the subject of city defense, to which the bulk of my statement is devoted, but let me mention a few thoughts about protecting offensive forces. I have not reviewed all of the detailed considerations that led to the new program, but those I did review made it appear that the decision was sound. However, it has in any event been clear for some few years that Soviet offensive-force developments might at some time require improvements in the protection of our own offensive forces, and it should not be surprising if that time is now upon us. The Department of Defense has conducted major studies of alternative means of improving this protection, and it has always been clear that BMD was one of the potentially attractive alternatives. Many or most of the critics of BMD for cities—at least among those with some sophistication—have been potentially or actually willing to support BMD for offensive forces; for example, Hans Bethe, in his statement to this Committee on March 6, said that he was in favor of it.

It may be useful to separate sharply two questions about protecting offensive forces. First, to what extent in what circumstances is an increase in that protection justified? Second, what is the best means of increasing that protection? The second question is of a highly technical nature not well adapted to public, or even Congressional, inquiry, and some of the arguments being heard about BMD probably belong to the first question. For example, if someone says he is opposed to BMD for offensive forces because he would rather spend the money on social programs, it is not always clear if he would equally oppose spending perhaps even more money on super-hard silos or on a rail-mobile deployment system for Minuteman.

It is possible to conceive that the detailed scale and timing of expenditures for protecting offensive forces could properly come under Congressional scrutiny, though this would represent a new thing and I am not sure I should favor it. It would in any event have to be done in executive sessions, with sensitive information. It does not seem at all feasible to me to have such scrutiny of the decision as to the best means of providing the protection. The judgment about the best means should be based on a complex of factors that can scarcely be grasped whole by a full-time Secretary of Defense. That a Committee of the Congress could meaningfully penetrate such a judgment seems to me most unlikely.

There are, however, some very important questions that are highly appropriate for Congressional consideration, and I shall return to these.

Let me now turn to the subject of city defenses. The new Administration program is aimed at developing, in an evolutionary way, an area defense that would protect the country against light attacks. It seems to me that beginning the program in this way, at least in general terms, is eminently sensible. However, it also seems sensible to me that the program should ultimately evolve toward a system that would provide more substantial protection. The discussion of these possibilities has become polarized between the terms "thick" and "thin", which is unfortunate because there is a continuous spectrum of possibilities; however, I do favor something "thicker" than the "thin" area defense.

In this regard, I seem to some extent to be on the side of Senator Gore. Senator Gore said, in the secret Senate debate on BMD on October 14 last, as printed in the CONGRESSIONAL RECORD, volume 114, part 22, page 29180:

"We have three choices: First, not to deploy; second, to deploy a thin or reasonably effective—maybe—system; or, third, to proceed to deploy vigorously what we would hope to be an effective defense.

"We have chosen here the middle course. It is, in my view, the least advisable course. I would have greater trouble in reaching a decision as between not deploying at all and deploying an effective system. I have little trouble with opposing the deployment of a reasonably effective system. I believe it carries with it many of the disadvantages—politically, militarily, and so forth—carries few of the positive advantages of an effective defense."

The main positive advantage of what Senator Gore called "an effective defense" is, of course, that it might save tens of millions of American lives in the event of a major war, and make an enormous difference in the ability of the country to recover. I have attached to my statement, for insertion in the record, a paper titled "The Case for Missile Defense", in which the arguments for an effective defense are set forth. This paper is similar to an article of mine of that title just published in the April 1969 issue of *Foreign Affairs*, but the attached version has a few more details. I shall here simply summarize in outline form the main points that seem to me to emerge from that analysis.

1. It appears that BMD systems costing less than half the cost of our present air defense system might (in the context of wars that could possibly occur in the mid-1970's and later) reduce U.S. fatalities from levels approximating half the populace to levels approximating ten per cent of the populace, and, by protecting perhaps 90 per cent or more of U.S. resources in production and transportation, facilitate much more rapid economic recovery. There is some chance the system would perform much more poorly than intended, but also some chance it would perform much better. The expected performance would be substantially more important for the country than the expected performance of the air defense system in the past would have been.

2. The Soviets could wholly nullify such a defense only by expenditures on the general order of the cost of the defense itself, or, possibly, more. Thus, quite apart from the fact that much strong evidence indicates that the Soviets are not determined to nullify any and every defense we might build, they would face substantial budgetary and bureaucratic problems in doing so. A partial offset of the defense would be less expensive, but correspondingly less of the insurance value of the defense would be nullified.

3. In view of the fact that a major research and development program on means of penetrating missile defenses has not in several years disclosed any cheap and reliable penetration technique against a good defense, the estimates of the preceding two para-

graphs appear to have a stability that begins to approximate our confidence in the security of our best offensive weapons.

(As a parenthetical side remark, on purely historical grounds it should scarcely be surprising that the virtually untrammelled superiority that the offense has enjoyed in the past two decades is beginning to be somewhat trammelled.)

4. As concerns the fundamental of deterrence, it is not a basic requirement of U.S. national security that we be able to kill 74 million Soviet citizens and destroy 76 per cent of their industrial capacity, or whatever such numbers are selected, independently of the circumstances and of the Soviet ability to destroy the U.S. The perception that we have such a requirement seems to have contributed to the (apparently false) perception that the Soviets have the same requirement, and this latter idea has contributed to putting us in our present posture, which has been aptly termed a posture of "Assured Vulnerability" by Stuart Pittman. I do believe it is a U.S. requirement to be able to do at least as badly to the Soviets as they could to us, but this principle does not require a posture of "Assured Vulnerability," and would permit the deployment of defenses in both superpowers, at least with substantial limits. The original justification for the posture of the superpowers in past years—that we had to deter because we could not defend—seems to have become distorted in some minds into the false idea that, because we must deter, we cannot defend.

5. If for no other reason than that no foreseeable defense system will reliably reduce hostage levels in the superpowers below several millions, the deployment of BMD will not significantly increase the likelihood of war. Because of the complexity a defense imposes on an attack, BMD seems more likely to reduce this likelihood.

6. The propensities for offense-defense arms races would be dominated by prevailing U.S. and Soviet attitudes as long as defense appears to be sufficiently effective as to require comparable expenditure to nullify it. U.S. attitudes at present are mixed, with some favoring deployment of defenses and some opposed. Soviet attitudes seem much less mixed, indeed they seem almost universally to favor emphasis on defenses. Thus it appears that similar U.S. emphasis on defense would probably be the most stable way of avoiding an offense-defense arms race as well as being most desirable from other points of view. The U.S. should stop responding to Soviet defenses with major increases in its own offensive forces, and respond instead with damage-limiting programs of its own; and senior U.S. spokesmen should most certainly stop trying to persuade the Soviets that they must respond to a U.S. defense by increasing Soviet offensive forces. The possibility of an offense-defense race could be further reduced with explicit if informal U.S.-Soviet understandings about strategic forces, giving first priority to controls on offensive forces, with second priority to constraints on defenses, or perhaps no limitation on defenses. However, as long as Soviet offensive forces remain at or above present levels, I do not believe the possibility of a substantial U.S. defense should be excluded by such an understanding.

The United States and the Soviet Union clearly have a large common interest in reducing the scale of potential damage that could result from a war. This common interest is at the heart of arms control. We do not have a common interest in precluding the possibility of limiting damage.

That completes my summary of the strategic issues as I see them.

I should like now to return to the matter of which questions in major defense policy seem to be appropriate for Congressional consideration. I have already indicated that some

do not seem appropriate, such as the selection between alternative weapon systems that would accomplish similar objectives. You may occasionally wish to review the Department of Defense for their general competence in handling such matters, but you cannot generally do that kind of work for them.

There are of course several kinds of decisions where it has long been recognized that a Congressional role is vital. These generally involve important interactions between the Defense Department and the citizenry as a whole. For example, the overall level of the defense budget is a major factor in how heavily we are all taxed; draft policies influence which of our young men shall serve, and for how long; and the general kinds of forces we maintain will relate to the foreign policies the Administration is permitted or encouraged to pursue. Such examples are easy to multiply.

I should like to suggest to you that there is one area of decision that has not previously been recognized explicitly as one of Congressional concern, but which seems to me at least potentially appropriate. One of the two most important points I wish to make to you in this statement is to suggest that explicit consideration might well be given within the Congress to the relative emphasis to be given to strategic offensive forces, on the one hand, and strategic defenses on the other. From the early 1950's until five or six years ago, the technical prospects for an effective defense did not seem very bright, and we became accustomed to protecting ourselves primarily by deterrence—the threat to destroy others if we were attacked. Now, however, it begins to appear feasible to shift an increasing degree of our protection to active defense—the ability to reduce the consequences or an attack. It will not be possible for the foreseeable future to shift complete reliance to defense, but important differences of degree appear quite possible. The strategic debate of the recent past has not generally been carried on in these terms, but I believe this is the proper framework.

The reasons this area may be appropriate for Congressional concern is that it involves an important interaction between the Defense Department and the citizenry as a whole, namely, what fraction of the population and the resources of the society should be at risk in the unlikely event deterrence fails and there is a major war. Stated another way, one may view the procurement of defenses as something like insurance, and the question of how much insurance is enough, in view of the costs and risks involved, is one that is plainly appropriate for a political process. Of course, it will be clear to you that, as an expert, I have my own views on this matter. But it will also be clear to you that, as an expert, I have found the quality of the treatment of this problem by the Administration in recent years very disappointing.

There would be some potential difficulties in attempting to address this problem directly in a political framework. However, I believe that untutored public opinion in this area may be at least as reliable a guide for general policy direction as more sophisticated but basically superficial theories that are sometimes compounded with false information. For example, although the overwhelming majority of public statements concerning BMD in recent months have opposed deployment, the Harris Survey released February 3 reported that people favor a buildup of a system of anti-missile defenses by 61 to 23 percent, or almost three to one. It is not clear, but presumably likely, that the people interviewed were thinking at least implicitly of city defenses.

The other of the two most important points I wish to make here concerns disarmament. I have read most of the other statements presented to you in these hearings, and I do not

find that there has been much discussion before this Subcommittee on Disarmament Affairs of the subject of disarmament. The reason for this may well be that, as the only witness you have heard who is advocating what Senator Gore called an effective defense, I may be the only one you have heard who has a plausible theory of how you can do a lot of strategic disarmament. You can do it with defenses. Let me sketch roughly how it might go, complete with a possible timetable.

We might begin at once with a Soviet-American understanding about a ceiling on offensive forces, expressed in inspectable terms such as gross weight, and an understanding that we might both build up defenses. Such an agreement is clearly in the common interest of both the United States and the Soviet Union and should prove realizable. By the mid-1970's, if the defenses are in place and appear to have the capabilities now expected of them, there should be enough confidence in them to begin some gradual reductions of the offensive forces on both sides, reductions which would require only modest inspection because the defenses would (if suitably deployed) sharply diminish the effectiveness of clandestine missiles. The defenses would then become even more effective against the then-reduced offensive-force threat, which would facilitate further relations in offensive forces. Just how far this process might go would depend on the technological and political circumstances then prevailing, but I should not be surprised to find that by 1980 one might reduce the risk of Soviet-American strategic nuclear war to negligible proportions. The defensive forces themselves might, of course, be reduced along the route, but not eliminated. It should be clear that there would be some effective "disarmament" of the offensive-force potentials as soon as the defenses were working, even before direct reductions of the offensive forces.

In contrast, I do not believe any of the distinguished witnesses who preceded me have even the beginning of a plausible program for achieving major disarmament of the offensive forces by 1980. I believe it can be virtually guaranteed that it will not prove possible in this time period without substantial defenses. I should mention that following the program sketched here might lead to a strategic situation outside the range analyzed in my appended paper, but presumably it would actually go that far only if it appeared feasible, as I believe would be likely.

In addition to my own paper, I have attached below a very recent paper by my colleague Mr. Johan Holst, who has translated a recent article from *Izvestia* on American BMD and provided a brief but very persuasive commentary on current Soviet perspectives on the subject.

That completes my prepared statement. I shall, of course, be delighted to respond to questions and discussion. While I am fairly familiar with technical details, and willing to answer technical questions as far as I can, my primary expertise is in the strategic, political, and arms-control aspects of missile defense, and suggest that we should emphasize these areas if possible.

STATEMENT OF DONALD G. BRENNAN

Donald G. Brennan is a mathematician and student of national security problems. His special interests are in advanced military policy, alliance relationships in Europe, and selected areas of arms control, such as policy issues relating to ballistic missile defense.

Prior to joining Hudson Institute, of which he was President from July, 1962 until May, 1964 and where he now conducts research studies, Dr. Brennan worked for nine years as a research mathematician and communication theorist at Lincoln Laboratory of Massachusetts Institute of Technology, en-

gaged in technical studies for the Government. In addition to his technical research there, he devoted substantial time to studies of arms control and national security problems.

Dr. Brennan's serious interest in arms control began in 1957, when he was organizer of a group that led to the 1958 Summer Study on Arms Control held in Cambridge, Massachusetts, under the auspices of the American Academy of Arts and Sciences. In 1960 he was an organizer and co-director of the Summer Study on Arms Control, again held in Cambridge under American Academy auspices, in which some sixty experts participated. He was a member of the Academy's Committee on International Studies of Arms Control in 1961-66, serving as its chairman in 1961-62, and has been a frequent participant in international conferences relating to arms control.

Dr. Brennan has served as consultant to the Department of State, the Department of Defense, the Arms Control and Disarmament Agency, the Executive Office of the President, and is a member of a Task Force on the Defense Science Board. He is editor of the well-known anthology, *Arms Control, Disarmament, and National Security* (New York, George Braziller, 1961), sponsored by the American Academy of Arts and Sciences, and guest editor of its predecessor, the special (fall 1960) issue of *Daedalus* on "Arms Control". He is editor of the new international journal *Arms Control and National Security* and has edited studies of future military technology. He has contributed articles on arms control to a number of journals, and has lectured on national security subjects at Harvard, Massachusetts Institute of Technology, the University of California, and defense study centers in London, Bonn, Paris, and Oslo, among others, and has given seminars on arms control in Moscow.

Born in 1926, Dr. Brennan received the B.S. (1955) and Ph.D. (1959) degrees in mathematics from Massachusetts Institute of Technology, where he was a Gerard Swope Fellow and received other graduate and undergraduate prizes and awards. Prior to entering M.I.T., he was engaged in radio engineering as a registered professional engineer in the State of Connecticut. He is a Senior Member of the Institute of Electrical and Electronic Engineers and a member of Sigma Xi, the American Mathematical Society, and the Institute for Strategic Studies, London. He was a member of the President's National Citizens' Commission on International Cooperation Year in 1965.

STATEMENT BY G. W. RATHJENS, BEFORE THE SUBCOMMITTEE ON INTERNATIONAL ORGANIZATION AND DISARMAMENT AFFAIRS OF THE COMMITTEE ON FOREIGN AFFAIRS OF THE U.S. SENATE, MARCH 28, 1969

Mr. Chairman, members of the committee, I welcome the opportunity, and am honored, to appear before you to comment on the question of our deployment of an antiballistic missile defense system. I have an advantage over most of the other opposition witnesses whom you have heard in that since they have appeared the President and members of his Administration have spoken on the subject. The nature of the new deployment is now known in a least its broad outlines as are the President's views about the objectives and implications. I will focus my attention mainly on that deployment, and on some of the Administration statements regarding it.

Before doing so, however, I should like to make it clear that I share many of the views and reservations of other witnesses whom you have heard. I do not believe the ABM question can be intelligently considered apart from other aspects of our strategic policy. Thus, it seems to me that Dr. Killian's suggestion of a thorough, independent review of our whole strategic posture and the objec-

tives to be served by it is an excellent one. And, I share the concerns of Drs. Bethe, Kistiakowsky, Ruina, and York about the possibility of a catastrophic failure of the defense; about the need to delegate responsibility for launch of interceptor missiles to low command echelons or the computer if there is to be any chance that the system will be effective, especially in coping with accidents; and about the unrealism of assuming that the system could provide anything like a damage denial capability against a Chinese threat. Their statements regarding these points apply just as forcefully to the new deployment plan as they did to the old.

Because the President and particularly Messrs. Laird and Packard have placed such emphasis on Minuteman defense in the new plan, and because that subject has not been dealt with very fully by other witnesses, I would like to devote a major portion of my testimony to it. Two questions must be asked:

1. Are our strategic retaliatory forces likely to be so vulnerable to preemptive attack in the near future that a decision must be made now to remedy that vulnerability?

2. If so, is the deployment of the proposed Sentinel ABM defense for Minuteman the preferred way of dealing with the problem?

The Administration's decision implies an affirmative answer to both questions. In my judgment the answer to both is almost certainly negative.

I would first note that our strategic forces now have the capability to deliver over four thousand nuclear warheads against an adversary. Less than one tenth of that force could, according to former Secretary of Defense MacNamara, destroy over 75% of the industry and 30% of the population of the Soviet Union, the latter figure being almost certainly a low estimate since it is based on immediate and easily calculable fatalities with those that are delayed and difficult to quantify being neglected. During the time when Sentinel is being deployed the number of warheads our strategic force can deliver will be increased to ten thousand or so assuming implementation of present plans to replace large fractions of our Minuteman and Polaris force with new missiles carrying several warheads each. Even without adding to this the fact that we also have several thousand nuclear warheads in Europe, some of which could be delivered by tactical force against the USSR, a preemptive strike against us in the mid-70's would seem like madness on the part of the Soviet leadership unless they could have extremely high confidence of being able to destroy at least 95%, and more likely 98%, of our retaliatory force.

I would not claim that the development by the Soviet Union of such a first strike capability is impossible, but it is at worst a distant prospect. It could come about through the development of all of the following: (1) a capability to deliver very large numbers of warheads with extreme accuracy, (2) an extraordinarily effective anti-submarine warfare capability, (3) a considerably improved air defense capability, including the ability to cope with the air-to-surface missiles we will introduce into the bomber force, and (4) a large-scale nationwide ABM system to intercept U.S. missiles that might have escaped destruction before launch. The development of such capabilities would be exceedingly time consuming, costly, and difficult, particularly considering the Soviet need to have a capability of destroying virtually all of our land and sea-based missiles *nearly simultaneously* since they could hardly count on our delaying retaliation very long after the first few of our missiles were destroyed. Clearly the Soviet Union has none of these capabilities at present. Development of most of them should be evident to us through our intelligence collection well before they are operational.

Thus, the determination that action is now needed to cope with a potential mid-70 threat to our retaliatory capability seems decidedly premature. I know of no basis for believing that the concatenation of events required to place our retaliatory forces in jeopardy by the mid-70's is even a remote possibility.

Though the President did not, in his Sentinel announcement, refer to Soviet intentions to develop a first-strike force, Secretary Laird has made much of that possibility. Indeed, he has claimed it as an absolute fact, apparently based not so much on Soviet capabilities or even hard estimates of future capabilities as on his conclusion that there can be no other rational explanation for the Soviet SS-9 program. To me, there would seem to be at least two others that are plausible: the desire to have some ICBM's that can carry warheads that are well-matched to the size of American cities (which are much larger in area than those of the USSR); and a possible Soviet desire to have a large number of boosters that could be efficient carriers of multiple warheads or other aids to facilitate the penetration of a possible large-scale U.S. ABM deployment.

It is probably worth considering briefly the actual SS-9 capabilities for attacking our Minuteman force. According to Mr. Packard the SS-9 force might number 500 by 1975. Clearly a force of that size would not be a serious threat unless multiple individually targetable reentry vehicles (MIRV's) were employed since even with perfect reliability and accuracy it could destroy at most half the Minuteman force. With realistic degradation to take account of reliability, even a force two to three times as large as Mr. Packard has suggested would not suffice to destroy enough Minutemen so that the survivors alone could not inflict unacceptable damage on the USSR.

If one assumes that highly accurate MIRV's are developed by the Soviet Union and deployed on the SS-9's they might pose a greater threat. If the Soviets can do as well in achieving high accuracy as we apparently expect to do (according to the figures released in late 1967 by former Deputy Secretary of Defense Nitze), then a 500 missile Soviet SS-9 force might destroy three quarters of the Minuteman force. Again, the survivors alone would be more than enough to inflict unacceptable damage on the USSR.

Thus, one must assume a much larger force than Mr. Packard estimates, a more advanced MIRV technology than we expect to have ourselves (and so far we are probably leading the USSR), or both if the SS-9 is to be a critical threat to Minuteman.

But, however tenuous the basis for the argument, the Administration has clearly decided that our retaliatory capability may be threatened in the mid-70's, and that action is now required to insure that it will not be. If indeed such an essential element of American strength as our retaliatory posture may be in jeopardy, I would suggest that defense of Minuteman using Sentinel components is hardly a high confidence solution.

Other witnesses who have appeared before you have testified on the question of the reliability of such complex systems as ABM's. Their testimony in itself should cause us all to have serious doubts about the wisdom of the decision. The Administration is asking great forbearance on the part of the American public when it attempts to persuade them that our retaliatory capability is in jeopardy, and then offers as a solution to the problem a system in which they can have no more confidence than in Sentinel.

However, even if Sentinel could be counted on with high confidence to perform exactly in conformance with specifications, there would still be reason to doubt that it would be a good solution to the question of possible Minuteman vulnerability.

It would be surprising if such a design were optimal or even close to it considering that the interceptor missiles and radars were designed to defend very vulnerable cities

rather than very invulnerable missile sites. The problems of the two kinds of defense are fundamentally different. One can tolerate near misses in the case of a defense of Minuteman that would be catastrophic if they occurred near large cities. The design of the defense should take advantage of that fact.

The missile site radar (MSR) is probably particularly badly matched to a defense of missile sites. It will be highly vulnerable compared to the ICBM sites themselves, and hence will be a prime target for the attacker. Furthermore, it is so very expensive that redundancy is likely to be quite impractical. A "leaky" defense that might be quite satisfactory for protecting ICBM's themselves will hardly be satisfactory. Rather one must have the same kind of perfect defense of the radars that would normally be required for cities, for if the radars are destroyed the whole defense collapses and the missile sites are as vulnerable as if there had been no defense at all. Thus, the defense *must* allocate a very large fraction of its efforts to defending radars. This is particularly awkward with the components proposed because of the very great geographic expanse of the Minuteman bases and the short (25 mile) range of the Sprint missile. This means that Sprints that are deployed to defend the radar cannot be used to defend the Minuteman that are on the periphery of the complex, and the Sprints near the periphery of the complex cannot defend the radars. Indeed, such Sprints would almost certainly never be of any use whatever since the offense would presumably not attack ICBM's near them until the radar had been destroyed.

Assuming the offense will know the Sprint deployment, it can calculate with high confidence exactly the number of warheads required to overwhelm the defense by simply exhausting the interceptors. If it does so, and delivers that number in an attack against the radar, it is clear that with the defense deployment being considered, the cost of saving a single Minuteman missile is likely to be at least in the 25 to 100 million dollar range (compared to its procurement cost of perhaps 4 million dollars).¹ Slightly less conservative offensive tactics may make the results very much more unfavorable to the defense.

But that is not all. The foregoing assumes the Soviets use missiles to attack the radars that could otherwise be used to knock out Minuteman. They hardly need do that. Instead they could effectively attack the vulnerable radars with whatever number of the more numerous, less expensive, smaller missiles would be required to exhaust the interceptors, conserving their more accurate, higher yield weapons for use against our ICBM's. If the Soviets chose such an attack option, and if the threat to Minuteman is, as alleged, from a Soviet SS-9 missile force, the defense would not be effective *at all* in saving Minuteman.

Before concluding my discussion of the defense of Minuteman, I should emphasize that I would not necessarily oppose a defense if it should appear that at a future date our retaliatory forces would indeed be in jeopardy, and if a defense could be built with components better tailored to the job required of them. A defense might well be preferable to some of the other options for strengthening our retaliatory capability such as simply multiplying the size of our ICBM force.

I would favor research on such an optimized defense, and I believe there is time for it. I would also like to see a vigorous program on other means of insuring the invulnerability of our retaliatory capabilities such as reducing the noise level and extending the range of our sea-based forces if they are

¹ Since such estimates have been regarded with some incredulity I have included a brief appendix in an effort to show that they are plausible.

indeed as threatened as Secretary Laird leads us to believe.

But above all, I believe the most effective, and I might say the cheapest, means of insuring that we can maintain an adequate retaliatory force is through the earliest conclusion of an agreement with the Soviet Union to curtail the strategic arms race.

In concluding, I should like to comment briefly on two other aspects of the proposed Sentinel deployment, and I have in mind the effect of the 12 site nationwide deployment, in contrast to the initial defense of Minuteman. I am concerned that the nationwide deployment could well lead to an escalation in the Soviet-American strategic arms race, and that it could serve as an impediment to terminating that race.

First, it is to be pointed out that the history of the strategic arms race has been one of each side reacting not so much to adversary capabilities as to fears of possible adversary developments. Thus, our original Sentinel decision appears to have been triggered not by the development of a Chinese ICBM capability, but rather by concern that such a capability might appear in the 1970's; and the President's decision to include a defense of Minuteman as a component of Sentinel is clearly being made in anticipation of the possibility that our retaliatory forces might some day become vulnerable. Two factors dominate this action-reaction phenomenon: The need to react in an anticipatory way because of the lead time required to deploy modern weapons systems; and the fact that the greater the uncertainty about adversary intentions and capabilities, the more likely will be an over-reaction.

With these observations in mind, it would seem unlikely that the Soviet Union could totally discount the possibility that despite our statements to the contrary, the U.S. might later attempt to expand its ABM system into one designed to blunt the effects of a Soviet Retaliatory strike. Implementation of the announced plan would reduce the lead time and facilitate such a deployment particularly as the components we propose to use for the modified Sentinel defense are for the most part identical to those proposed by the Army for the Nike X deployment. Parenthetically, it is to be noted that there would be much less ambiguity about a defense specifically designed for defending hardened ICBM's; it would be far less likely to provoke an escalation of the arms race.

The determination that we should attempt to maintain a capability to defend against a possible Chinese attack will clearly be a further stimulus to the Soviet Union to increase its offensive capabilities for it implies a rapid and continuous upgrading of Sentinel on a nationwide basis as the Chinese threat evolves, and as technology changes.

In this connection, it cannot be emphasized too strongly that perhaps the most disturbing quality of an ABM system is the extraordinary uncertainty that must apply to estimates of its performance. This has been well brought out in the testimony you have heard, and by comparison of that testimony with Administration and contractor claims about expected performance. The sad fact is that while we can have almost no confidence in an ABM system's working, an adversary can have almost no confidence that it will not work. Thus, we must expect the Soviet Union to react to even a "light" or "thin" deployment as we have to their Moscow defenses by very substantially improving offensive capabilities, not because an ABM system will be effective and not because it will be expanded, but simply as a conservative hedge against those possibilities. The result will almost certainly be an expensive expansion in the arms race with no increase in protection, and, indeed, possibly with a diminution in security for both sides.

The deployment of the proposed ABM system is also likely to impair our efforts to limit the arms race by mutual agreement. The difficulties lie in a formulation of a definition of "thinness" that might be applied to systems that would be permitted under any agreement, and in the establishment of mutually acceptable procedures for verifying that systems were not being dangerously upgraded in their capabilities. Without verification arrangements that would probably be unacceptably intrusive, I doubt whether we could ever have adequate confidence that a nationwide Soviet ABM system was of such limited capability that we could accept a lengthy freeze on our strategic offensive capabilities. The point is well-illustrated by our experience with the Soviet Tallinn system. For years there was dispute in the U.S. intelligence community about whether that system had an ABM capability at all. How much more difficult it will be to establish limits on the capability of a system that is clearly designed as an ABM system.

In summary, I believe that if we go ahead with the Sentinel deployment, as modified by the new Administration, we will be acting unwisely.

Inclusion of a defense for Minuteman seems to be based on a much exaggerated view of the threat to our retaliatory capabilities, and is definitely premature. Moreover, the defense proposed would be at best marginally effective in saving Minuteman.

The nationwide defense is hardly one in which we can have much confidence. Accordingly, it will be of little, if any, utility in expanding the range of options we will have for dealing with Chinese belligerence. And because of the command and control problem it would be very likely of little utility in preventing damage to us from accidental nuclear attack.

Thus, we will be buying very little if anything in the way of increased security, but we will be paying a very great price, both in dollars when they are sorely needed for other purposes, and in complicating our efforts to curtail the Soviet-American arms race by mutual agreement. We will very likely have missed a great, and I might say, probably fleeting opportunity to take a new direction in dealing with that problem.

Thank you very much for the opportunity to appear before you.

APPENDIX: DEFENDING MINUTEMAN MISSILES WITH THE MODIFIED SENTINEL SYSTEM

The Administration has stated that the total cost of its modified twelve-site Sentinel plan will be 6.6 billion dollars. Seven of the sites, including the first two at Great Falls, Montana, and Grand Forks, North Dakota, will have perimeter acquisition radars (PAR's) and will therefore be more expensive than the five that will not. The Montana and the North Dakota sites are likely to be the most expensive of all not only because they will have PAR radars but because they and two other Minuteman defense sites to be installed later will, according to Secretary Laird, have a considerably larger number of Sprint missiles than the others. Thus, it is probably reasonable to assume that the costs to be allocated to the first two sites should be 700 to one billion dollars each.

It is unlikely that either will have more than 75 Sprint missiles considering that the Administration has announced that the number of Sprints would not be increased significantly over the earlier plan, and that all twelve sites are now to have Sprint defenses.

If our interceptors could be counted on to work perfectly, the largest number of incoming warheads that could be intercepted would then be 75 at each base. Because the

missile site radars (MSR's) are not likely to be more than one tenth as hard as our Minuteman silos, the adversary could destroy an MSR using warheads of one tenth (or less) of whatever yield would be required to destroy a Minuteman missile, assuming the same accuracy for both the small and large warheads. This means that an adversary booster carrying multiple warheads could carry about three times as many "radar-killing" warheads as it could "ICBM-killing" warheads.

If the interceptors at each base could destroy at most 75 incoming warheads, then at most 25 Minutemen would have been saved if the adversary were to use some of its missiles to attack the MSR. This follows because the boosters carrying the 75 "radar-killing" warheads could be used to destroy at most 25 ICBM's.

Thus, the cost per Minuteman saved will be 28 to 40 million dollars.

There are many reasons why this estimate is likely to be much too low.

1. If some of the Sprints are deployed too far away from the MSR to defend it, or if there are fewer than 75 Sprints per base, the costs per Minuteman saved could go up sharply—perhaps several-fold.

2. If the Sprints are believed to be less than 100% reliable, at least two would probably have to be allocated to intercept each incoming warhead that might destroy the radar, the effect being to double the cost per Minuteman saved.

3. If the adversary warheads did not have a kill probability of one against the Minuteman (or the radar), the number of Minutemen saved will be decreased, assuming, as is likely, that at least some warheads that would have gone wide of their marks would nevertheless have been intercepted.

4. If, after review, the Administration should decide to terminate the program after completing only the Montana and North Dakota bases, then all of the development and production tooling costs would have to be written off against just the two sites.

5. While we might hope that the Administration's \$6.6 billion estimate is correct, costs of similar programs have generally escalated upon implementation.

Considering these reasons, the 28 to 40 million dollar figure above should be multiplied—perhaps by a factor of three to ten. Obviously then, an estimate of 25 to 100 million dollars per Minuteman saved is very conservative.

Two arguments can be made against the foregoing line of reasoning:

1. It can be said that the discussion neglects the effects of Spartan missiles in degrading an adversary attack. On technical grounds this seems like a reasonable approximation. While the offense would of course have to allocate some effort to insuring penetration of Spartan defenses, it would hardly be enough to change significantly the above estimates. In any case, the Administration can scarcely argue otherwise since, in claiming as it has that the Soviet Union need not react to a nationwide Spartan defense by improving its offensive forces, it has implicitly acknowledged Spartan's in-utility as a defense against a sophisticated attack.

2. It can be argued that the discussion fails to consider the bonus effect implicit in the fact that the sites at Grand Forks and Malstrom would offer protection of population against Chinese attack. It is probably reasonable to neglect this considering that the relatively small cities in this area, particularly in the area protected by the Malstrom site, would be unlikely to be hit by the Chinese, in view of the fact that they could as easily attack other far more populous targets, which initially would not be defended at all.

FORMER PRESIDENT DWIGHT DAVID EISENHOWER—ORDER FOR PRINTING EULOGIES AS A SENATE DOCUMENT

Mr. DIRKSEN. Mr. President, I believe we are all agreed that April 20, 1969, will be the terminal date for printing in the RECORD the eulogies by Senators to the late Dwight Eisenhower.

I ask unanimous consent that after that date there be printed as a Senate document all of the eulogies delivered by Senators; the eulogy delivered by President Nixon and the benediction by the Reverend Dr. Elson in the rotunda of the Capitol on Sunday, March 30; and the text of the funeral service, including scriptural selections and prayers read by the Reverend Dr. Elson, at Washington Cathedral, on Monday, March 31, 1969.

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

TECHNOLOGY AND SOCIETY: A CONFLICT OF INTEREST?

Mr. PELL. Mr. President, we are all becoming increasingly aware that advances in technology can have a broad and unforeseen impact on the quality of our lives. It was not too long ago that advances in science were hailed almost universally and without reservation as progress, and the application of new discoveries through technology was assumed to be an unmitigated good.

We now have a more sophisticated view of the role of science and technology in our society. We still anticipate the benefits of scientific research and technological development, but through experience we have learned that science and technology will serve us well only to the extent that we insist that it do so. We are gaining a new appreciation of the need to evaluate the long-range impact of technological development.

Mr. President, Representative CORNELIUS E. GALLAGHER, of New Jersey, on March 26 addressed himself to the potential conflict between technology and society in a speech before the Chicago Chapter of the Institute of Management Sciences. Representative GALLAGHER spoke specifically of the threat to human privacy posed by the new technology of information handling. I commend his remarks to my colleagues, and ask unanimous consent that the text of his speech be printed at this point in the RECORD.

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

TECHNOLOGY AND SOCIETY: A CONFLICT OF INTEREST?

(Speech of Congressman CORNELIUS E. GALLAGHER before the Institute of Management Sciences, Chicago Chapter, March 26, 1969)

America has produced the richest and most complex society the world has ever known. The major impetus toward our unparalleled prosperity has been our ability to harness our resources and to use the gifts we have received as a nation for the benefit of our citizens. It is not an overstatement to say that technology has created America; at least in the sense that the applications of science have created the life led by most Americans. The fundamental premise of this speech is that technology should be morally neutral—it should have no values itself other than

the manner in which society chooses to apply it.

Immediately, however, there can be seen numerous objections to such a premise. For example, it has often been stated that technology opens doors for man, but does not compel him to enter. Yet, it must be realized that in the real world of free enterprise, a logic is imposed which strips such technological advance of its ideal neutrality. The first application of a new technology—the first organization through the door—is likely to make the most money while the last is likely to find it slammed in its face. Risktaking by industry is motivated by the profit factor; thus, whatever neutrality a technology may have is already diluted by the financial facts of its development and the rush for its deployment.

When the decision is made to exploit a new technology, major social and institutional change follows. It is impossible to predict the range or the character of that change. A development and deployment decision is made solely upon the first-order effects, which are customarily profit, institutional advantage, or national policy in the case of federally inspired innovation. The evaluation of the second or third-order effects, such as social costs and value dislocations, only takes place after a technology has been established.

What occurs then is a virtually dictated application of an innovation and the impact upon the rest of society only becomes visible after the technology has become operative. It is only by the time a sizable investment of money, resources, and commitment have coalesced that society can know what it has really done. The innovation itself becomes a powerful reason for continuing in that direction and the difficulties and the dangers must be, in large measure, either ignored or rationalized. To put it bluntly, the problems have been transferred from ones of engineering to ones of public relations.

To illustrate the current status of technology in America, let us imagine that technology is a heathen idol and that Americans are primitives. What have we, as a society, offered this God in the way of sacrifice?

First, we have given him our air. Our cities form the bottom of an airborne cesspool. Our atmosphere is now so polluted that natural temperature inversions threaten every single person living in large metropolitan areas. For that simplest and freest of commodities—a breath of fresh air—we must depart from our homes and our jobs. The pilgrimage to Mecca for the infidels of America is the summer vacation to a place where man has not despoiled his heritage.

It is interesting to note in this connection that we have saved the whooping crane by creating wild-life sanctuaries and imposing the strictest rules and regulations for the preservation of this species. But man, who emulates the cry that gives the whooping crane its name by his pollution inspired cough, has not been so fortunate. As columnist Arthur Hoppe has suggested, it may be necessary to establish human-life sanctuaries to assure the continuation of Homo Sapiens.

The next sacrifice we have made to the God of technology is our water. All forms of pollution are dumped into our rivers and lakes, and a fresh, pure stream near an urban area is as rare today as a polluted one was earlier in our history. Raw sewage is dumped into rivers from which downstream communities take their drinking water. Lake Erie, according to many observers, can never be reclaimed from technology's abuse. Bodies of water which have existed practically since time began, are now being ruined in a few years.

I would like to call your attention to the recent problem with offshore oil drilling near Santa Barbara. To the best of my knowledge, the crucial social question was never asked: did America need this source of oil? Was it

essential to deploy such a risky procedure at this time or could the development stage have continued without deployment? It is my hope that we will learn a great deal from this catastrophic experience. But if past history is an indication, the only lesson will be to cast doubt on the validity of the old cliché: "To spread oil on troubled waters."

In addition to our air and our water, we have not hesitated to make human sacrifices to the idol of voracious technology. Our nation's highways are nourished by the blood of our children and the reports of the mangled victims of auto accidents make even the carnage of Vietnam seem insignificant. In sheer numbers, slaughter on the highways was approximately five times as great last year as were our losses in the tragic Vietnam conflict. In theory, we commit our youth to Vietnam in pursuit of a noble ideal; we destroy our young men and young women on their way to the neighborhood drive-in.

Over all the world hangs the ultimate symbol of the God of technology—the mushroom cloud of atomic holocaust. Mankind genuflects to that God every time we say we coexist on our planet because of a "balance of terror."

I have never felt that there is any true balance of terror, it is only the product of a universe that is out of balance.

How truly irrational we have become may be seen in the following hypothetical example. It is a basic assumption of the cold war, at least in some quarters, that should the American way of life be fatally threatened, we should incinerate those who oppose us. This would, of course, result in our own incineration and quite probably the fallout would make our globe uninhabitable. Yet, those who advocate this course of future action are acclaimed as realists and patriots.

But any man who would propose that all industry stop and all autos be taken from the highways in order to make our atmosphere habitable, would immediately be branded as insane.

So it is sane to destroy the whole world and yet it is crazy to take extreme action to make the world livable. The "balance of terror" has certainly unbalanced something.

The bomb, as terrifying as it is, merely promises the extinction of life. All men, be they free or enslaved, have come to some individual understanding with the fact of eventual death. But the latest visitation from the God of technology promises to make us less than human and threatens to make us slaves.

The computer demands that we poor dumb savages offer up our individuality, our dignity, and our privacy.

It provides a new priesthood with a tool to drive us to our knees, to manipulate our actions, to petrify our past mistakes, and makes the sword of Damocles dangle, gleaming with its promise of eventual destruction, in every American's future.

It is extremely important to emphasize that the computer and its applications not only threaten those who are guilty or who wish to conceal their past. The computer threatens us all; yes even that man who must exist somewhere who has never done anything he could not put on his résumé.

The computer is not only a super fast adding machine; it is more than an automated filing cabinet; it is even more than the heart of far-flung communication systems. The application of computer technology, in its most frightening aspect, has perhaps best been described by Erich Fromm in his recently published *The Revolution of Hope; Toward a Humanized Technology*:

"A specter is stalking in our midst . . . A completely mechanized society, devoted to maximal material output and consumption, directed by computers: and in this social process, man himself is being transformed into a part of the total machine, well fed and entertained, yet passive, unalive, and

with little feeling. With the victory of the new society, individualism and privacy will have disappeared . . ."

The shattered schemes of all the dewy-eyed utopians which litter the shores of history are now conceivable. All the beautiful idealisms which so quickly turned into ugly forms of fascism can now be engineered and implemented. Technology has made the world so small and the computer has given men such a powerful instrument of social control, that individual dreams, which became local nightmares, can now be worldwide catastrophes.

Dr. Ida Hoos, of the Space Sciences Laboratory at the University of California, has called my attention to a poem by Martyn Skinner which says it all:

"Gone are the days when madness was confined
By seas or hills from spreading through mankind;
When, though a Nero fooled upon a string,
Wisdom still reigned unruffled in Peking;
And God in welcome smiled upon Buddha's face
Though Calvin in Geneva preached of grace,
For now our linked-up globe has shrunk so small,
One Hitler in it means mad days for all."

To put it bluntly, all our eggs are in one basket. We can describe where we are by borrowing the terms of one of man's truly great technological triumphs: we are all passengers on 'Spaceship Earth,' following a most uncertain orbit.

This then is the context in which we must consider technology and American society. Ramifications of our actions reverberate in the Capitols of the world; we truly live in a 'Global Village'.

Understanding that we are talking about all men, let us consider what has already happened to many among us who have surrendered totally to the machine and inhuman value systems. Fromm described technological man in these chilling terms: ". . . (H)aving lost compassion and empathy, they do not touch anybody—nor can they be touched. Their triumph in life is not to need anybody. They take pride in their untouchability and pleasure in being able to hurt . . . Whether this is done in criminal or legitimate ways depends more on social factors than on psychological ones."

With the reins of computer technology in such hands, we may very well be racing to our own destruction. Certainly a free spirit is the most obvious victim of such breathing robots, and free government is not far behind.

Dr. F. A. Hayek, who was professor of moral and social science at the University of Chicago from 1950 to 1962, puts the ultimate threat in these terms:

"Man owes some of his greatest success to the fact that he has not been able to control social life. In the past the spontaneous forces of growth asserted themselves against the organized coercion of the state. With the technical means of control now at the disposal of Government, such assertion may soon become impossible."

The assertion of which Dr. Hayek speaks is not only that of organized groups striving to control policy; it is also individual man himself yearning to be a part of the world and to influence the course of events which affect and alter his times. Fromm makes the extremely valuable point that if man were infinitely malleable, if social pressures could force man into any mold, there would never have been any revolutions. Man, however, simply is not made that way. Fromm describes man in these terms:

"The dynamism of human nature inasmuch as it is human in primarily rooted in this need of man to express his faculties in relation to the world rather than in his need to use the world for satisfaction of his physiological necessities. This means: because I have eyes, I have the need to see . . . because

I have a heart, I have the need to feel . . . In short, because I am a man, I am in need of man and of the world."

The countervailing force which technology and the computer put at the service of repressive interests has been described by a New Left critic of the American scene. I certainly do not endorse the totality of Paul Goodman's ideas, but he does make a number of provocative points. In *Like a Conquered Province*, Goodman says:

"Human beings tend to be excluded when a logistical" (that is, a computer-oriented) "style becomes universally pervasive, so that values and data that cannot be standardized and programed are excluded, when function is adjusted to the technology rather than technology to function . . . when there develops an establishment of managers and experts who license and allot resources, and which deludes itself that it alone knows the only right method . . . then common folk become docile clients, maintained by sufferance, or they are treated as deviant."

Fromm and Goodman are suggesting a crucial point to those of us in this room. We all have a sizable stake in America as it is today; while we do not oppose change and are undoubtedly not reactionaries, yet we are all, I would suspect, conservatives in the sense that we believe we must build upon the past. Riot and rebellion are obnoxious to us all and we would unite in condemning violence as an instrument of social change. But the question must be asked: does our emphasis on the manipulations of technological culture deny man the opportunity to express himself? Has the erection of intricate social systems which demand, at the very least, the acquiescence of the minority, placed roadblocks in the way of the rational use of human beings? In my view, Fromm and Goodman are implying that imposing a mechanistic culture between man and his needs to affect the world creates rebellion.

Here may indeed be the roots of the violence we see around us. Articulate and aggressive segments of our society are clamoring for increased participation in the decision-making process. Blacks, hippies, students, ghetto parents, and members of the dissenting academy are united in demanding a greater piece of the action or, at the very least, a heightened sense of personal involvement in and control over their own destinies. All around us we see real anger, spreading disenchantment with the political process, and a frequently hysterical assault against the bastions of orthodoxy. Let me make it clear: I believe there is no validity in violence, but in condemning the action of others we must ask ourselves if we do not bear some of the responsibility for creating an environment which, by its inhuman systems approach, contributes to the creation of violence.

When I began my studies of privacy over five years ago, I felt that the reaction of man to a depersonalized atmosphere could be expressed by a quotation from Alfred North Whitehead:

"Men might sink into mere routine repetition of habitual acts and accustomed social processes at a fairly low level, almost brainless, as certain insects can run a stable society though they have no brains."

But seeing problems by the light of the burning ghettos must force a re-examination of all our concepts and a re-evaluation of social and political modes. In any event, it is perfectly apparent that not all "common folk" have become the "docile clients" envisioned by Goodman.

Robert Theobald is concerned with the impact of science and technology on society and the economy. He has written extensively on the problems of modernization, technological change, and economic growth patterns. In 1964, he made a statement which I feel is quite relevant to the issues I am discussing with you this evening:

"Whether increasing violence and social disorder can fairly be laid at the door of the computer is, however, peripheral to the possibility of the development of a police state . . . the generalized use of the computer as a means of societal control threatens to destroy at least the right of privacy, and very probably all the present rights, of the individual . . ."

Theobald is not given to making such statements lightly and it is interesting to note that he underlined the "all" in that quotation.

Two years later, in July 1966, my Special Subcommittee on Invasion of Privacy was presented with a proposal which probably would have done exactly what Theobald warned might happen. This was the Bureau of the Budget suggestions for a National Data Bank. Those hearings have been so widely discussed that I do not feel I should go into the full story now.

Privacy and Freedom, a brilliant 1967 book by Dr. Alan Westin, and the soon to be published *The Death of Privacy*, by Dr. Jerry Rosenberg have lengthy sections which describe the ramifications of our hearings.

The general problem of computer privacy is now receiving influential attention. The American Academy of Arts and Sciences' Committee on the year 2000 has a working party on "The Social Implications of the Computer." The Director, Dr. R. M. Fano of M.I.T., has informed me that at least a dozen papers will be published this year. The National Academy of Science recently formed a Computer Science and Engineering Board. One of its major undertakings will be to conduct a heavily financed study of computers, data banks, and privacy. Finally, the Harvard University Program on Technology and Society will publish a collection of papers this summer under the title *Information Systems and Democratic Politics*. My 1966 speech, "Science, Privacy, and Law—The Need For a Balance" is to be included.

There is one point I made at the 1966 hearings on "The Computer and Invasion of Privacy," which seems generally misunderstood. I said that we could not be sure that the data contained in such a National Data Bank system would always be used by benevolent men or for benevolent purposes.

Some people felt I was questioning the integrity of officials connected with federal statistical programs: that is certainly not true. In fact, I have a great deal of respect for federal officers involved in data collection and publication but my point was, and continues to be, that we cannot guarantee the level of responsibility of the future users of federally compiled dossiers on Americans.

In addition, it is certainly not a matter solely of integrity. Let me quote a statement made by Supreme Court Justice Brandeis in 1928:

"Experience should teach us to be most on our guard to protect liberty when the government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in the insidious encroachments by men of zeal, well-meaning but without understanding."

Erich Fromm provides yet another insight about decently motivated social planners:

"Precisely because the more conventionally minded managers do not lack good will, but rather imagination and vision of a fully human life, they are even more dangerous, from the standpoint of humanistic planning . . . In fact, their personal decency makes them more immune to doubts about the methods of their planning."

A viable democracy depends on an atmosphere in which people can go their own way for the vast majority of their daily experiences and satisfactions. Freedom from either subtle or overt coercion is the birthright of our citizens. In a nation as large and

as complex as America, which contains so many different ethnic and cultural heritages, no one class of men—no matter how well educated or how nobly motivated—can impose the standards of their group on the remainder of American society.

I would like to illustrate this from first hearings conducted by my Special Subcommittee on Invasion of Privacy. In 1965, we investigated in-depth the premises, principles, and procedures of those who create and administer psychological tests. These were decent liberal men whose goal was to understand our society and to move toward a sound, scientific explanation of interpersonal relationships. Yet, they created tests which virtually mirrored their own preconceptions. To prove you were adjusted, you had to prove it on their terms.

For example, in one widely used test, a preference for Lincoln over Washington is marked as an exhibition of a feminine characteristic. When I put the question to the experts who were testifying that Sonny Liston would undoubtedly prefer Lincoln because he had freed the Negro people from slavery, I was met with a stunning lack of understanding. I pressed the question and innocently inquired which of the experts before me would care to be the one who informed Sonny Liston that he was unmasculine; there were no volunteers.

Another question which was asked on this test was "Do you believe in the second coming of Christ?" This was placed in the test, I was informed, to determine the depth of religious feeling in the person taking the test. I inquired if this question were removed from tests administered to Jews and other religious groups, since they did not accept Jesus of Nazareth as the Messiah. It was hardly conceivable to my expert witnesses that anyone could have values totally different from their own and I was met with all sorts of stylish evasions.

This points up a very real danger of standardization and social rigidity which might flow from such a powerful instrument as a National Data Bank. The very same people who are actively lobbying for a truly effective statistical center, containing individual identifying information, are those who devised tests which characterize Sonny Liston effeminate and Rabbi Wise irreligious.

I would now like to describe a plan I heard proposed in absolute sincerity by some of the most respected social scientists in our nation.

It is widely believed that successful Americans must know how and why some Americans have failed. Perhaps I should put that a little differently and say that some Americans just cannot understand why other Americans are not carbon copies of themselves.

Be that as it may, one way in which America is meeting the problem of poverty is to assist in the construction of low-cost housing. This is certainly socially beneficial and I have cast many votes in the Congress to attempt to insure each American a decent place to live. Yet, the social scientists, in their zeal to discover more and more about the disadvantaged citizen, proposed to use low cost housing as a great pool of research and those who lived in it as guinea pigs. They seriously proposed to bug each room in each apartment of a federally sponsored low-rent project. They would then feed every single sentence uttered by the apartment dwellers into a computer. This computer would then deliver a profile of these Americans and their habits and compare the statistical profiles to Americans who have "made it."

I was outraged when I heard this suggestion and it was not carried out. The casual willingness to turn a citizen's life into a fishbowl did not concern these social scientists; valuable research could be gained and, while the Bill of Rights certainly protected their privacy, it was not relevant to the subjects of the research.

This brings to mind the words of Aldous Huxley: "Who will mount guard over our guardians, who will engineer the engineers? The answer is a bland denial that they need any supervision . . . PH. D.'s in sociology will never be corrupted by power. Like Sir Galahad's their strength is as the strength of ten because their heart is pure; and their heart is pure because they are scientists and have taken six thousand hours of social studies."

No matter from what source they may come, unwarranted invasions of privacy must be identified and resisted. Liberty under law is our foundation as a stable nation and it is my conviction that a suffocating sense of surveillance will restrict liberty and, ultimately, undermine law.

Let me speak briefly about the Bill of Rights and praise, yet again, the brilliance of those who drafted it. While privacy is not mentioned by name, the first ten amendments to our Constitution contain provisions guaranteeing rights to the individual which covered completely the range of privacy invasion known in the 18th century. A man cannot be compelled to give up his home to quarter troops; a man cannot be forced to give testimony against himself; a man has the right to face his accuser in an adversary proceeding with the advice of legal counsel. Most important, is one of the most beautiful concepts rendered into the English language. The Fourth Amendment states simply: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause . . ."

In perhaps its most powerful recent manifestation, Justice Douglas, speaking for the Supreme Court in the *Griswold* Case in 1965, cites a number of constitutional guarantees and proclaims: ". . . The Bill of Rights have penumbras formed by emanations from those guarantees that help give them life and substance." Sections of the First, Third, Fourth, Fifth and Ninth Amendments create "Zones of Privacy," according to Justice Douglas.

Commenting on the *Griswold* Case in *The Wisconsin Law Review* in 1966, Princeton's Cromwell Professor of Law, William Beaney, states: ". . . It should be made clear that the privacy to which all persons may lay claim is not a sterile or outmoded individual assertion. It is not a claim restricted to an aristocratic class, or to a few eccentrics who might prefer to resign from the human race . . . A freedom to determine the extent to which others may share in one's spiritual nature, and the ability to protect one's beliefs, thoughts, emotions, and sensations from unreasonable intrusions are of the very essence of life in a free society."

We see then that the Constitution of the United States provides a bulwark against those who would turn America into a total surveillance society. But there are always forces at work to invade privacy in an allegedly noble pursuit or for other less admirable reasons. At the very beginning of the American experience, many saw a threat to our infant free republic in the proposed Alien and Sedition Laws. In the debate over those laws in the 5th Congress, Representative Edward Livingston made a ringing declaration of what would happen to society should the Federal Government be empowered to strip away protections of the individual. In a passionate speech, he made one of the most accurate predictions of the consequences of future actions against freedom. In 1798, Livingston said:

"The system of espionage being thus established, the country will swarm with informers, spies, delators, and all the odious reptile tribe that breed in the sunshine of despotic power. The hours of the most unsuspected confidence, the intimacies of friendship or the recesses of domestic retirement will afford no security. The companion whom you most trust, the friend in whom you must confide, are tempted to betray your impru-

dence; to misrepresent your words; to convey them, distorted by calumny, to the secret tribunal where suspicion is the only evidence that is heard."

Let me repeat; that was 1798, not 1984!

To make the Bill of Rights a living entity in a technologically sophisticated world requires unceasing vigilance. The dangers described by Representative Livingston in the 5th Congress are still facing those of us in the 91st Congress. For the United States now has the capacity to establish a system of strict records surveillance which was, and is, the hallmark of European totalitarian states and which was specifically rejected by our Founding Fathers. The files of federal, state, local and private agencies bulge with dossiers on Americans. A perfectly understandable thrust toward making the operation of these agencies more efficient and economical has encouraged the use of computerized information systems. The most recent investigation of my Special Subcommittee on Invasion of Privacy brought forth the statement that one private credit organization confidently expects to have the record of every man, woman, and child in the country within its computerized system in five years. An individual's credit history can be retrieved and read anywhere in the country within two minutes after the request is initiated.

This tremendous ability to store and retrieve data has a basic effect on America. Throughout history, we have been known as the nation of the second chance. Immigrants flocked to our shores because we offered a new beginning for people who found other societies frustrating and repressive. Yet, the ability to weave a web of data around each individual, to recall every event of a person's past, threatens to make this a one chance society.

In the same sense, we witnessed an internal migration in the 19th century. Our growing population could expand throughout our unused lands within the borders of America. The concept of a frontier was an essential precondition to the expansiveness of the American society and, as Frederick Jackson Turner pointed out, helped shape the American character.

New space for the body created a new life for the mind.

This brings me to the final portion of my speech this evening and to what I would regard as its most significant section. The argument over privacy is frequently confused by the belief that it is space alone that is the subject under discussion. This narrow emphasis permits the legitimate objection that man is a social creature and that he demands interaction with his fellows.

If privacy merely refers to a physical area, this view is perfectly correct. Everyone knows that city life lacks many of the comforts and graces of rural life, and yet urbanization is perhaps the central fact of population movement throughout history. So it would be foolish indeed to ignore the absolute necessity for man to seek the company of neighbors. Yet, most observers have found an equally powerful counterforce and that is withdrawal from society for certain periods.

In 1961, Sociologist Erving Goffman described this basic conflict in these terms:

"Our sense of being a person can come from being drawn into a wider social unit; our sense of selfhood can arise through the little ways in which we resist the pull. Our status is backed by the solid buildings of the world, while our sense of personal identity often resides in the cracks."

The concept of space for the health of the societies of lower animals was the subject of a brilliant book by Robert Ardrey. Published in 1966, *The Territorial Imperative* sets forth example after example of animal behavior which suggests that the physical ordering and control over space is a basic drive. This powerful instinct in lower animals is shown to precede mating and is demonstrated as the major way in which one individual differentiates itself from the rest of his species.

Ardrey makes a compelling argument that demands the conclusion that what operates so universally in animals is relevant to understanding human nature as well.

I would like to suggest to you that the personality needs a psychological living space just as the body insists upon an area of physical autonomy. I believe that The Territorial Imperative in lower animals has a counterpart in man which I call The Intellectual Imperative. The Intellectual Imperative is as essential to mental health as The Territorial Imperative is to a sense of physical security. In my view, psychological integrity is as important as bodily integrity. A stable society cannot be constructed or maintained if illegal searches and seizures are permitted through a man's ideas and beliefs while his papers and effects are protected by law.

When I first raised questions about the validity of the use of the polygraph five years ago, I called it "mental wiretapping." Of course, the fact that lie detectors just did not work at any reliable level of accuracy was important to my opposition as well as the fact that the training of the polygraph operator was frequently so incredibly sloppy. But, basically, what I objected to was that there is a portion of man that no one can invade without the full approval of the individual. In no case should it be a precondition for employment at lower or clerical levels, which was the situation I uncovered in certain federal agencies in 1964.

In 1958, Pope Pius XII made this statement: "And just as it is illicit to appropriate another's goods or to make an attempt on his bodily integrity without his consent, so it is not permissible to enter into his inner domain against his will, whatever the technique or method used."

Similarly, the spread of information about a man must be under his control. Naturally, in the pursuit of a stable society, law must be maintained and the tools that science and technology have provided us must be used to preserve the rights of those who obey the law. But, as I believe I have demonstrated, technology frequently operates by its own laws which are occasionally peripheral, at best, to the purposes of society. To conduct a normal, healthy life a man must have privacy and this means that he must have areas where he is assured of protection from what Livingston called "the odious reptile tribe."

Professor Charles Fried of the Harvard Law School puts the need for privacy in extreme terms. He says:

"Privacy is the necessary context for relationships we would hardly be human if we had to do without—the relationships of love, friendship, and trust. Intimacy is the sharing of information about one's actions, beliefs, or emotions which one does not share with all and which one has the right not to share with anyone. By conferring this right, privacy creates the moral capital which we spend in friendship and love."

In my concept of The Intellectual Imperative, man may choose those in whom he wishes to confide. He may discuss any issue in any terms he may desire and be assured that an indiscretion of phrase or even an indecency of thought will remain private. A space of psychological control permits ideas to be discussed freely and openly within his territory and with the guarantee that strict public accountability will not follow. It is just this blurring of the public and the private which makes invasion of privacy so obnoxious to personal integrity and to civilized society. No idea springs, like Athena from the head of Zeus, fully formed. The translation of idea into insight, of knowledge into wisdom, follows as many different courses as there are individuals who think. It is impossible to produce a flow chart which can predict or channel the maturation of a thought.

This leads to the psychological truth that the betrayal of intimacy is, in essence, the

greatest invasion of privacy. But it is equally harmful to society if the experiences of private life become shallow. If you cannot reside in an atmosphere of security, if you must remain guarded—suspicious of those in whom you confide—you diminish the commitments of private life. And without something to defend, without relationships of trust and love in your private life, you are going to have little reason to strongly defend the public welfare.

What I am saying is that The Intellectual Imperative permits man to strengthen his belief in abstractions like patriotism by creating personal realities like friendship and trust. I believe that my concept of the Intellectual Imperative leads to the point that you cannot love anything, if you are afraid to reveal yourself to another.

The control of the flow of information about yourself, about your actions, about your beliefs, is then seen as a crucial aspect of a dynamic society. Urban mass culture has destroyed for most of us the opportunity to exercise freely The Territorial Imperative; the advance of computer and other technologies threatens The Intellectual Imperative. Physically, we are constantly in a crowd; intellectually, technology has provided devices to make our forgotten actions and our unacknowledged thoughts known to the crowd. This is, I believe, what is meant by depersonalization and dehumanization and, as I have tried to suggest earlier, may be a root cause for the violence in our nation.

The American use of technology has made man immense—within the next few months, a human footstep will be on the surface of the moon. Yet technology has also diminished man and threatens to make him less than human. While every computer card received from a large organization as a bill, a financial statement, or a summation of personal history carries the warning "Do not fold, mutilate, or spindle," individual man receives little assurance from the sender that he himself will not be folded, mutilated, and spindled.

There are those who say that anyone who criticizes the forms taken by the new technology is somehow against technology and, therefore, progress. There is the implication that the expression of some of the views I have given you this evening would have caused me to oppose the use of indoor plumbing because it destroyed a society based around the village pump. This is simply not true. To paraphrase Shakespeare, I come to praise the new technology, not to bury it. But at the same time, we must praise man and see that he is not buried under computer-generated data. Computer professionals by and large know the limitations of their machines and they know that the output of a computer is dependent on the quality of the data fed in. The standard acronym is GIGO: Garbage In: Garbage Out. My purpose is to disabuse nonprofessionals of the notion that it really means Garbage In, Gospel Out.

At the beginning of this speech, I constructed a slightly facetious example of technology as God and man as humble penitent. Some of the most vocal defenders of the unvaluated use of technology sound very much as if they truly believe they are theologians and that they are justifying the operations immutable laws, which are unchangeable because they are the dicta of divinity.

I take quite the opposite view. Tools are for the use of man and their valid use does not harm man; only their abuse does. Although I may be widely known as a computer critic, I firmly believe that the forceful assertion of privacy need not be contradictory to the fullest exploitation of the miracle of electronic data processing. The computer is as vital to efficient government as civil liberties are to the citizen's confidence in democratic government. This search for a balance, the attempt to isolate and control

the toxic elements in the tonic of technology, is now a major challenge. For, basically, it challenges our faith in ourselves, it challenges our ability to use our skills in the service of man.

John Diebold has probably coined more money from the new technology than any other man; he even coined the word "automation." In 1964, he made the statement with which I would like to close my speech. "The problem of identifying and understanding goals to match the new means that technology provides us is the central problem of our time—one of the greatest problems in human history. Its solution can be one of the most exciting and one of the most important areas for human activity. And the time is now."

In 1969, even more than ever, the time is now.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination at the desk, as reported earlier today.

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

DEPARTMENT OF THE INTERIOR

The legislative clerk read the nomination of Harrison Loesch, of Colorado, to be an Assistant Secretary of the Interior.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

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

LEGISLATIVE SESSION

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

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

THE ABM AND MONTANA

Mr. MANSFIELD. Mr. President, on March 14, President Nixon presented a new concept of an ABM system to the Nation. Since then, his proposal has been elaborated on by the executive branch. Committees of the Senate are now engaged in trying to clarify what it is that has been suggested. The examination of the proposal may be expected to continue at least for several weeks.

In due course the issue of the ABM should emerge in legislative form on the floor of the Senate. It would be my expectation that when that time comes, ambiguities and obscurities will have been removed. By then, hopefully, scientific fact will have been separated from science fiction. By then, substantial dangers from abroad and practicable defenses against them should be distinguishable from the paranoid possibilities. By then, we should have a more accurate measure of the cost of the newly proposed system. By then, too, we should better be able to understand the prospects of breaking the action-reaction pattern

of two decades—the nuclear arms competition between the United States and the Soviet Union which, while pursued in the name of security by each nation, has led to greater insecurity for both nations and the world.

In short, when the issue reaches the Senate floor, we should have a clear idea not only of the reliability of the ABM but also of the relevance or redundancy of its deployment. We will then be in a position to weigh the priorities of the ABM in the external security structure of the Nation against urgent requirements for internal stability and progress.

It has been said that it would profit us little to concentrate on internal national needs only to have the Nation fall victim to an external aggressor. That is true; but would it profit us more to build another massive ring of nuclear defense of questionable value around decaying cities and impoverished rural areas? Would it profit us more, in an obsessive concentration on potential threats from abroad, to overlook the actual threat from within—the threat of a society confused by inner strife and racked by violence, crime, and disorder?

These questions are appropriate to the Senate's consideration of the ABM because there are grave doubts as to the technical feasibility of the proposed missile system. There are grave doubts as to its costs—if not its initial costs, its ultimate costs—and may I say once again, the day of automatic acceptance of expenditures in the name of security—however superfluous, duplicative, or wasteful the expenditures—that day is over in the Senate. There are grave doubts as to the necessity of the Safeguard system, as there were with the Sentinel. There are grave doubts as to its effect on Soviet-United States arms competition. There are grave doubts as to the urgency of its deployment in the light of other national needs. All of these uncertainties should be explored in full in the Senate; and they will be explored.

By contrast, there is one matter which, it would be my hope, will not enter into consideration. I refer to the economic benefit which presumably will flow to certain States in the form of Federal expenditures for the missile system. It is particularly appropriate that I address myself to this question. One of the two sites at which ABM's would be located initially is the Malmstrom Minuteman installation in central-northern Montana; the other is in North Dakota. While these two States are immediately involved, the situation is not without its analogies elsewhere since it seems clear that the extension of the system to many other States is already expected.

Insofar as the people of Montana are concerned they have been willing to assume an equitable share of the responsibility for the Nation's military defense. The families of Montana, as have other American families, have suffered the personal grief of dead and wounded in the conflict in Vietnam.

We have also welcomed to the State, in the past, various military installations which have been deemed essential to the defense of the Nation. To be sure, these

installations have resulted in some expenditures of wealth in the State but they have also brought burdens in the form of increased loads on the services of local governments—police, fire, public education, and the like. The people of the State have accepted these burdens along with the benefits since they have accepted the national necessity for the installations.

Similarly, an ABM deployment at Malmstrom would undoubtedly provide some economic stimulus to the region, even though the benefits would be small and they would dwindle rapidly once the initial construction were complete. Such was the experience on a much greater scale at Glasgow Air Force Base. The building of this most modern of jet facilities brought a convergence of several thousand persons to provide skills and labor for construction. After 10 years, however, that costly effort has been scrapped; the field has been closed as obsolete and unnecessary. Its closing leaves a swollen population in the Glasgow region, filled with an understandable concern about their personal futures and the future of the community.

May I say that the decision to establish the Glasgow base was strictly that of the Department of Defense. The people of Montana did not seek this installation. The Senators from Montana did not seek it. I had nothing whatever to do with its placement even though I am now doing whatever I can to have the base converted to a useful civilian function.

I am doing so because, as a Senator, I have a valid concern in the welfare of the people of my State, particularly as they are affected by decisions of the Federal Government. I have said it many times, and I say it again: I am, before all else, a Senator of Montana and of the United States.

I make no apologies, therefore, for working to try to find some civilian usefulness for the Glasgow base. Neither do I apologize for having helped to bring to Montana a Hungry Horse Dam on the Flathead or a Libby Dam on the Kootenai. Nor do I regret resisting, a few years ago, the cavernous impersonality of this Government which would have brought about the closing of a desperately needed veterans hospital at Miles City.

We have—all of us in the Senate—sought, in one way or another, to enhance the welfare of our States. It is neither petty nor irrelevant to make that effort. It is one of the reasons why we are here. It is one of the ways in which this Nation moves toward a greater unity and equity among all of its citizens, because out of the progress of the several States has come a substantial contribution to the general progress of the United States.

By the same token, out of programs for the benefit of the people of the Nation as a whole have come benefits to the people of our States. I refer to the Federal highway program, medicare, educational aid, programs to curb water and air pollution, and countless other social measures which have been of benefit to the people of Montana as well as to tens of millions of other Americans.

In the end, gains for the Nation are

gains for the people of the States. In the end, gains for the people of the States will be gains for the Nation. If this proposed ABM missile system, therefore, is right for the Nation, it will be right for Montana. If it is wrong for the Nation, however, the location of one site at Malmstrom cannot make it right.

What economic benefit to a Montana community will equal the additional tax burdens and the new inflation which will weigh on all the people of Montana and the Nation if the cost of the ABM proposal runs to many billions of dollars? If the system becomes an insatiable maw for the consumption of public resources, who will pay for the neglect of other urgent national needs, if not all the people of the Nation, including Montanans?

The ABM proposal is not just another public works project. It is not some trivial boondoggle, a minor item out of the military pork barrel. It touches questions which go to the structure of a free society and to the civilized survival of this Nation, the Soviet Union, and, perhaps, of all nations. What local economic benefit can take precedence over these life and death issues? If the proposal is wasteful, dangerous, defective, and counterproductive to the peace of the Nation, of what lasting value can it be to the State of Montana?

To permit considerations of some local monetary gain to enter into the ABM decision would be tantamount to deciding to continue the Vietnamese war because it has kept the helicopter industry prosperous. May I say to the Senate that I regard this issue as so serious that if I thought I might be influenced by such considerations, I would not participate in deciding this question in the Senate.

The people of Montana have permitted me to represent them in the Congress and in the Senate for many years. They have stayed with me through many decisions—some of which they have approved, some of which they have disapproved. They have been most tolerant and understanding. I do not believe their tolerance is such, however, that they would understand a vote by me on this question on the basis of some ephemeral economic benefit. They are not that cynical; I am not that cynical.

Whatever factors may enter into my conclusions on the ABM, let it be clearly understood, now, that the proposed Malmstrom location is not one of them. The people of Montana do not put profits before peace. As a Senator from Montana, I will not put profits before peace.

S. 1732—INTRODUCTION OF A BILL TO DESIGNATE A CRATER OF THE MOON WILDERNESS AREA

Mr. CHURCH. Mr. President, I introduce, for appropriate reference, a bill to designate certain lands in the Craters of the Moon National Monument in Idaho as wilderness.

This proposed legislation, Mr. President, has been submitted to Congress in accordance with the requirements of the Wilderness Act of September 3, 1964 (78 Stat. 890).

The Craters of the Moon National Monument has been a major attraction in my State of Idaho since it was established by Presidential proclamation in 1924. As now constituted, the monument includes 53,545 acres, and contains a remarkable fissure eruption with its associated volcanic cones, craters, rifts, lava flows, caves, natural bridges as well as other scientific phenomena characteristic of volcanic action.

This bill would designate 40,785 acres within the monument as wilderness, all of which is federally owned.

The area is located in Butte and Blaine Counties in south-central Idaho. Combined U.S. Highway 20, 26 and 93A passes through the monument.

Mr. President, the monument landscape is stark and awesome. From fissures in the earth's crust, broad sheets and flows of lava have spread across the nearly level Snake River plain. In places the lava has a ropelike appearance. Elsewhere it forms rough, jagged masses in many strange contours. A series of cinder cones rise as high as 800 feet above the plain, and are a magnet for visitors.

There is no doubt, Mr. President, that this is one of the most astonishing landscapes in America. Although the lava floods destroyed all vegetation in their path, leaving a barren and sterile land, more than 200 varieties of hardy plants eventually established themselves. Visitors in the spring are often astonished to see bright pink and yellow pompon flowers on the open slopes, and dwarf monkeyflowers giving a magenta cast to wide areas of cinder in June and July.

I think one of the most descriptive articles ever written on the Craters of the Moon National Monument was that by Roger J. Contor, a former superintendent of the monument, in the 1966-67 winter edition of the *Living Wilderness*, a publication of the Wilderness Society. I request unanimous consent that the article, and the text of the bill, appear in the *RECORD* following my remarks.

Mr. President, I think it highly appropriate that in this year of 1969, when American astronauts plan an actual landing on the moon, that the Congress take action to preserve as wilderness a large portion of this fabulous lunar-like landscape on our own planet.

It is not difficult to forecast, that because of these lunar expeditions, increasing thousands of visitors will be drawn to the Craters of the Moon National Monument—and therefore the added protection of wilderness classification for this unique phenomenon may well be urgent.

I ask unanimous consent to have printed in the *RECORD* the article entitled, "The Proposed Tutimaba Wilderness of Craters of the Moon National Monument," written by Roger J. Contor, and published in the 1966-67 winter edition of the *Living Wilderness*, and that the text of the bill be printed in the *RECORD*.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the text of the bill and the article to which the Senator has referred will be printed in the *RECORD*.

The bill (S. 1732) to designate certain lands in the Craters of the Moon National Monument in Idaho as wilderness, was received, read twice by its title, and ordered to be printed in the *RECORD*, as follows:

S. 1732

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132(c)), certain lands in the Craters of the Moon National Monument, which comprise about 40,785 acres and which are depicted on a map entitled "Recommended Wilderness, Craters of the Moon National Monument, Idaho," numbered NM-CRA-9011 and dated August 1967, are hereby designated as wilderness. The map and a description of the boundary of such land shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

SEC. 2. (a) The area designated by this Act as wilderness shall be administered by the Secretary of the Interior pursuant to the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented and the applicable provisions of the Wilderness Act.

(b) Only those commercial services may be authorized and performed within the wilderness area designated by this Act as are necessary for activities which are proper for realizing the recreational or other wilderness purpose thereof. There shall be no permanent road therein and, except as necessary to meet minimum management requirements in connection with the purposes for which the area is administered (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment, or other form of mechanical transport, no structure or installation and no landing of aircraft within the area designated as wilderness by this Act.

The material, presented by Mr. CHURCH, follows:

THE PROPOSED TUTIMABA WILDERNESS OF CRATERS OF THE MOON NATIONAL MONUMENT

(By Roger J. Contor)

Sit sometime in the middle of the Black Flow of Craters of the Moon. Though only three miles from a paved road, you will be a half day's journey into a wilderness. And a century into the past. The mood is unmistakably wild and remote. It is like being in a motionless black ocean.

The lava is an ocean of rhythmic flow patterns, of beauty. Under the midday sun much of it glistens like rippled water. Sparkling basalt fragments display textures of tiny iridescent blue, green, and yellow bubbles. Billowing pahoehoe swirls sometimes wear a glaze or porcelain blue. Red-orange vents of lava tubes, seared smooth by superheated gases, appear deceptively new.

In this exciting environment, my family and I have spent many pleasant hours. Less than a hundred miles to the west of us is a fine alpine wilderness, the White Clouds. Yet our spare time was repeatedly spent in the fascinating volcanic terrain. Two summers passed before snow-fed lakes and alpine gardens could lure us away.

Craters of the Moon National Monument is a compact chronicle of the forces which created Idaho's vast lava sheet—the Snake River Plain. Compressed within the area's 83 square miles are nearly all known features of basaltic volcanism, including cinder cones, lava domes, pahoehoe flows, aa flows, tree molds, fissure caves, lava tubes, ice caves, collapse depressions, pressure ridges, trans-

ported crater walls, lava bombs, and kipukas. This stark area of suspended violence is the most recent product of the 25 million-year-old Snake River Plain.

Established in 1924, the Monument now hosts over 200,000 visitors per year, despite its remote location. These visitors largely confine themselves to the loop drive in the northwestern section, an area of about 5,000 acres. Here roads, trails, and interpretive developments offer them a close acquaintance with most types of volcanic features. Outside the semi-developed zone, approximately 90 per cent of the area remains unchanged by man. Much is unexplored. It is not uncommon for hikers into remote sections to discover new caves, tree molds, or archeological sites.

The National Park Service has proposed that some 40,800 acres of the total 53,545 (about three-fourths of the Monument) be managed as a unit of the National Wilderness Preservation System. Approximately 96 per cent of the land eligible for wilderness status is included in the proposed Tutimaba area. The small section left out will permit future development of a loop road circling around Big Cinder Butte. This road will ultimately give automobile-oriented visitors an opportunity to observe tree molds in place. This is the only major geologic feature the average visitor cannot now see.

The proposed wilderness offers geologic curiosities, archeological structures and sites, a surprisingly rich fauna, and vegetative cover of special importance to science. The setting is fresh and clean. Because access is limited to hikers, and because there are no attractions which lack counterparts in the more accessible parts of the Monument, human use has been scant.

About half of the Monument's prime geologic features will be included in the wilderness. These are nearly all products of small eruptions along the Great Rift. The genesis is clearly seen at a cinder cone called the Watchman. Here a fissure in the earth gave vent to a fire fountain of cinders, producing the cone. Later, heavy lava welling up inside the cone broke through the weak walls, leaving a gaping hole from which poured the Little Prairie AA Flow. Though many centuries old, this flow appears to have cooled only yesterday. Nine other cones within the wilderness area show the same general history. Echo Crater was the source of a more violent eruption. Only a partial cone remains; huge monolithic fragments of the ruptured walls have been swept eastward, marking the path of the flow.

At Vermillion Chasm, one of the most remote features in the wilderness, are a pair of lava walls built up on both sides of a sputtering crack in the earth. Termed a spatter rampart, this colorful trough is several hundred feet in length. A sheer delight to students of volcanism.

In the heart of the wilderness area is Little Prairie, an ancient flow now covered by sagebrush and grass. On its western edge are fresh flows enclosing the Monument's largest tree molds. One, presumably a mold of a limber pine, is three feet in diameter. Most molds in this area resemble postholes bored vertically down into the lava as deep as fifteen feet. They show where a mature forest was swept over by a wage of pahoehoe lava.

Newcomers to the lavas are puzzled to find waterholes and ice caves scattered in depressions and fissures. Because of many internal gas bubbles, lava is a good insulating material. Ice which collects in the winter and spring months persists in a number of locations. Yellowjacket, Bearsden, Little Prairie and Vermillion Waterholes usually provide melting ice water to birds and other wildlife throughout the summer. Because their existence is precarious, the waterholes may need protection as human use increases.

Near Bearsden Waterhole we find the best evidence of use by Shoshoni Indians. Bearsden is a fissure ice cave sunken perhaps twenty feet below the surface. Bighorn sheep or other animals using this waterhole could have been trapped by a Shoshoni hunter blocking the narrow access. Crude stone blinds a short distance away testify to such attempts. A quarter mile away a more elaborate blind on a tall crater wall fragment gives a view of approaching animals across a mile of grassland. This lookout was discovered when our 8-year-old son decided to climb "that rock." An adult would not have had the energy!

Campsites and artifacts indicate that Indian activity in the Rift Zone was oriented northwesterly in the Pioneer Mountains. The Shoshonis undoubtedly made short trips into the area to dig bitterroot plant from the cinder gardens. Perhaps nowhere in Idaho were bitterroots more profuse or as easy to dig as in the soft cinderbeds of Craters of the Moon. Also important to the Indians were lava tubes, where structures and artifacts are relatively numerous.

Tu'timaba (rhymes with shoot-him-papa) is the Shoshoni term for "Black Rock Overpass." The area held this meaning to nomadic bands traveling across the Snake River Plain between the Fort Hall-Pocatello area and the rich camas meadows at Fairfield. Though it appears flat, the broad plain is actually a huge lava dome, a thousand feet higher than valleys on either side. To someone crossing it in moccasined feet it was probably a very noticeable "overpass."

Like most desert areas, Tutimaba hosts more wild animals than the average person would suspect. The wanderer in the vegetated part of the Rift Zone can scarcely avoid seeing a few deer, perhaps a coyote, and a variety of smaller animals. It is the summer-time home of sage grouse, which use parts of it for nesting and brood grounds. A special delight to my family are the golden eagles. We never failed to see at least one on trips into the wilderness. Protection from domestic stock grazing and human activity has maintained rich habitats of grass and shrubs. Birds and animals adapted to such an environment have flourished. Limber pine forests are pockmarked with beds of the Monument's 300 deer. A flurry of mourning doves can be found at all the waterholes. Marmots, chipmunks, ground squirrels, and badgers are also common. Snakes are rather rare, but a few rattlers, gopher snakes, and racers are occasionally reported.

Of special interest to botanists and range management experts are the two *kipukas* harbored within the proposed wilderness boundaries. Named from similar features in Hawaii, these are ancient cinder mounds surrounded by recent lava flows like islands in the sea. Their accumulated soil mantle and vegetative cover remained unchanged by the last eruptions. Protected by large areas of extremely rough lava, they have been little disturbed by hoofed animals. Thus they are rare remnants of original climax plant communities in this region. The 180-acre Carey Kipuka has already been the subject of three scientific publications. First identified by staff members of the University of Idaho, it was added to the Monument in 1962. The other kipuka, called Round Knoll, has been in the area since 1928. As items of scientific value, these "islands in time" will continue to be protected.

An acquaintance with the "Craters" creates fondness in most people. The geologic authority of the Monument, Dr. Harold T. Stearns, has studied the area since 1921. You must read his booklet, *Geology of Craters of the Moon*, before you know much at all about the area. His writings betray a love for the harsh environment over which he has trod so many miles. We cannot improve on his description of "yawning crater pits which are especially beautiful under the lengthened

purple shadows of evening" or "to the east stretches barren black lava until it fades into the desert haze." Perhaps the best is his description of the hills which "toward evening become pale and soft and velvety, like a staghorn in spring." A visit to the area in late May or early June, when ragged crowds of wildflowers color the area, can be very memorable.

The Tutimaba Wilderness has nothing to attract the mountaineer, a thirty-day pack trip party, or a fisherman. Its appreciation must rest on other things. Until now very few people have come to know it well. Yet it remains the most interesting and least disturbed segment of the entire Snake River Plain. Those who spend some time here will soon feel its lonely and unusual charm.

(NOTE.—Mr. Contor, when writing this article, was Superintendent of Craters of the Moon National Monument. He has since transferred to the Canyonlands Complex, which includes the Canyonlands National Park, Arches National Monument, and Natural Bridges National Monument. He entered the Park Service as a permanent ranger in 1955 at Yellowstone National Park, after studying zoology and wildlife management at the University of Idaho and Montana State College. He has also worked in the Rocky Mountains and Bryce Canyon National Parks, and in the Oregon Caves National Monument.)

THE DOMINICAN FAILURE

Mr. CHURCH. Mr. President, the futility of military intervention in the internal affairs of other lands is being borne out quietly in the Dominican Republic, even as it is being demonstrated violently in Vietnam.

What the Russians are learning to their dismay in Czechoslovakia, we ourselves are being taught in the Dominican Republic. The lesson is simple: over the long pull, military occupation of another country does not pay, neither for the Russians nor for ourselves.

I commend to the attention of every open-minded reader of the CONGRESSIONAL RECORD an article by Lewis H. Diuguid, foreign correspondent for the Washington Post, which appeared in that newspaper on Sunday, March 30, 1969. The article is entitled "Occupation Increased Dominican Dependence." I ask that it be printed in the RECORD at this point.

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

OCCUPATION INCREASED DOMINICAN DEPENDENCE

(By Lewis H. Diuguid)

SANTO DOMINGO, March 20.—After U.S. Marines broke up the Dominican civil war, and worldwide criticism was at a peak, President Johnson passed the word that the intervention must be a success.

An army of technicians soon replaced the Marines and aid money flowed in at unprecedented rates.

Four years later, this is still a divided nation. Now it is also obsessively dependent. Democracy is only a catchword in the remarkably cynical Dominican game of politics.

The causes of this situation are found more in the country's troubled history than in recent events, but U.S. intervention was a big part of that history long before the Marines landed April 28, 1965.

Interviews with Dominican scholars, politicians and technicians, as well as their U.S. counterparts at nearly every level, belie the general assumption heard in Washington—

that, as one State Department official put it, "Despite the criticism at the time, the intervention has turned out for the best."

Economically, there is some improvement and prospects for more. But politically, the always tenuous sense of national purpose has weakened. By most accounts, the probability of the civil war resuming is great. The main deterrents so far are division within the army and the belief that the U.S. Marines would surely land again.

U.S. officials challenge that latter assumption, but few Dominicans do. Many Dominicans continue to believe that all important decisions are American-made.

When a minor politician decided recently to run for the presidency next year, he made his declaration and in the next breath announced that he was departing for Washington. In virtually any other Latin American country, that sequence would have meant political suicide. Here it is considered good politics.

This attitude is reflected in the inability of AID to find Dominicans willing to undertake development projects. The attitude seems to be, "Let the Americans do it." Often they do, thus increasing the dependency. Businessmen admit that when they conceive an investment, their first thought is the need for a foreign loan.

Nationalism seldom appears, although it is growing in a negative form among the youth. They show some anti-American frustration, but surprisingly little given the virtual occupation four years ago. Perhaps more damning than a jeer is the reaction when many Santo Domingo youths see an American tourist on the street: they salute.

The scarcity of national culture, and the administrative weakness of the highly centralized and statist government make this a nation only in the broadest sense.

This is attributable mainly to the 30-year Trujillo dictatorship. Before he came to power in 1930, the republic was a set of barely connected sugar communities. The U.S. Marines ran things from 1916 to 1924, and when Rafael Trujillo took over he unified the land by centralizing all power and most property in himself.

Potential leaders learned during those years to keep their heads down. To a large extent they still do. After Trujillo's assassination in 1961, the United States intervened to prevent his family from retaining power.

The demoralization that Trujillo imposed is well-characterized by one of his latter-day public works projects. He built a massive artillery emplacement atop a mountain overlooking Puerto Plata, a city known to house some resistance to Trujillo. To this day the citizenry there debates whether the guns were fixed to defend the city or to destroy it.

A succession of provisional regimes followed the dictator, punctuated by two coups and two elections. The accompanying politics were dominated by a few familiar personages, many of whom moved left and right along the ideological spectrum when opportunity called.

The second post-Trujillo election, in 1966, was the culmination of the U.S. occupation that suspended the civil war. Joaquin Balaguer, who had served under Trujillo and who succeeded him, was elected.

Balaguer has maintained quiet while working long hours at administrative decisions. Whether he purposely surrounded himself with weak administrators, or whether no other sort was available, the result has been to defer all initiative to Balaguer.

His efforts to revive the all-important sugar industry are praised even by his political enemies, but Balaguer is widely criticized for using his power to enhance himself politically. In 1961, Balaguer was saying that he wanted to retire from politics and devote himself to literature.

Balaguer has used government income to build scenic city overlooks, mercury-lit boule-

wards and apartment projects rising at the entrance to the capital.

Balaguer supporters say visible projects are a political necessity here, and AID loans to improve education or agricultural output are not very photogenic. Local funds for such efforts are not often forthcoming, while Dominican revenues go to build an extra bridge or a money-losing hotel in a critical voting area.

Lately, opposition parties have been joined by the normally reticent Catholic Church hierarchy in more basic charges against the government that the police and army exercise arbitrary authority over the countryside with impunity and that the concentration of land in the hands of the government and large holders is crushing the peasantry.

Francisco Pena Gomez, secretary general of Juan Bosch's important Dominican Revolutionary Party, charges that Trujillo-style terrorism has revived and that the government has failed to prosecute the perpetrators.

Some of the current unrest is based on an enigmatic statement by Balaguer suggesting he might take his constitutional option to run again.

Questioned about this, most Dominicans recalled the events that brought in Trujillo—a president propped up by the Americans so that they could leave in 1924 defied broad public distaste for reelection and engineered a victory. Soon thereafter a coup brought in the dictator.

Many Dominicans say that if Balaguer is re-elected—as incumbents usually manage to be—he will not last a year. But they also add that Balaguer is no Trujillo.

The future may be decided by the effect of all this on the 2.5 million Dominicans, out of the total 4 million, who are under 25. But when the youth looks to its elders for political traditions, it sees the electorate polarized by the '65 civil war. Many, including moderate politicians opposed to violence, are convinced that the two sides are waiting to resume conflict, and that the U.S. intervention merely postponed it.

Despite the postwar attempt to collect arms, civilians are said to be heavily armed and the incidence of violent crime tends to support this.

The American influence, real and imagined, is pervasive and is a contributing factor to politics so chaotic that if true stability is achieved it will be a surprise to both Dominicans and the representatives of their big neighbor.

Most Dominicans say that in polarizing the politics the intervention created more Communists than existed before. It also provided a graphic lesson in the politics of power.

S. 1733—INTRODUCTION OF THE MEDICAL FACILITIES CONSTRUCTION AND MODERNIZATION AMENDMENTS OF 1969

Mr. JAVITS. Mr. President, I am pleased to introduce, for the administration, the Medical Facilities Construction and Modernization Amendments of 1969 to extend and redirect the long-established Hill-Burton hospital construction program. This bill reflects the new administration's efforts to assure the most effective and most efficient support of the Federal Government in the development of facilities to meet the burgeoning health needs of the American people. Hearings are already underway before the House Commerce Committee on legislation to amend title VI of the Public

Health Service Act and I am hopeful for timely hearings in the Senate on this important proposal.

The legislation has two prime objectives: First, to assure the availability and accessibility of modern health care facilities to the entire population, and, second, to encourage a more rationalized health facility system capable of delivering the highest quality health services at the least possible cost. To accomplish these objectives, the Hill-Burton program is redirected so that our limited Federal dollars will achieve the maximum health benefits for the American people. Today's most urgent health facility needs are the modernization of existing urban hospitals and modernization and expansion of long-term care facilities. We must also redouble our efforts to provide reasonable alternatives to costly inpatient care through ambulatory care facilities and the newly developing neighborhood health centers.

No program of Federal grants could possibly meet our modernization backlog of over \$11 billion. This bill proposes, therefore, the establishment of a Federal loan guarantee program which would stimulate the private capital necessary to substantially reduce this tremendous modernization backlog. The maximum principal of guaranteed loans could not exceed \$500 million for fiscal year 1970—increased by \$500 million in each of the next 2 years. The amount guaranteed could not exceed 90 percent of any single loan, nor could the amount guaranteed, when added to any grant awarded under the bill's grant program, exceed 90 percent of the total cost of the project.

Since the application of grant funds to projects within the existing Hill-Burton categories results in a diversion of these limited grant funds away from areas of greater need, the bill provides for a grant authorization of \$150 million to be allotted to the States as a block, rather than earmarked for specific categories as under the present Hill-Burton program. The grant authorization would be limited to construction, replacement, or modernization of the most urgently needed health facilities: ambulatory care facilities, rehabilitation facilities, extended care facilities, diagnostic or treatment centers, neighborhood health centers, and the like. Grant funds would not be available for construction or modernization of acute care hospital beds.

Both grants and loan guarantees would be allotted to the States on the basis of population, per capita income, and need for construction of modernization of facilities. The bill provides however, with respect to the grant program, that 20 percent of the funds appropriated by the Congress be reserved for direct project grants by the Secretary of Health, Education, and Welfare, for up to 90 percent of the cost of public or nonprofit private projects of national significance.

Health facility needs and other needs of the health care system must draw upon the large but ultimately limited resources for health that are available to

the community and to the Nation as a whole. Therefore it is imperative that these resources be invested wisely and used efficiently. This requirement imposes upon the health enterprise the need for thorough and coordinated planning. The planning processes must involve all elements of our complex public-private health care system. And they must relate, not only to those resources destined for health care facilities but also to the many other resources which interact in the delivery of health care. Because the maximum utilization of local planning agencies is deemed vital to the efficiency and more rational organization of health facilities and services, the bill would add the requirements that the State health planning agency and that each project be submitted for review and comment to the appropriate area-wide health planning agency created under the provisions of section 314(b) of the Public Health Service Act.

Finally, the bill would provide greater freedom to the States by elimination of the present rural area priority requirement and by permitting the States to establish their own methods for determining need for facilities and determining the priority of projects to be assisted.

Mr. President, it is unlikely that we will meet all our health facility construction, modernization, or replacement needs over the next 3 years, but this legislation will go a long way toward that goal. We are committed to providing urgently needed health care to all our citizens and it is therefore vital that we not delay enactment of health legislation designed to achieve this goal in the most effective manner. For this reason, the bill I have introduced today would not await the expiration of the current Hill-Burton authorization, but would become effective with the fiscal year commencing July 1, 1969. Only with this type of redirected Federal effort can we adequately meet our health commitment to the American people.

I point out that the States have been encouraged to innovate, but the localities have not. We believe that the appropriations requested here are modest—a total of \$25 million over a period of the first 2 years—and that this is an extremely desirable bill.

I ask that a summary of the bill be printed in the RECORD as part of my remarks.

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

The bill (S. 1733) to amend the Public Health Service Act to provide for grants for the construction and modernization of public health centers and public and nonprofit private facilities for long-term care, rehabilitation facilities, and diagnostic or treatment centers, to provide for loan guarantees for nonprofit private hospitals and other medical facilities, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The summary, introduced by Mr. JAVITS, follows:

SUMMARY OF MEDICAL FACILITIES CONSTRUCTION AND MODERNIZATION AMENDMENTS OF 1969

LOAN GUARANTEE FOR MODERNIZATION AND CONSTRUCTION

Provides for guarantee of loans to non-profit private agencies for modernization or construction of hospitals, facilities for long-term care, rehabilitation facilities, and diagnostic or treatment centers.

a. Amount guaranteed, when added to any grant or loan under the program, may not exceed 90% of the cost of the project; guarantee may not apply to over 90% of loss of principal and interest.

b. The maximum on the principal of loans with respect to which guarantees may be issued could not exceed amount specified in appropriation Acts and in no event could it exceed \$500,000,000 for FY 1970 (increased by \$500,000,000 in each of the next 2 years); total available for any year allocated among States on basis of population, financial need, need for modernization of facilities, and need for construction of facilities.

c. Fund established to make the payments called for under the program; includes borrowing authority.

d. Applications for loan guarantees must be approved as in the case of applications for grants under existing program, but with the requirements modified as indicated below.

e. Up to 1/2% of unpaid principal of loan imposed as premium for guarantee.

f. HUD hospital mortgage insurance program terminated.

GRANTS FOR CONSTRUCTION OR MODERNIZATION OF FACILITIES

Authorizes appropriations of \$150,000,000 for FY 1970 and such sums as necessary for next 2 years, for grants for construction or modernization of medical facilities (including diagnostic or treatment centers).

a. Appropriations divided into 2 parts.

(1) 80% of appropriation allotted among States for grants for projects for modernization or construction of public health centers and public or nonprofit private long-term care facilities, rehabilitation facilities, and diagnostic or treatment centers; allotment to be made on basis of relative population, financial need, need for modernization of above facilities, and need for construction thereof; also provides for reallocation of portions remaining unobligated after specified period.

(2) Provides Federal share determined by State with a maximum of 86 2/3% or State's allotment percentage (based on relative State per capita income), if lower, except that if the allotment percentage is less than 50% (it could be as low as 33 1/3%), it is presumed to be 50%; also in cases of rural or urban poverty areas or other specifically justified cases the maximum is 90%.

(3) Applications for grants must be approved as in the case of applications for grants under existing program, but with the requirements modified as indicated below.

b. 20% of appropriation available for direct grants by Secretary for up to 90% of cost of modernization or construction of public health centers and public or other nonprofit long-term care facilities, rehabilitation facilities, and diagnostic or treatment centers which are of special national significance because they meet needs of disadvantaged or demonstrate new or particularly effective or efficient methods of delivery of health care.

(1) State Hill-Burton agency has 30 days to disapprove project in its State.

c. Existing Hill-Burton program of separate allotments to States for 5 different categories of public or nonprofit private facilities—4 are for construction or (i) hospitals and public health centers, (ii) facilities for long-term care, (iii) rehabilitation facilities, and (iv) diagnostic or treatment centers, and

the fifth is for modernization of the aforementioned facilities—ended with close of FY 1969 instead of, as now in the law, the close of FY 1970.

MODIFICATIONS IN REQUIREMENTS OF EXISTING LAW

a. State plan must be approved by the comprehensive health planning agency of the State (designated under the Partnership for Health program, Sec. 314(a) of the Public Health Service Act).

b. Instead of requirement that State plan provisions on determination of need and priority of projects be subject to criteria set forth in regulations of Secretary, including special priority consideration for rural area hospitals, State plan must merely show methods of determining need and priority which provide reasonable assurance of approval of projects in order of relative need and in furtherance of purposes of the new legislation.

c. State agency must consider recommendations of area-wide planning agency before approving project.

OTHER MODIFICATIONS OF EXISTING LAW

a. Extends program to Trust Territory of the Pacific Islands.

b. Makes authority to waive Federal right of recovery in case a project ceases to be a public health center or a public or other nonprofit hospital, diagnostic or treatment center, facility for long term care, or rehabilitation facility—which waiver authority may be exercised if there is good cause for so doing—applicable to cases which arose before the 1964 amendments, which first authorized this waiver.

c. Amends definition to make it clear that diagnostic or treatment centers (including community health centers) may be for ambulatory patients whether they are inpatients or outpatients. Also broadens this category to include nonprofit private center serving poverty area, as well as center which is run by a hospital or is publicly operated.

d. Provides that maximum on the portion of any allotment for grants which may be used for paying up to 1/2 the cost of State plan administration shall be the lesser of 4 per cent or \$100,000 (present maximum is 2 per cent or \$50,000).

e. Non-Federal share of cost of project under loan guarantee program, special need cases under the program of State allotments from which grants for projects are made, and under the direct Federal grants program can be met by contributions of materials, facilities, equipment, and services.

S. 1734—INTRODUCTION OF A BILL TO STRENGTHEN LOCAL EDUCATION AGENCIES

Mr. JAVITS. Mr. President, on behalf of myself, the Senator from Minnesota (Mr. MONDALE), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Pennsylvania (Mr. SCHWEIKER), and the Senator from New Jersey (Mr. WILLIAMS), all members of the Subcommittee on Education, I introduce for appropriate reference a bill to strengthen local education agencies, with the principal stress on innovation.

Under this proposal, grants will be made to local education agencies for technical assistance to individual schools on such programs as education of the disadvantaged and the handicapped; school social work; utilization of modern instructional materials and equipment; and school health. The grants are to be used for research and demonstration projects, including testing new educational ideas; planning and evaluation;

experimental projects for developing local leadership; training school board members; improving the quality of teacher preparation; encouragement of the use of auxiliary personnel such as instructional assistants and teacher aides; and statistical services, including automatic data processing services and for the establishment of special services. Interchange of local education personnel with State agencies is also authorized.

In addition, a 12-member Advisory Council on Local Educational Agencies is established to review activities under the statute and to make recommendations for programs to the Secretary of Health, Education, and Welfare, which would be transmitted to the President and to the Congress with his recommendations.

Authorizations are \$10 million for fiscal year 1970 and \$15 million for each of fiscal year 1971 and fiscal year 1972.

It is anticipated that this legislation will have the active support of the National School Boards Association.

In enacting the Elementary and Secondary Education Act in 1965, the Congress included Title V providing for a program of grants to strengthen State departments of education. This bill rounds out that concept by providing a similar program for local educational agencies, because it is at the local level where education is directly administered to the child. In addition, local governments provide, on a national average, an estimated 51.9 percent of all revenue expenditures for public elementary and secondary schools. This ranges from 86 percent in New Hampshire to 5.2 percent in Hawaii, with a local contribution at 50 percent or more in 28 of the States. It is evident, therefore, that the local agencies require the type of support this bill contemplates, especially in view of the fact that many of these agencies are tightly limited as to their sources of revenue.

There is a timelag of 4 to 5 years between discovery and application of a new concept or invention in military technology; in education, it is estimated that the timelag between discovery and application is as much as 30 years. The legislation I propose will make it possible for local school districts to shorten this period and enjoy the benefits of innovation before such new concepts become outmoded.

So much of current dialog is directed at "where it is at" or "like it is." In education, we must also be concerned with "where it is going" and "what it will be." The legislation which I am introducing today with four of my colleagues on the Education Subcommittee is directed at the future of education. There is just so much that we can do at the Federal and State levels to advance education. In the final analysis, it is at the local level where the product of our efforts is delivered to the ultimate consumer, the American child. He is "where it is at" and it is because of him that we are concerned as to "where it is going" and "what it will be."

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

The bill (S. 1734) to amend the Elementary and Secondary Education Act of 1965 in order to authorize a program of grants to strengthen local educational agencies introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title and referred to the Committee on Labor and Public Welfare.

S. 1735—INTRODUCTION OF A BILL TO INCREASE THE PERSONAL EXEMPTION FROM \$600 TO \$1,000

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954. This bill will increase the exemption presently allowed individuals for themselves and their dependents from \$600 to \$1,000. The current \$600 exemption was provided by the Revenue Act of 1948. In the 21 intervening years the cost of living has risen by 48.5 percent—based on the average level of consumer price indexes in 1948 when compared to the February, 1969 figures. Thus, the \$600 figure must be raised to \$891 if it is to match the purchasing power that the \$600 exemption had in 1948.

The years since the enactment of the income tax law have seen a number of adjustments made in the amount of exemption allowed. During the 1942-47 period the exemption was \$500 per person. It was admittedly inadequate, but the demands of a wartime budget upon a strained Federal Treasury necessitated its continuance until 1948. It is my feeling that the \$600 figure may have been more realistic when it was instituted in 1948 than it is today, but the probability is that it was not adequate even then. Today, it is grossly inadequate. Thus, for a family of four, the personal exemption would have to be raised to \$3,564—\$891 times four—to provide the same purchasing power as the \$2,400 figure—\$600 times four—provided in 1948.

The Bureau of Labor Statistics recently published a research study in which it indicated what it cost an urban family of four to live in the spring of 1967. The study shows that for the middle-income family the urban average family cost was \$9,076. The cost for the lower-income family was \$5,915 and the higher-income family budget amounted to \$13,050. Certainly these figures indicate, on their face, the basic inadequacy of the \$2,400 exemption for a family of four in view of the ever-increasing cost of living.

It is generally accepted that the poverty line for a nonfarm family of four is slightly less than \$3,300. Yet, it is today possible for such a family to fall just below that line and still have to pay Federal income tax on as much as \$1,100 of income. My proposal would have the effect of exempting a family of four from Federal income taxation until their adjusted gross income exceeded \$4,000.

The most frequently heard objection to the bill that I submit today is not that it is not needed, but that it would decrease Federal revenue out of proportion to the social gain to be achieved. But the resultant increase in purchasing power will, in fact, have the effect of increas-

ing tax revenues. It has been estimated that personal expenditures represent over 60 percent of the gross national product. Thus, it can be expected that when these additional funds are put in the hands of consumers the incomes and profits of the grocer, clothier, appliance dealer and other small businessmen will be increased, thereby allowing the Treasury to recoup its initial loss.

The economic well-being of the family unit should be of vital concern, not only to the breadwinner of the family but also to the entire Nation. The average family is today beset by increases not only in Federal taxes but also State and local levies. Moreover, inflation is rapidly eating into the fixed incomes of all families. The purpose of my proposal is to increase the economic stability of the all-important family unit by permitting it a realistic level of tax-free income.

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

The bill (S. 1735) to increase from \$600 to \$1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness), introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

SENATOR RICHARD BREVARD RUSSELL

Mrs. SMITH. Mr. President, one of the great privileges of serving in the U.S. Senate—the greatest legislative body in the history of the world—has been to associate with truly great leaders—statesmen whose deeds and wisdom and courage have deeply inspired so many.

I am very fortunate to be serving in my 21st year in the Senate—and my 17th year on both the Senate Appropriations Committee and the Senate Armed Services Committee, for which I feel doubly fortunate because of my association during these years with the man who now chairs the Appropriations Committee after chairing the Armed Services Committee so brilliantly and wisely for many years.

Yes, the Senate has had several great leaders in its history. But I think that to most of us there are only three or four or maybe five who stand out above all others—who are truly the giants of integrity, wisdom, achievement, and dedication—during our respective tenures in the Senate—the giants who really inspire their colleagues.

One way that an outsider can identify a giant in the Senate from a viewpoint in the Senate gallery is to watch the Senate floor to see the turnout of Senators to listen to a giant speak and the hushed silence when a giant speaks. An extremely reliable measurement within the Senate itself is whether the individual Senator can really sway votes when he rises to speak and voice his respected, often revered, views.

To me, RICHARD BREVARD RUSSELL, the senior Senator from Georgia, the senior Senator of the Senate, and the President pro tempore of the Senate, has been,

and is, one of the rare few giants of the Senate during my tenure. I know that many, many Senators share my view.

I agree with those who say that RICHARD BREVARD RUSSELL should have been President of the United States. I wish he had—not only because he has been one of the most eminently qualified to be President—not only because he so richly deserved to be President—but even more important, because our Nation would be a better nation had he been President.

But in a selfish manner as far as the Senate is concerned—and in a less selfish manner as far as the people of America are concerned—there has been a very meaningful advantage in his not becoming President.

For had he been elected President in 1948 or 1952, our Nation would have been without his leadership since 1956 or 1960 when he might have retired after 8 years as President. Thus, the people of America would have been deprived of his leadership in the Senate for the past 8 or 12 years—and we of the Senate would have been deprived of his sage advice, counsel, and leadership. An unfillable void in the Senate would have been created.

RICHARD BREVARD RUSSELL has been an inspiration to me in many ways. He has been a shining example to follow. I now reveal a secret with respect to one very specific way in which I have tried to emulate him. Despite his brilliant record of innumerable achievements, his biographical sketch in the Congressional Directory year after year after year by his own choice has simply read "RICHARD BREVARD RUSSELL, Democrat, of Winder, Ga." Such is the modesty of this tremendous giant of the Senate.

DICK RUSSELL has a quality of human kindness and warm gentleness that is not known as much as it should be. He is, indeed, a gentleman in the fullest sense of the word.

He has so many attributes of greatness that I hesitate to single out any two or three of them to the exclusion of the many others—integrity, intellect, wisdom, patience, forbearance, courage, and many more.

When he was honored recently as the recipient of the James Forrestal Memorial Award, in accepting the award, he displayed many of these attributes, but none of them any more than his great attribute of courage to speak up and to speak out.

He said what has been in desperate need of being said—in my opinion, he spoke the heart and the mind of the majority of a deeply troubled America. He made a declaration of conviction that needs to be repeated again and again and again.

I ask unanimous consent that the full text of his declaration as recorded by the National Broadcasting Co. be placed in the body of the RECORD at this point, and I urge all Americans to read and study and ponder on what he said.

May the good people of Georgia, in their great wisdom, continue to give RICHARD BREVARD RUSSELL to the people of America and send him to the U.S. Senate for as long as he is willing to serve in the U.S. Senate.

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

ADDRESS OF SENATOR RICHARD B. RUSSELL ON RECEIVING THE JAMES FORRESTAL MEMORIAL AWARD FOR 1968 OF THE NATIONAL SECURITY INDUSTRIAL ASSOCIATION AT THE WASHINGTON HILTON HOTEL, WASHINGTON, D.C., MARCH 20, 1969

Mr. Toastmaster, my fellow Americans: Thank you for the warmth of your greetings and for the very kind and extravagant words spoken by the Toastmaster. I see he felt it necessary to fortify his words with three different gifts and I appreciate them all.

I knew Jim Forrestal intimately. I respected his unquestioned ability. I admired his devotion to duty, and I was moved by the depth and sincerity of his patriotism. It is, therefore, with a sense of humility and deep appreciation that I accept the memorial award that is tendered in his name and I hope that I may deserve it.

While I may question your judgment in your choice of the recipient tonight, I have no doubts whatever as to the values of the purposes of your organization. You provide a vital link between government and industry in areas of national security. Only through close cooperation and coordination between those who make the tools of defense and those who use them can we be certain that our country is secure.

James Forrestal was right in believing a close working relationship between government and industry is essential to the security of the nation and upon these principles, this organization was founded.

We owe much to the inventiveness, the resourcefulness, the skill and—most of all—to the dogged determination of American industry. This is particularly true in times of crisis, when the chips are down and the dangers are greatest.

I remember vividly that day in May, 1940, when President Roosevelt called for the production of 50,000 aircraft a year for our Army Air Corps and Naval aviation forces. Many knowledgeable people thought this was nothing more than propaganda or patriotic rhetoric. Yet, only two years later, in 1942, industry produced 48,000 aircraft and in the following year almost doubled that number. By the end of the war, industry and labor had turned out around 275,000 airplanes—a truly fantastic record.

It should give all Americans a feeling of reassurance to know that industry, if called on today or tomorrow, stands ready to perform other such great feats.

However, advanced technology has brought a radical change in the concept of military preparedness. In colonial times, it was no great feat for gunsmiths who produced the weapons used by the earliest settler to provide meat for his table and protect his cabin to likewise produce the standardized muskets or rifles for the organized armies.

Even during World War I, large segments of existing industry were quickly adapted to military requirements. And as late as World War II, that was the case.

Today, however, the sophistication of both military and civilian technology has brought about a diversification of the production base. Even the manufacture and marketing of consumer goods has become complicated, and the production of weapons of global reach, instant delivery and incredible destructiveness is infinitely complex. Lead times of five or seven or ten years are sometimes required for many of our weapons.

Coupled with this there is a need for instant preparedness in today's uncertain and troubled world. The Atlantic and Pacific Oceans that so long served as protective moats around our homeland have—defensively at least—shrunk to mere puddles and the once friendly skies are now broad avenues of approach for massive missiles of destruction.

We talk of peace; we pray for peace, but incidents such as the invasion of Czechoslovakia afford us proof that the doctrine that might makes right is still the canon law of Communism, whether it be the Russian brand or the Red Chinese version. Nor should we be lulled into any false sense of security because they may be momentarily diverted to our other problems. It is imperative to maintain a defensive posture so strong as to make any potential aggressor deliberate long before he strikes the first blow. [Applause.]

The part that the industrial group plays in this military capability has increased tremendously during our lifetimes. But there are some people in this country who look upon that growth as unhealthy without really considering the alternative. Some are earnest seekers of peace, who believe, however illogically, that by weakening our defenses we shall somehow encourage a better nature in the breasts and minds of aggressor nations.

There are some others who would redirect our national emphasis into other programs of national importance. And there are still others who express a fear of a gigantic industrial-military complex controlling our country. I find nothing inherently wrong in close coordination between defense and the industrial complex. (Applause) In fact, it is essential if we are to maintain our defense at optimum levels of preparedness.

However, I would be less than frank if I did not express a word of caution. I am sure all of you realize that with power comes responsibility. It remains for industry to recognize that responsibility and to bulwark this, the government must continue to maintain close supervision and control over operations involving the military and defense oriented industry. Big industry should welcome this supervision as their first and best line of defense against irresponsible and unfounded charges. And I have no doubts in my own mind as to the innate patriotism of those who direct the industry of this country.

Now let me speak for a moment about the growth of a disturbing element in our society which I view as very dangerous if allowed to go unchecked.

It is the attitude of many Americans—some of them old enough to know better, but many young Americans—toward our participation in the Vietnam War and the maintenance of a military posture generally. When it was first proposed that we participate in Southeast Asia militarily, I opposed it as ill-advised. That is past. We are in it. And American boys are out there dying in large numbers.

I may say that this war has not been fought as I would have liked to have fought it. But this country has a Commander-in-Chief who is a civilian chosen by the people of this country and we have laws to govern our participation in wars. And I am not to be guilty of insubordination. (Applause) I will say that there are times when I feel that figuratively, at least, our boys are out there fighting with one hand tied behind their backs and with a feather pillow tied to the other hand. (Applause)

It is understandable that the youth of our country would prefer to carry on their civilian occupations, to study, to make progress in life, to take part in the good life that goes on about us. But this is still a country of laws and not of men and this desire does not justify the waves of desertions, the draft card burning, the sit-in protests, and the hosts of other activities that to my mind border on sedition. (Applause)

I do not intend for this to be a flag waving speech, but when the flag came down the aisle this evening, I had a feeling of pride as I always do. I am sure you get the same thrill as I do when I see it unfurled and feel the same hurt when it is desecrated with offal and burned in defiant mockery.

Recently I watched a group of protesters parading with flags and banners. The banners read "Ho Chi Minh will win" and other such tripe. These people apparently hold the land of their birth in absolute scorn and derision. They constantly question and belittle our real aims, while they attribute to our enemies in every case the noblest purposes and the loftiest motives.

They donate blood to the Viet Cong. They are silent when the North Vietnamese brutally torture men, women and children but are virulent when we defend ourselves. It is difficult for me to understand why Hanoi can be argued to be a sanctuary while it is always open season in Saigon. (Applause)

I hope such people, if they are truly Americans, will reexamine their motives as well as their actions. Let them ask themselves how much they have contributed to our country's welfare; (applause) how much they have worked to make this the greatest land on earth.

Were they to go to these countries they support so vigorously and violently—China, Russia, North Vietnam—or to their captives—Poland, Latvia, Lithuania, Hungary, Czechoslovakia to mention only a few—I wonder if their reactions might not be different. And let me say in passing that I don't think it would be any insuperable loss to their country if they stayed there from now on. (applause and laughter)

We do not realize often enough how fortunate we are to have been born Americans (applause) and to condone, to excuse and permit such actions certainly violates all that this country stands for and even the best interests of those who do these deeds.

We have other problems related to defense. One is the soaring costs of weapons, equipment, and other material. Defense costs have just about doubled in the past ten years. Total appropriations requested for Defense in fiscal year 1970 amount to a little over \$80 billion.

The basic reasons for this mushrooming cost are not hard to find. We are fighting a war that costs at least \$25 billion a year. We have a great deal of inflation in this country that has reduced our purchasing power so that today's dollar will buy only slightly more than what 80 cents would buy in 1958 and less than half of what it would buy in 1938.

And we are also experiencing revolution after revolution in our weapons systems that are adding greatly to our costs. Something new develops almost each day.

An M-1 rifle cost \$31 to produce in 1946. An M-16 today costs \$150. The Forrestal aircraft carrier cost \$190 million to build in 1951. The nuclear powered *Nimitz* today has a price tag of \$545 million. The F-84 fighter aircraft which was used during the Korean war, was built for about \$465 thousand. Today's F-111A has a current price of \$6.8 million.

Other costs of government have increased similarly. In addition, the government has taken on many new commitments in recent years. All of them are laudable in purpose, but they are not inexpensive. For just one of these, the War on Poverty, the budget request for this coming year totals over \$27 billion.

This tremendous increase in the cost of government has caused the average taxpayer to keenly feel the pinch in his pocketbook. Because of its magnitude, much of his reaction centers on defense expenditures. An unpopular war is a prime target. I have regretted to notice a ground swell of public opinion reflecting a growing unwillingness of people to pay the essential, though increasingly burdensome, costs of providing for the defense of this country in this modern and revolutionary world.

This all demands hard thinking on every level of our citizenry, leading to the hope that we will find the solutions.

There are those among us who, at the hoped for conclusion of the war in Vietnam—and I would that I might have an optimistic note as to any foreseeable end to that war—are expecting a \$25 billion windfall of “free assets.” Many people would urge the elimination of the 10% tax surcharge and I would certainly be happy if that were possible.

However, with my close connection with military preparedness, I am not unmindful of the future demands of our defense establishment. Partly as a result of our Vietnam operation, defense stocks of materiel and hardware have been drawn down markedly in the recent past. The replacement of these, the introduction of new weapons, and the modernization of those now in use will all call for expenditures of large sums if we are to defend ourselves and our homes.

There would be very little gained if we win a war against poverty or any other social evil in our own backyards only to turn victory and the homes of all of us over to some hungry enemy. (Applause.)

I will not deal with any more of our many problems. They are all closely linked to your own livelihood, and I know that they are receiving your studied thought and response. Only through the concerted cooperation of our best minds can we hope to realize our collective aspirations.

Without optimism in the future, however, life would be a poor play indeed. Thus we owe it to ourselves and to succeeding generations to continue to work fervently and prayerfully toward peace and understanding among nations.

History has a curious way of pulling some tricks out of the bag. Perhaps economic and social progress and a greater atmosphere of freedom among the other peoples of the earth will act as a great deterrent toward aggression. Perhaps enlightened leadership will lead to greater understanding, will be able to quell suspicion, and provide a lasting *detente* or even friendship among nations.

This is our dream; this is our hope; and this is our longing in this land of freedom. (Applause.)

We are so fortunate we do not envy any other people their possessions. It may be a dream, but working for the realization of dreams has been the source of all progress of mankind, and it must continue if civilization is to survive on this globe.

And so, to the members of the National Security Industrial Association, I wish you continued success in developing America's production and in seeing that the sons of this country who go forth to war do not have inferior equipment of any kind or character. (Applause.)

As was said in the invocation opening this occasion, ours in this land is a precious heritage. No other people in all of history, anywhere else under the canopy of heaven, have ever enjoyed the blessings that we call the American way of life. (Applause.)

It did not come easily. Men somewhere have made great sacrifices for it; not always in blood, but in sweat and in effort and in courage. And I could but think when I heard the Star Spangled Banner here tonight, the land of the free and the home of the brave will only endure—free—as long as our people are brave, and so may they stay brave. (Applause.)

And again, I want to express my heartfelt thanks for the honor that you have bestowed upon me tonight. (Extended applause.)

Mr. ELLENDER. Mr. President, I thoroughly concur in all she said about Senator RICHARD RUSSELL. I express the hope that he gets well soon and that he will be able to resume all of his duties.

DWIGHT DAVID EISENHOWER

Mr. McGEE. Mr. President, America again pauses to pay tribute to one of its

great leaders. Dwight David Eisenhower, general of the Army, Supreme Commander of Allied Forces in Europe during World War II, 34th President of the United States, and a man beloved of all of us, is dead. We mourn his passing, but we are encouraged and inspired by the example of lifelong service he has given us.

“Ike” Eisenhower, Mr. President, embodied much of what is the spirit of America, becoming for a generation of Americans a symbol. Though many of us were cast as opponents in the political scheme which is the great strength of our country, the whole world knows that we all liked Ike. Largely this is because it was so apparent that Ike liked us. He liked all men. He was a soldier always, but a soldier in the cause of peace, a crusader. He has left our heritage richer.

As always, Mr. President, Ike gave us inspiration even in his final days. His indomitable spirit fought against the ravages of disease and his spirits remained high to the end. Through that final struggle, also, his devoted wife Mamie and son John, as well as other members of his family, bore their burdens with strength and courage. I know all Americans have compassion for them. We all assuredly share their bereavement.

Mr. President, I ask unanimous consent that, as a part of this tribute to General Eisenhower, the comments of my hometown newspaper, the Laramie Daily Boomerang, and of the Wyoming Eagle be printed in the RECORD.

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

[From the Laramie (Wyo.) Daily Boomerang, Mar. 29, 1969]

A SALUTE TO AN AMERICAN

Dwight D. Eisenhower is dead.

Perhaps nothing is more symbolic of the Eisenhower spirit than the fight he waged against a losing cause for nearly one year. Throughout that time “Ike,” as most people will remember him, fought back time and time again to overcome each current crisis. The spell of crisis after crisis finally proved to be too much.

A nation, its people and the people around the world mourn his death. Most probably we were aware after the series of heart attacks last year that the former president and supreme commander of allied forces very likely would never leave the hospital again.

History will judge Mr. Eisenhower on two counts. He will be judged as a general on the first of these, and here he should go down in history as one of the greatest. It will take time for judgment on his role as president, but he came to the Republican party as a candidate when the Republican party was seriously in danger of becoming non-existent and when it had no candidate who could really lead it to victory.

Since Eisenhower's announcement that he would run for office, the party managed to come back to the point that the two-party system was no longer in danger of becoming a thing of the past.

Loss of Eisenhower's wisdom on things military and as leader of the Republican party are going to be felt strongly. He became an image of great things in America and that image will remain.

Eisenhower, the man, is dead. His spirit and his courage will ever be on the American scene. The country and the world are certainly better for his having been present to deal with the problems and needs of both.

[From the Cheyenne (Wyo.) Morning Eagle, Mar. 29, 1969]

MILLIONS MOURN

The United States and much of the world are mourning the death of former President Dwight D. Eisenhower today.

General Eisenhower wrote an important chapter in history—and occupied a special place in the hearts of millions.

He was a symbol of courage and dedication.

A great many Americans are remembering General Eisenhower today as the great and widely respected leader of allied forces in Africa and Western Europe during World War II.

With his familiar Ike smile, he had the trust, confidence and respect of millions in the armed services as well as outside. He had the special qualities that made him a great military leader under the most difficult circumstances, involving the armed forces of more than one nation.

At the close of World War II he was perhaps the most popular man in all America.

Political leaders of the United States may remember just how unpolitical Ike was during the years immediately following the war.

During this period, he was constantly confronted by ardent admirers who wanted to push him for political office.

He once asked, in exasperation: “How many times does a fellow have to say ‘no?’”

In May, 1948, he retired as chief of staff and a month later became president of Columbia University.

He was called back to the Pentagon for temporary service as chairman of the Joint Chiefs of Staff, to help get the service unification program going. In December, 1950, he was sent to Paris to be supreme commander of the new North Atlantic Treaty Organization (NATO).

He continued to be the center of speculation as a possible candidate for President, although few, indeed, really knew whether he was a Republican or Democrat. It was recalled that President Franklin D. Roosevelt had named him—then a relative unknown outside of military circles—as supreme commander of allied forces for the invasion of Africa.

Gov. Thomas E. Dewey of New York, twice defeated GOP presidential candidate, and others were backing an “Ike for President” move on the Republican side.

It wasn't until Jan. 7, 1952, the year of the election, that Eisenhower finally proclaimed himself a Republican and said he would be a candidate for President if he “got a clear-cut call to political duty.”

The very popular general, of course, was elected President in the 1952 general election—by a landslide.

Four years later, in 1956, he was reelected by an even bigger majority.

General Eisenhower continued to demonstrate his courage, strength and determination to the end.

He waged a tremendous battle against illness dating back to his first heart attack in 1955. He had been in Walter Reed Army Medical Center almost a year, with a string of four heart attacks, surgery and pneumonia in February, and congestive heart failure earlier this month.

He died at 10:25 yesterday morning (MST) at the age of 78.

And, today, millions are remembering . . .

DRAFT STUDY APPLAUDED

Mr. SCOTT. Mr. President, I am delighted with President Nixon's announcement that he is appointing a Presidential Commission to study the concept of an all-volunteer armed force. This follows, almost exactly, the procedure which I advocated on January 31 in introducing my bill, S. 781, to estab-

lish a Commission to consider the feasibility of ending the draft.

I welcome the appointment of the distinguished former Secretary of Defense, Thomas S. Gates, Jr., as the Chairman of this Commission. I am pleased also that the President has decided to appoint primarily eminent members from related civilian fields, including business management and the academic community. I proposed similar guidelines in my bill.

While other Commission studies of the draft have been aimed primarily at the inequities of selective service, they have tended to look on the question of a volunteer armed force—if indeed they have looked on it at all—only as one of a number of alternatives to the present system. I join in hoping that this new Commission will deal with a volunteer armed force exclusively so that it may devote its full energies to the President's directive asking this Commission to develop a comprehensive plan for eliminating the draft and moving toward an all-volunteer armed force.

DESIRE FOR REDUCTION IN EXPENDITURES FOR WAR, DEFENSE, AND OTHER PROGRAMS

Mr. FULBRIGHT. Mr. President, there has come to my attention an editorial published in the Janesville, Wis., Daily Gazette of March 14, 1969. The editorial relates the results of a poll by Senator WILLIAM PROXMIRE in which the people of Wisconsin voice their strong desire for a reduction in Federal expenditures for war, defense, the space program, and foreign aid.

The poll is particularly timely, Mr. President, because we will soon be asked to vote more billions of dollars for an anti-ballistic-missile system of dubious value and necessity. I believe that the people of Arkansas would concur wholeheartedly in the results of Senator PROXMIRE's poll.

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

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

TAXPAYERS HAVE HAD IT

Sen. William Proxmire recently set out to learn what the people were thinking. Now the results are in, and the message of the taxpayers comes through loud and clear—hold down government spending.

About 11,000 Wisconsinites from all parts of the state responded to Proxmire's questionnaire. By a margin of 24 to 1, they asked that all government spending be held down. The taxpayers also favored, by 2 to 1, letting the 10 per cent surtax expire as scheduled July 1.

"The message I read in the results of my latest constituent poll is that the long-talked-about taxpayers' revolt is upon us. It's here! The Congress and the administration can ignore it only at their own peril," Proxmire said.

The Democratic senator said the response to his poll was the largest he had ever received, and it contained some surprises. Fifteen months ago a similar questionnaire was sent out which listed areas where spending should be cut. Those responding put defense-spending nearly at the bottom.

The latest poll, however, lists foreign aid, space and defense as the prime areas where spending should be cut. Proxmire said 9 out of 10 opposed further increases in military spending.

"Even popular areas such as education and health are not immune this year from the taxpayers' wrath," Proxmire said. "In both these categories, respondents to my questionnaire favored holding down spending by 3 to 2 margins. Social security was the only federal program to come close to winning support, but even here about 51 per cent were opposed to an increase."

Proxmire's poll clearly shows what we have been saying all along—people have had it with mammoth federal spending programs. They are fed up with the staggering cost of the Vietnam War, the foreign aid program and the space program. The government dares not submit these issues to a national referendum, because they know the result would be overwhelming repudiation by the American people.

Anyone who doubts the mood of the people need look no further than Youngstown, Ohio, where voters closed the schools for four weeks rather than vote for higher taxes. Did the people of Youngstown do this because they don't care what kind of education their children get? Any parent knows better than that.

No, they did it because it was the only chance they had for a direct vote against raising taxes. If taxpayers are willing to vote down increased spending for educating their children, it is not hard to imagine how overwhelmingly they would have voted down any other proposal.

The tragic thing here is that state and local governments are being forced to pay for the spending excesses of the federal government, which gets the lion's share of the tax dollar and expends it with a free hand. And money spent on overseas wars and foreign aid programs is money that cannot be returned to state and local governments.

Proxmire has gauged the mood of the public correctly when he says the taxpayers are ready to revolt, and he is even more correct in saying Congress and the administration may ignore it at their own peril.

DWIGHT DAVID EISENHOWER

Mr. COOK. Mr. President, as a young county executive of 36 I was invited to attend a meeting at Gettysburg, Pa., on the farm of former President Dwight D. Eisenhower. One of my most prized possessions is a picture taken of the two of us while I was there.

It was my privilege to be a precinct worker in 1952 when we worked so hard for the election of the great general. Probably more individuals than at any other time in history got out and worked for the man who had led us once before as Commander of Allied Forces during World War II. It was, in fact, an easy task to labor for such a hero whose accomplishments all Americans felt so much a part of.

Mr. President, knowing that immortality is no part of mortal man, I can only say that to be a Member of this body and be privileged to have my remarks be a part of history as a tribute to our former President is an honor which defies explanation. To have been a part in some small way in having had such a man as President of our country for 8 years shall always be a cherished part of my political endeavors.

This was a man the Republicans wanted in 1952, not because he was a party man, but because he could salvage a two-party system that some apparently had little concern to salvage. For those of us in our middle twenties he was to be the one man who could pull the Republican Party kicking and screaming into the 20th century. This he did, and for this we shall be forever grateful—not just as a party but as a nation.

To meet him was to know a kind man. To hear him was to listen to an honest man. No such words as "credibility gap" could have been uttered by the most contrary newswriter in those 8 years. Security was President Eisenhower. Confidence was President Eisenhower. And the abiding faith of this man reflected itself in a people who saw no dishonor or disrespect in referring to their President as "Ike" anywhere in the world. He was a man we all knew intimately in the true tradition of America.

He said during an interview at Gettysburg that he wanted to take worn-out land and through hard work and revitalization leave it far better land when he died. Through his efforts he has done for America that same job of revitalization and has indeed left for us a far better land.

CONNECTICUT OPERATING ENGINEERS TAKE LEAD IN TRAINING HARD-CORE UNEMPLOYED

Mr. DODD. Mr. President, it is with a great deal of pleasure that I invite the attention of Senators to a project currently underway in Connecticut that is in the best tradition of the American labor movement.

It is called the Camp Dempsey training program and is sponsored and directed by the International Union of Operating Engineers, Local 478, Hamden, Conn., in cooperation with several State and Federal agencies and some independent organizations.

In brief, this is an on-the-job training program for heavy equipment operators. Among those taking part in the program are 50 of the hard-core unemployed recruited by the Connecticut community affairs department.

At Camp Dempsey, these trainees are not only learning new skills, but are actually taking part in the construction of an airfield.

I salute the officers and men of Local 478, particularly Sonny Metz, business manager, and Quinton Hinton, project director, for taking the initiative in opening the door of opportunity to their fellow citizens.

Mr. President, I ask unanimous consent to have printed in the RECORD several articles and a letter from John A. Hansen, regional Federal highway administrator to Gov. John N. Dempsey that appear in the March issue of the record of Local 478, Operating Engineers.

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

FEBRUARY 6, 1969.

HON. JOHN N. DEMPSEY,
Governor of Connecticut,
Hartford, Conn.

DEAR GOVERNOR DEMPSEY: On January 30, 1969, I accompanied several of my staff representatives on a visit to the training program being conducted at Camp Dempsey sponsored and directed by the International Union of Operating Engineers, Local 478, Hamden, Connecticut in cooperation with several State and Federal agencies and some independent organizations. Others participating in the visit included Mr. William L. Huntington and Mr. John F. Hogan of the Connecticut State Highway Department representing Commissioner Howard S. Ives.

Our particular interest in the Training program, along with the representatives of the Connecticut State Highway Department, was in relationship to the equal employment provisions enacted by the Federal-aid Highway Act of 1968. More recently, our Federal Highway Administration issued implementing policies and procedures governing the required prequalification of Federal-aid highway contractors and subcontractors relative to this equal employment requirement. One of the most significant and important features in the individual contractors prequalification statement is related to assisting minority member to enter preapprenticeship and apprenticeship training programs including active participation in such programs.

We are all particularly impressed by the very professional manner in which the training program had been planned and organized, and the very effective quality of the on-the-job type of training being conducted. From my discussion with several of the trainees, the immediate goal of the program to provide training to disadvantaged members of minority groups in the operation of heavy duty equipment, will be very successfully realized.

In realizing this important program goal, commendable credit must be given to the Business Manager, Project Directors, and Instructors from the Connecticut Local Union 478 for their outstanding work in organizing, managing and conducting the training. They in turn are the first to suggest that it could not have been realized without the cooperative support and assistance provided by the other participating agencies, and particularly the importance of the facilities made available by the State of Connecticut at Camp Dempsey.

I thought you would be interested in learning of our visit to the project and the very favorable impression we have of it. We are much interested in programs of this type and will work with the Connecticut State Highway Department in any manner possible in implementing and advancing this particular feature of the Federal-aid Highway Act of 1968.

Sincerely yours,

JOHN A. HANSEN,
Regional Federal Highway Administrator.

CAMP DEMPSEY TRAINING PROGRAM

(By Quinton Hinton)

On February 24, 1969 Local 478 reached the half way mark of the training school.

The first group of fifty upgrades from Local 478 finished six weeks of school on February 24, 1969.

Each upgrade felt this school was one of the most productive programs they ever had an opportunity to be part of. The fifty new trainees that were selected by the Connecticut Community Affairs Department are doing an outstanding job in the program. Their interest has been so great in wanting to learn the operation of heavy equipment that one class learning the Grader operation went to the Instructor and requested extra hours to be added to their schedule so they could have more operating machine time.

Our project director and assistant project director plus each instructor is doing an outstanding job for the program.

Some Contractors have done outstanding things in helping us with equipment needed for training, but several large contractors contributed nothing in equipment or interest to the program. We have had some bad weather conditions but with a little good luck we should land a plane on the Airport on April 4, 1969.

On February 27, 1969, Sonny Metz held a meeting with several contractors also State and Federal groups to discuss prequalifying the contractors for bidding heavy highway work in Connecticut. Sonny told John Mullins and his staff from the Federal Highway Administration, Delmar, N.Y. and State Senator Paul Amenta, Chairman of Roads and Bridges, that he felt that the only contractors that could qualify for bidding work on Highways in Connecticut should be the contractors that have showed interest in helping the training program at Camp Dempsey. After the meeting all groups went to Camp Dempsey and reviewed the Program.

STONE'S RANCH MILITARY RESERVATION

(By Harry T. Jarrett, project engineer)

The Stone's Ranch Military Reservation and Camp Dempsey, Niantic, Conn. are being used for on-the-job training program for heavy equipment operators during the period of 13 January to 4 April, 1969.

Through the cooperation of various State and Federal agencies, and local contractors who supply the machines and equipment, the International Union of Operating Engineers, local 478, Connecticut, is conducting a school for new trainees (fifty hard-core unemployed) and to upgrade the skills of other union members (one hundred). The machines that are being taught are (1) the bulldozer (Walt Tedford), (2) scraper (Bill Gibson), (3) front end loader (Joe Frattarola), (4) hydraulic backhoe (Al Caswell), (5) cable back-hoe (Larry Cain), (6) grader (Dave Phillips), and (7) Gradall (Ted Stack). In addition a heavy maintenance and mechanics course (General Smith) is being given.

The program consists primarily of practical work in the actual construction of an airfield. The former airstrip was only in the pioneer classification. As a result of the discontinuance of the O-IE (Bird Dog) aircraft and the introduction of the heavier U-6A (Beaver) aircraft in the Connecticut Army National Guard that old airstrip (less than 1000 feet of the original 1250 feet was still usable) has become inadequate for training and unsafe for fully loaded U-6A aircraft. A new Army airfield was designed providing for a combined runway and overrun length of 1900 feet with a separate taxiway and parking apron to accommodate up to fifteen aircraft of the Beaver type. This new airfield will be in the next higher classification, up to that of "hasty" type primarily because it is as yet unpaved.

These trainees and upgrades are for the most part young men whose skills in the event of a national emergency would be valuable to any of the uniformed armed services. Some of them will undoubtedly be employed in some future civil works program of the Corps of Engineers, such as the flood control dams built in Connecticut after the disastrous floods of 1955. It is hoped that this type of program will expand and be successful, for it will certainly be of benefit to the construction industry and also in the national interest.

WHAT FUTURE OPERATORS SAY

Particularly interesting are the comments of veterans, who are numerous among the trainees.

Abel Perry, Preston: "I ran a bulldozer some in the Army, handled some other equipment too. The Army doesn't really

teach you anything, just puts you on the machine and you do what you can."

"I couldn't get a job on machinery when I got out, wasn't qualified. I worked as a laborer. This is a wonderful program; I wish other Unions would do the same thing."

Philip Carrier Jr., New London: "I was a rifleman with the 10th Infantry in Vietnam. When I got back there was nothing for me. Grub work that didn't pay anything and wasn't going anywhere. This is wonderful for me, but what about the other guys. There must be thousands like me."

William Mock, Waterbury: "I put in 13 months with the 101 Airborne in the Nam. The only job I could get was a baker's assistant at minimum wages."

"I went to the veteran's office at the employment office, told him I didn't want any more mickey mouse. I wanted something with some sort of future, a job where you can earn a decent living and get ahead. This is just great."

THE SANDPIPERS, OF CALIFORNIA

Mr. MURPHY. Mr. President, the youth of America is one of the most often talked about subjects of the day. Some say that there is a noneconomic revolution in which the youth of our great country is intolerant of our institutions, government, and traditions. There have been references to a generation gap. Too frequently we hear only the bad side of a vocal minority and nothing of the dedicated, diligent majority who are truly indicative of our youth of today.

Here in our Nation's Capital a noteworthy effort involving the youth of our country is just concluding. Over 1,000 high school seniors from all of the 50 States and Puerto Rico have attended the "Presidential Classroom for Young Americans." These dedicated youths have had a concentrated series of academic seminars in the study of our Government. They have been enlightened through personal involvement, showing them what the Government is doing in various fields, to encourage dedication to, and understanding of, the American system. As a tribute to these youths, three of their fellow American youths from the Golden State of California, the Sandpipers, volunteered to come at their own expense to entertain the students at the conclusion of the series as a gesture of appreciation for their interest in our Government and its institutions. The Sandpipers, who have become nationally famous recording and entertainment stars, are Jim Brady, Michael Piano, and Richard Shoff. These young men were raised in California and are residents of our State, at an early age, sang with their church choirs. They met when they joined the famous Mitchell Boys Choir group. They leapt into national fame with their best-selling recording, "Guanatanamera." Their music has truly bridged the generation gap and has been a source of inspiration not only to Americans but to our friends throughout the world. The Sandpipers are omnilingual and sing in 11 different languages. In addition to their personal appearances through the United States, they have appeared throughout South America and Europe. It is said that the youth of today are the leaders of tomorrow. It is reassuring to see such representatives of today's American youth as the students

who have attended a "Presidential Classroom for Young Americans," as well as the Sandpipers.

DWIGHT DAVID EISENHOWER

Mr. TALMADGE. Mr. President, all the Nation and the world mourn the loss of Dwight David Eisenhower, whom history will remember as one of the truly great Americans of all times. General Eisenhower served his country with distinction in time of war and peace. He directed the course of this Nation and our allies to victory over tyranny in a time when the freedom and dignity of man were put to its most severe test. His courage and devotion to duty earned him the eternal gratitude of his fellow countrymen and all the people of Europe.

As President of the United States, Eisenhower was again called to lead our Nation and the free world through war against totalitarianism, and to guide our people through economic and social crisis.

He was a great general. He was a fine man and one of the most popular Presidents in American history. He will be sorely missed.

FLOOD CONTROL IN CALIFORNIA

Mr. MURPHY. Mr. President, it has been estimated that the projects now in being to help control floods in California prevented approximately \$1.25 billion in damages during the heavy storms in my State in January alone, and that they provided similar benefits during last month's rainfalls. In fact, I am told that in some areas, the amount of damage prevention was more than the entire contribution which the Federal Government has made to date to help protect these regions from such natural disasters.

Many of the projects which were so important to California during the recent disaster period are under the jurisdiction of the Bureau of Reclamation. They will also play a vital role in the months ahead, when record snowpacks in the area begin to melt.

An interesting and informative news release on this matter was issued recently by the Department of the Interior. I ask unanimous consent that it be printed in the RECORD.

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

After preventing millions of dollars worth of damage from runoff following the heavy storms in January and February, Federal Bureau of Reclamation reservoirs in northern and central California are now being programmed to catch the record runoffs expected from snowmelt this spring and summer.

"Bureau of Reclamation reservoirs operated magnificently to prevent flood damage during the unusually heavy storms this winter," said Robert J. Pafford, Jr., the Bureau's Regional Director in Sacramento.

"Now most of them are ready—or are being made ready—to control the expected onslaught from the melting snows in the mountains." Pafford noted that in addition to the snowpack being the deepest in history in many spots, it is also the wettest. "In the watershed above Friant Dam, for example," he said, "the snow is 12 feet deep at Huntington Lake and contains about 4 feet of water.

When the snow melts and that water starts pouring down into the valley, we have to be ready to control it."

To meet the threat of the expected record runoffs from the upper San Joaquin River watershed, Millerton Lake behind Friant Dam is being brought down rapidly to its minimum pool for the first time in history. Ordinarily the storage would be about 300,000 acre-feet at the end of March, but this year we are evacuating to about 130,000 acre-feet.

Flood control releases so far this year from Friant Dam have kept the flow below the 8,000 cubic foot per second capacity of the channel downstream from the dam, except for a brief period when tributary inflows downstream from Friant caused the San Joaquin River flow to exceed 9,000 c.f.s., despite inflow into the reservoir which at one time reached 37,000 c.f.s.

The Madera and Friant-Kern Canals will be used to help control flood releases. Both canals were damaged by floods last month, the Friant-Kern quite severely. Both canals are expected to be ready for use by the end of this month.

In the northern part of the state, Shasta Dam served as the flood control anchor on the Sacramento River during the heavy storm period.

When the storms began, Shasta Lake held 2,850,000 acre-feet of water. More than 2,750,000 acre-feet of water poured into Shasta Lake during January and February, at one time at a rate of flow in excess of 100,000 c.f.s. Releases from Keswick Reservoir—the regulatory dam and reservoir below Shasta Dam—were held to 50,000 c.f.s.

There is now enough storage space available in Shasta Lake, 1,300,000 acre-feet, to handle the anticipated runoff from additional rainfall and the snows piled high in the Cascade Mountains. Given normal rainfall for the remainder of the year, and the above-normal runoff expected from the snowpack, Shasta Lake should fill this spring.

West of Shasta, across the Trinity Mountains, Clair Engle Lake behind Trinity Dam has room to store 850,000 acre-feet of runoff and should be easily able to handle snowmelt from the Trinity Alps. During the past 2 months, 290,000 acre-feet of runoff has flowed into Clair Engle Lake and the water level has risen 20 feet. It, too, has an excellent chance of filling this year.

Just northeast of Sacramento on the American River, Folsom Lake has been dropped down to 573,000 acre-feet after climbing to 790,000 acre-feet during the peak of the runoff from the January-February storms. The heaviest runoff into Folsom Lake during the storms was 85,000 c.f.s. Maximum releases were held to 70,000 c.f.s.

Folsom is expected to fill sometime in June, but barring unusual warm weather early in the runoff season or further storms, the Bureau anticipates little difficulty in handling the snowmelt in the Folsom watershed through controlled releases into the American River.

West of Sacramento, Lake Berryessa behind Monticello Dam has been doing its usual unheralded flood control chore, just as Bureau engineers designed it. Monticello has a glory hole spillway. The lip of the spillway is 16 feet below the design maximum water surface.

When the water level reaches the lip of the spillway, it begins to pour out just as water pours out from the bottom of a bathtub when the plug is pulled. But if water is coming into Berryessa faster than it is going out the water level will climb, just as water does in a bathtub, even if the plug has been pulled, when the inflow is greater than the outflow.

The 16 feet above the glory hole spillway at Berryessa provide over 300,000 acre-feet of flood control storage space. The water level in Berryessa reached the lip of the spillway on January 22. Since then, nearly 250,000 acre-feet of water, which on two oc-

casions entered the reservoir at rates of over 20,000 c.f.s., has been released harmlessly at rates no greater than about 6,000 c.f.s.

To the southwest of the Region, the water level in Twitchell Reservoir in the Santa Maria Project has reached the flood control zone of the reservoir for the first time in its history. The upper 89,000 acre-feet of space were designed into the reservoir for flood control purposes. After water reaches a storage of 150,000 acre-feet, as it did on February 25, it is released as rapidly as possible so the reservoir can be ready to control the runoff from the next storm.

SHASTA-TRINITY-RED BLUFF AREA

At the end of February, Shasta Lake held 3,197,300 acre-feet of water in storage. Clair Engle Lake contained 1,585,210 acre-feet; Whiskeytown Lake, 184,800 acre-feet; Lake Red Bluff, 3,220; East Park Reservoir, 49,710; Stony Gorge, 40,170; and Black Butte, 37,340. Deliveries through the Corning Canal during February were 200 acre-feet.

AMERICAN RIVER AREA

Folsom Lake held 598,800 acre-feet in storage at the end of February, while Jenkinson Lake contained 41,180 acre-feet.

LOWER SACRAMENTO RIVER-DELTA AREA

Storage in Lake Berryessa at the end of the month was 1,661,560 acre-feet. Putah South Canal moved 1,370 acre-feet. The Contra Costa Canal carried 3,330 acre-feet and the Delta-Mendota Canal, 166,450 acre-feet. Delta outflow during the month averaged 97,300 cubic feet per second.

SAN JOAQUIN VALLEY

San Luis Reservoir storage increased to 1,600,780 acre-feet during February, a gain of 255,640 acre-feet. O'Neill Forebay stood at 52,170 acre-feet at month's end and Los Banos Detention Reservoir held 23,200 acre-feet. Storage at Millerton Lake stood at 359,700 acre-feet at the end of the month. New Hogan Reservoir contained 184,340 acre-feet at month's end. The Friant-Kern Canal delivered 21,540 acre-feet during February. Deliveries through Madera Canal were 16,010 acre-feet.

SOUTHERN COASTAL AREA

Twitchell Reservoir held 186,060 acre-feet on February 28; Lake Cachuma held 199,700 acre-feet at the end of the month; and Lake Casitas, 186,290 acre-feet.

DWIGHT DAVID EISENHOWER

Mr. BENNETT. Mr. President, a little bit of each of us died last Friday when General Eisenhower passed away at Walter Reed Hospital. A little bit of each of us will be buried on Wednesday when Ike is laid to rest in his boyhood town of Abilene, Kans.

To offer eulogy to a man of General Eisenhower's stature is in many ways difficult and perhaps futile. A spoken word with but few exceptions will not outlive a lifetime of greatness, deeds, and service. Few will remember what is said of President Eisenhower during this time of mourning. Almost no one who knew him or who will study his life will forget his deeds and lifetime of service. General Eisenhower was the epitome of modesty. He had almost no concern for the image which he made and this indeed is a rare trait at a time when image is often considered more important than performance. As the Supreme Allied Commander in Europe, General Eisenhower commanded the largest war machine ever created. To assemble it was difficult, but to land it successfully on the coast of France at Omaha and Utah beaches was perhaps asking too much. Yet General

Eisenhower succeeded, and we will always remember that success. But what if the Normandy landings had failed? Prior to D-Day Ike had prepared a statement personally assuming all responsibility for the failure, should it come. Mr. President, I submit that like the men he commanded, uncommon courage was a common virtue to the Supreme Commander.

He conducted the Presidency of the United States with a rare and honorable dignity. He acted and formulated his policies in a way that he believed best for the American people and the world. It was a refreshing 8 years when candor, honesty, and decency each had a fountainhead at the White House. The most severe test of any man's performance is the test of time, and General Eisenhower is passing that test remarkably well. He will be buried in Abilene adjudged by most as a great President and in retrospect the people of America and the people of the world have come to appreciate that fact.

It can be safely said of the man who left his hometown to attend West Point that, wherever he went, greatness pursued him. He was indeed the antithesis of the fact that most men seek greatness. In the life of Dwight Eisenhower, greatness sought the man. Certainly General Eisenhower proved perhaps more than any man in American history that simplicity and greatness are not incompatible.

Wrapped up in President Eisenhower were all of the virtues that made and still make America great. He understood and lived, as few men have, the concept of duty. He believed in and practiced honor. There were no pomp and pretense in him because simplicity was as much a part of him as was his contagious smile. President Eisenhower had also mastered the first and great Commandment of the New Testament, which was so beautifully pointed out by President Nixon on Sunday. One of the greatest tributes that can be given to any man is to say that he hated no one. He could disagree, but that disagreement was with ideas, with policies, and with thoughts.

I was also very impressed by the comments of President Nixon when he said that "Mr. Eisenhower was the right man at the right time in the right place." Not since the Civil War has the Nation been so confused, so torn, and so divided in its national life. The virtues that made this country great are undergoing criticism and reevaluation. I cannot help thinking that with the passing of this great American, we can pause in this crisis and reexamine his life and by so doing rediscover and hopefully rededicate ourselves to the principles of national greatness. We truly need in America a rededication and a new determination to live by the principles for which President Eisenhower stood.

To the people of Utah, Ike was a special man. In the 1952 and 1956 elections they gave him an overwhelming majority. They loved him and respected him. They knew they had a friend in Washington when he fought for and helped win the battle for the Upper Colorado River project. I speak for all of our

citizens when I say that he will be long remembered and forever respected.

One cannot bid farewell to General Eisenhower, nor pay a truly fitting tribute to him without expressing appreciation, love, and respect for the courageous and wonderful lady that stood by him throughout his years of public service. One can probably never measure nor really know the sustaining power and influence that Mrs. Eisenhower had on her husband. She understood and knew him better than anyone else and we can only say that her role as wife and companion is deeply appreciated by all Americans. She invokes in my mind the Scripture from the Book of Ruth where if she did not say it in words, she performed it in deeds. Whither he went she went, and her people and his people and his causes were hers. We offer to Mamie Eisenhower at this time our love, our respect, and our deepest sympathies.

In closing, may I repeat once again a thought from President Nixon's eulogy: not since the time of George Washington has this Nation been able to say about a President or any public figure that he was first in war, first in peace, and first in the hearts of his countrymen. But perhaps the greatest tributes that will ever be paid Gen. Dwight D. Eisenhower are the silent ones, or those unspoken or unwritten, in which mothers and fathers throughout America and the world are saying to their sons, or perhaps even silently wishing in their hearts, that they hope they might grow up to be like Ike.

I ask unanimous consent that editorials from leading Utah newspapers praising General Eisenhower be printed in the RECORD.

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

[From the Deseret (Utah) News,
Mar. 28, 1969]

WHY AMERICANS WILL ALWAYS LIKE IKE

As a sorrowing nation mourns the passing of one of its greatest and most beloved leaders there is little to be said about Dwight David Eisenhower that has not only been said before, but repeated frequently.

From his early years as a Kansas farmboy to his rise from an obscure lieutenant to become Supreme Commander of the allied forces that smashed Hitler's "Fortress Europe" from his stint as President of Columbia University to his accomplishments as the first Republican President of the United States in twenty years and his public service after leaving the White House the life of "Ike" Eisenhower has been thoroughly chronicled as for few others.

No words can add or detract from his accomplishments or the honor bestowed upon him all over the world, nor can words enhance the love or ease the sadness that his countrymen feel at his demise.

As Americans reflect upon the life and works of this remarkable soldier, statesman, and leader, they would do well to ask why he won the admiration, but also the respect of so many people in all walks of life.

Was it because Dwight David Eisenhower was a fatherly figure to the entire country—firm but kind? Was it because he had the "common touch" being a man of simple tastes? Was it because he genuinely liked people—and they responded in kind? Was it because of his undeniable sincerity as a man of peace? Was it clean cut integrity?

No doubt these and many other well known aspects of Dwight Eisenhower's personality help explain his amazingly widespread and enduring popularity.

But there is one facet of his character that has been generally neglected which speaks volumes about the man. It is a facet that was touched on in a thumbnail sketch written two years ago by Bryce N. Harlow, one of Eisenhower's closest aides during his eight years in the White House who observed:

"Take the attributes you consider the most admirable in the people you know, put them in a mixer and you'll come up with the Eisenhower blend."

He is vitality and power and force—yet he is profoundly sensitive to the needs and feelings of others. He dominates the people around him—yet eagerly solicits and advises and readily acknowledges error. He has great dignity and reserve reflecting a quarter century of command and association with world leaders—yet he transforms instantly in "Ike of Kansas" with the school boy grin radiating amiability and warmth and a friendliness of a cocker spaniel.

He had had the adulation of people all over the world for two decades and more—yet is humble to the point of being self-effacing. He detests the personal pronoun and has scratched out hundreds of I's from speechcrafts. Many of his political speeches have ended up almost sterile because of his dislike of blowing his own horn.

During all of his White House days, he forbade the use of the word "my" before the cabinet insisting that the prestigious institution should always be called "the cabinet."

One of his favorite admonitions is "always consider your job important, never yourself." In 1942 in North Africa General Marshall asked him what is the most important attribute of a leader, his answer was "selflessness."

Whatever history records of Dwight D. Eisenhower's accomplishments as a soldier and statesman, the record will not be complete without his accomplishments as a man and the inspiration he provided his helping Americans live better lives of service and devotion to their country.

[From the Salt Lake (Utah) Tribune,
Mar. 29, 1969]

A MAN FOR HIS TIMES

Often in this fortunate country's history the right man has come forth in times of national need. Former President Dwight D. Eisenhower was such a man.

During World War II he rose from relative obscurity to plan, then execute, the invasion of Hitler's Fortress Europe. In 1952 when Americans were frustrated and bogged down in a seemingly fruitless and unwanted war in Korea, he agreed to seek the presidency if given "a clear call to political duty." Republican leaders saw to it that the call was forthcoming and Gen. Eisenhower, then serving as supreme commander of the new North Atlantic Treaty Organization forces, answered without further hesitation.

Americans of all political persuasions turned to the former general in hope that his international prestige could restore and preserve peace and bring on the good life. To a remarkable degree these hopes were realized. The eight Eisenhower years, though frayed at times by tense international incidents, were, in the overall, good ones.

His death Friday at the age of 78 will be mourned as one mourns the passing of a kindly relative who saw the family through troubled times in other years that now seem almost placid by comparison.

Though he was coaxed into politics and never practiced that art in the usual fashion, Gen. Eisenhower was nevertheless reluctant to cut political ties after stepping down. He continued active in Republican affairs and

spoke out frequently in criticism—and sometimes support—of the Kennedy and Johnson administrations that followed. He took a hand in reknitting the Republican Party which strayed from his more liberal concepts and came to disaster in the Goldwater debacle of 1964. His last public utterance was addressed to the party, revitalized and then meeting in convention in Miami Beach last August.

History has yet to pronounce its verdict on Eisenhower the general or on Eisenhower the President. Criticisms of both roles have been made by knowledgeable persons of high repute and these must be weighed. But Eisenhower of the infectious grin and fatherly aura must be audited in the abstract.

His greatness lay in his ability to instill in millions of people here and abroad the feeling that the world's mightiest power was in responsible hands and that all was well. Though hampered by illness and pressed by mounting crises that eventually eroded some confidence in his leadership, Dwight Eisenhower made good that trust. The America he handed over to John F. Kennedy was by no means perfect, but it had been calmed and rested and made ready to withstand the upheavals that have visited it since.

HIGH-INTEREST RATES FOR HOUSING—A NATIONAL DISGRACE

Mr. WILLIAMS of New Jersey. Mr. President, last Friday's Wall Street Journal contains an article which clearly and dramatically shows the effects of high-interest rates on our Nation's middle- and lower-income home buyers.

These interest rates coupled with the higher initial downpayments now required by banks and other financial institutions have made it almost impossible for our Nation's citizens to purchase even moderate-priced homes. High-interest rates—which in some areas reach 8 percent—in a tight money market would be bad enough; what makes it a national disgrace is, as the Wall Street Journal clearly points out:

The mortgage squeeze doesn't reflect a severe money shortage; most banks say they have a normal supply of funds to lend. The problem is that demand for all types of loans is strong and that even with home mortgage interest rates at high levels, banks can earn higher returns on their money elsewhere.

Even where middle-income families are able to scrape up enough money to meet these high downpayments, the problems do not end. This is due to the skyrocketing monthly mortgage payments caused not only by rising interest rates, but by ever increasing property taxes and homebuilding costs. This point is excellently illustrated by the Wall Street Journal when it states:

Home prices are about 10% higher than last year, and so an individual would need a \$22,000 loan to buy the same house. In addition, property taxes have risen about 5%. At the current going rate of 7.5% interest, the monthly payments on a 30-year, \$22,000 mortgage on the home would be \$206.33—\$153.83 for principal and interest and \$52.50 for taxes and insurance—a 15% increase.

A sergeant at Warner Robins Air Force Base near Macon, Ga., can't get a home loan because his pay isn't high enough to meet monthly payments required by the current 7.5% interest rate; he would have qualified at last year's 6.75% level.

In Boise, Idaho, public relations man David Hedges is living in a rented home while his family remains in Portland, Oreg., trying to sell their home. Mr. Hedges took a job with Boise Cascade Corp. last December, confident he could sell his house quickly, but it hasn't worked that way. "We've had dozens and dozens of people who said they liked the place and thought the price (\$20,900) was right," he says, but financing problems have prevented a sale.

Elsewhere families in search of homes are finding their choice limited by the relatively small number of houses up for sale. People who own homes are showing a growing reluctance to part with them and trade their present, cheaper mortgages for the uncertainties of the current market.

The Committee on Banking and Currency, of which I am a member, recently held 2 days of hearings on this subject matter. I, for one, am shocked by the administration's position as stated by Paul W. McCracken, Chairman of the Council of Economic Advisers; Preston Martin, Chairman of the Federal Home Loan Bank Board; and Charles E. Walker, Under Secretary of the Treasury. These gentlemen have all echoed the same tune, just trust us and everything will take care of itself. The Nixon administration's lack of imagination, innovation, and positive solutions to this most pressing problem shows a distinct lack of leadership.

At our hearings, the senior Senator from Wisconsin (Mr. PROXMIRE), vice chairman of the Joint Economic Committee, suggested the following proposed policies to help alleviate the situation. They were:

First. Precluding banks from borrowing Euro-dollars.

Second. Preventing commercial banks from selling Government securities.

Third. Using the discount window to encourage banks to cut business lending.

Fourth. Sending letters to banks from the Federal Reserve Board urging a reduction in business lending.

Fifth. Using the moral leadership of President Nixon to persuade businessmen to cut back their planned investment spending.

While many of us may not agree with all of these items, they were positive proposals which could reduce the interest rates now charged to home buyers. Amazingly enough, Mr. Walker without offering any positive suggestions summarily dismissed all five.

Apparently President Nixon and his administration are of one mind—that the building of an antiballistic system of doubtful value is more important and has greater priority than creating decent housing at reasonable prices for the American people.

Mr. President, I wholeheartedly recommend the Wall Street Journal article of March 28, entitled "Mortgage Squeeze—Would-Be Home Buyers Face Growing Difficulty in Arranging for Loans," to all Senators who are interested in establishing true national priorities. I ask unanimous consent that the article be printed in the RECORD.

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

MORTGAGE SQUEEZE: WOULD-BE HOME BUYERS FACE GROWING DIFFICULTY IN ARRANGING FOR LOANS—DOWN PAYMENTS AND INTEREST RATES RISE—LENDERS FIND HIGHER RETURNS ELSEWHERE—A SERGEANT CANNOT SWING IT

The middle-income home buyer is losing out in the current scramble for loan funds, and his plight probably will get worse before it gets better.

That's the conclusion emerging from Wall Street Journal interviews with bankers, economists, real estate brokers and people shopping for homes in or near major cities around the country.

In some states, legal ceilings on home-loan interest rates have all but dried up the mortgage market. Even where funds are more readily available, many banks have made it tough for individuals to get loans by hiking interest rates and down-payment requirements and reducing the duration of their commitments. These factors, coupled with soaring home prices, are putting even moderate-priced homes out of the reach of many Americans.

"It's come to be very difficult for a person to finance his first home unless he has a wealthy relative to stake him," says John P. Holliman, senior vice president of Wells Fargo Bank in San Francisco. The bank now makes home loans for a maximum of 20 years, requires a 30% down payment and charges interest of 8% to 8.25%; a year ago it made 25-year loans at 6.5% to 6.75% on a down payment of 20% of the home purchase price.

ALL-TIME HIGH RATES

The Federal Home Loan Bank recently reported that the national average effective interest rate on conventional new-home loans last month was 7.39%, the highest figure ever. That's up from 6.62% in February 1968 and 6.58% in November and December of 1966, the height of that year's "credit crunch."

The mortgage squeeze doesn't reflect a severe money shortage; most banks say they have a normal supply of funds to lend. The problem is that demand for all types of loans is strong and that even with home mortgage interest rates at high levels, banks can earn higher returns on their money elsewhere.

The commercial bank prime rate—the interest charged the most credit-worthy customers—officially stands at 7.5% with the actual rate close to 9% because banks are requiring that a portion of such loans be kept on deposit.

Top-rate corporations also have been finding money expensive on the bond markets, another outlet for bank funds. This week Transcontinental Gas Pipe Line Co., whose credit standing is only slightly lower than the best-rated firms, had to accept an interest rate of 8.425% to sell \$60 million of 20 year debentures, the highest rate of this century for the type of offering.

In New York and New Jersey, where the home-loan interest ceiling is set at 7.5%, bankers can lend money to apartment builders for a return of 8.5% plus a share in the building's profits.

Such a return is proving "extremely attractive to long-term lenders," says James O'Leary, vice president of U.S. Trust Co. in New York. He adds that apartment building in the New York metropolitan area promises to be "very, very strong" this year, while the availability of funds for single-family homes is "uncertain."

USURY LAWS' IMPACT

The mortgage money pinch is tightest in states where so-called usury laws have pegged the home loan interest rate well below present returns on other types of loans. Illinois, Michigan and Pennsylvania won't let banks charge more than 7% annual interest

on conventional mortgage loans (although they can get 7.5% on loans underwritten by the Federal Housing Administration).

Earlier this year, some lending institutions in Illinois and Pennsylvania began circumventing the 7% ceiling by tacking service fees known as "points" on home loans they approved; these "points" usually amounted to 1% or 2% of the face amount of the loan and had to be paid in cash by the borrower as a condition of getting a mortgage.

But more recently even that hasn't been enough to entice some institutions in those states into making conventional mortgage loans, the type through which most home purchases are financed. What's more, bankers make it clear they won't return to the market until the ceilings are raised substantially.

A "TRICKLE" OF LOANS

"We no longer consider conventional mortgages profitable," declares Jacob Gross, president of Bell Savings & Loan Associates in Philadelphia. In Chicago, Charles C. Barrett, vice president of Continental Illinois Bank & Trust Co., the city's largest bank, says his institution's home-loan activity is "down to a trickle." Loans are being made only to good commercial customers "who twist our arm a little," he adds.

The loan pinch isn't felt with equal severity everywhere, of course, but banks all over the country have been making it tougher for individuals to qualify for home loans. To get a home loan at Orange Savings Bank in Orange, N.J., for instance, "you have to be a depositor of ours or a customer of a realtor or attorney who in the past regularly provided us with mortgages," says president James McCracken III. "They took care of us; now we're taking care of them." Down payments in some sections of the country now run as high as 33 1/3%.

Prospective home owners who can come up with a large chunk of down payment cash then must cope with the high monthly payments caused by rising interest and property tax rates and higher home prices. Many banks won't make a loan where monthly mortgage payments plus taxes and insurance total more than one-fourth the applicant's salary. Thus, the increases have priced some shoppers out of the home market.

Advance Mortgage Corp. of Detroit, a major mortgage lender that periodically surveys the housing market nationwide, says that about a year ago, when home-loan interest rates averaged 6.75% nationally, a typical new borrower's monthly payment on a 30-year, \$20,000 home loan came to \$179.72—\$129.72 a month for principal and interest and \$50 for taxes.

Today, the company reports, home prices are about 10% higher than last year, so an individual would need a \$22,000 loan to buy the same house. In addition, property taxes have risen about 5%. At the current going rate of 7.5% interest, the monthly payments on a 30-year, \$22,000 mortgage on the home would be \$206.33—\$153.83 for principal and interest and \$52.50 for taxes and insurance—a 15% increase.

Such requirements haven't slowed the pace of home sales in many areas of the country. "People are going ahead and buying" despite effective interest rates pushing 8% locally, says Jerry Smith, a real estate man in Mar Vista, Calif., a suburb of Los Angeles. "It's crazy . . . I can't figure it out . . . but things are moving."

Nevertheless, cases of hardship caused by the tight mortgage market abound. A sergeant at Warner Robin Air Force Base near Macon, Ga., can't get a home loan because his pay isn't high enough to meet monthly payments required by the current 7.5% interest rate; he would have qualified at last year's 6.75% level.

In Boise, Idaho, public relations man David Hedges is living in a rented home while his family remains in Portland, Ore., trying to sell their home. Mr. Hedges took a job with

Boise Cascade Corp. last December, confident he could sell his house quickly, but it hasn't worked that way. "We've had dozens and dozens of people who said they liked the place and thought the price (\$20,900) was right," he says, but financing problems have prevented a sale.

Elsewhere, families in search of homes are finding their choice limited by the relatively small number of houses up for sale. People who own homes are showing a growing reluctance to part with them and trade their present, cheaper mortgages for the uncertainties of the current market.

"People are less inclined to move up to a better house; they're saying 'Let's stay put,'" says an officer of Glendale Federal Savings & Loan in California.

When housing has to be obtained, however, some people find a way to do it. One executive of Scott Paper Co., recently transferred to Philadelphia from Pittsburgh, discovered that the only way he could get a 7% mortgage was to make a 50% down payment, or \$25,000 on a \$50,000 home. He did. "We decided to blow everything. We figured we have only a few more years while our teen-age children are still at home, so we extended ourselves."

But he adds that the decision hasn't been a comfortable one. "We've tied up everything in that house, and we're sunk if the market goes down," he says.

TRADE POLICY WITH JAPAN

Mr. MURPHY. Mr. President, the close relationship between California and Japan is nowhere more evident than in the field of trade. California agricultural products find a welcome place in Japan and Japanese industrial products find strong markets in this country.

At the recent meeting of the Agricultural Council of California held in Sacramento on March 4, 1969, the Honorable Bunroku Yoshino, Minister, Embassy of Japan, spoke to the leaders of California agricultural cooperatives on mutually profitable trade policies. He said, for example:

You men as leading agriculturalists can be proud of your growth record. Many of your nation's statesmen cite the great record of agriculture exports as one of your proudest national accomplishments. While your agricultural sales to Japan in 1968 were down slightly from the prior year they were the second highest on record, totalling approximately 900 million dollars. I know that we all share the belief that sales will turn upward again.

In view of the great progress being made in economic development in Japan, and the great importance of a satisfactory trade policy to American and particularly California farmers, I ask unanimous consent that the entire text of Mr. Yoshino's remarks be printed in the RECORD.

I invite particular attention to the portion of Mr. Yoshino's remarks which deals with the import restriction bills which have been offered in Congress during the past few years.

Of course, numerous considerations are involved in this matter; therefore, I find it encouraging to find that Mr. Yoshino recognizes these factors and realizes that they are concerns which must be dealt with. It is my hope that such understanding can lead to solutions of certain problems which will do away with the need for any restrictive legislation.

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

REMARKS BY MR. BUNROKU YOSHINO, MINISTER, EMBASSY OF JAPAN, BEFORE THE AGRICULTURAL COUNCIL OF CALIFORNIA, SACRAMENTO, CALIF., MARCH 4, 1969

It is indeed an honor to appear on your program and speak to you today on a subject of vital importance to all of us—the potential for agriculture in Pacific area trade.

As a diplomat assigned twice to Washington, D.C., I have had several occasions to fly over the State of California. But this is the first time I have had the opportunity for a real visit in the Golden State. California is known to us as a state with a rapid growth rate comparable to that of my own country.

We have many things in common and that makes me feel at home here. Indeed, Wakamatsu, a short distance from here, founded as a center of Japanese immigration, will be holding its centenary celebration in June. I, as a national of those immigrants' mother country, should like to pay homage to these people, whose contribution to the vitality of this state has enriched both our countries.

This prosperous atmosphere on the West Coast, and especially in the State of California is the basis for my reflections on the potential of trade in the Pacific Basin.

The two-way trade between the United States and Japan has continued its unparalleled growth, with your sales to us exceeding 3.5 billion dollars and our exports to you slightly over 4 billion dollars in 1968. As a result of the uninterrupted period of fast growth in the American economy, Japan in recent years has reversed the traditional trade balance and enjoyed a surplus.

But it is becoming increasingly apparent that trade in the Pacific Basin cannot be viewed in a bilateral context. As an illustration, we all recognize that American investment is developing resources in Australia that are used to fuel the industries in Japan that supply American consumers with products made on American machinery by Japanese workmen who feast on American agricultural products.

Let us focus on the agricultural sector of this trade. The volume and growth of this trade is determined by U.S. supplies and sales efforts, by changes in Japan's own agriculture sector, and by the trade policies pursued by both our countries.

You men, as leading agriculturalists, can be proud of your growth record. In fact, many of your nation's statesmen cite the great record of agricultural exports as one of your proudest national accomplishments.

While your agricultural sales to Japan in 1968 were down slightly from the prior year, they were the second highest on record, totalling approximately 900 million dollars. I know we all share the belief that sales will turn upward again.

I believe it significant to note that these sales to Japan are equivalent to 32 percent of all U.S. exports to my country.

Corn and soybeans showed substantial gains. Wheat, grain, and sorghums, and raw cotton fell off somewhat.

One of the many interesting things I have discovered about the United States is the pride in which you hold your communities and your states. That is why I am sure you are well aware that California is the nation's leading exporter to Japan. Indeed, I was impressed to learn that eight out of the top ten agricultural income-producing counties in the whole United States are located here in California.

I think it is particularly significant that a major share of the cotton exported to Japan comes from California. It is one of California's major exports, returning some 65 million dollars and ranks third in the State's

foreign sales after fruits and vegetables at 114 million dollars and rice at 67 million dollars.

This performance has been supported by a strong sales effort, including the continued visitation to Japan of U.S. technical trade missions in the agricultural field. Certainly, the increased competitiveness of the world cash markets is a signal for all sellers to be keenly aware of the influence of quality, grade, dependability of supply and delivery, and the many other factors which lead to satisfaction and trade growth between buyer and seller.

Your sales efforts, of course, must take account of the fundamental nature of Japan's agricultural sector, and the Government policies and technological changes that affect that sector. A similar broad view was taken by the Commodity Price Stabilization Promotion Council in its recent report to the Prime Minister in reference to measures my Government should take to stabilize domestic food prices and to increase productivity of Japanese agriculture and fisheries. The central theme of the Council's report is that Japanese agriculture, production, and trade policy must reflect consumer interest as well as the interest of the farmer.

This report was made in the context of a rapidly changing situation in Japan. The average Japanese urban household spent 38 percent of its monthly income for food in 1966. While this was an improvement of 10 percent compared with a decade earlier, I believe you can see the great opportunity for further development when you compare this with the 18 percent spent for food by the average wage earner here in the United States.

We are most pleased at the tremendous improvement in the quality of the Japanese diet. Even so, the major portion of Japanese food is of vegetable origin with animal foodstuffs accounting for a small percentage of the calorie intake. While intake of meat has increased nearly fourfold in the last two decades, our per capita supply of meat is still only about 1/13 of that in the United States. During the same period, our increase in consumption of eggs has been six-fold; milk and dairy products, ten-fold; citrus fruits and tomatoes, four-fold; and that of other fruits, more than double.

Consequently, you can quickly see how the logistics of the Japanese market provide excellent opportunities for increasing the sales of agricultural products from the United States and from California in particular.

All these developments must take place within the context of Government policy in both the United States and Japan. The report to the Prime Minister I referred to a moment ago pointed out that the liberalization of agriculture import policy could be an impulse toward improving both the efficiency and total production of Japanese agriculture. Food imports not only help stabilize prices by easing supply-demand pressures, but also tend to increase domestic efficiency.

Japan has, in fact, liberalized more than 90 percent of its trade; and we have strongly supported tariff cutting negotiations under the General Agreement on Tariffs and Trade. Nonetheless, we still have over 100 items on the so-called residual import restriction list, which is the source of a growing controversy not only among our trading partners but in Japan as well.

Many of the items on the list are unimportant to you but there are others such as fresh grapefruits and oranges, and lemon juice and tomato juice and beans. These are of immediate interest to you and you deserve my candid appraisal of the situation.

Why, you must ask, in the face of the obvious benefits of liberalization, is Japan still hesitating to open up her market to these relatively few imports? The answer would involve the whole long history of Japan's economic development, a success story in

hindsight, but by no means an easy and comfortable process along the way.

In short, this past development was accomplished mainly through Government control and leadership, and, in spite of having started late in industrialization, in spite of a shortage of capital and technical know-how, and in spite of tremendous efforts lost or wasted in war and defeat. Thus, the tight-knit control and leadership, the isolation from the prosperous markets of Europe and America, the access only to surrounding markets less developed than our own, and most importantly, the belief that a policy successful in the past was adequate for the future—all these contributed to a psychology of protectionism in Japan.

With the emergence of Japan as the third largest industrial power, this psychology has been eroded but not completely displaced. Given the vested interests and involved relations of agribusiness and industry, politics and bureaucracy, it will take more time for Japan to fully and effectively embrace the dictates of liberal trade throughout our economy.

But we shall accomplish this, and the only question is one of timing.

For industrialization and urbanization are proceeding at a ruthless speed in Japan. More and more labor forces are being drawn to industrial centers and more and more farm population is attracted to urban life. This is a familiar phenomenon for you. For us, when combined with the rising standard of living of all our people, it cannot help but immensely increase our requirements for agricultural products from abroad. Therefore, it is quite reasonable to believe that Japan will pursue a liberal policy that will enhance our already favorable market for your agricultural supplies.

I hope I am wrong but I do not believe we can see such an optimistic direction in U.S. trade policy. In returning to this country after two years' absence, I was surprised and disappointed by the rash of import restriction bills being presented to the Congress. Limitations, in one form or another, are being sought on virtually all major Japanese exports to this country.

Bills are even being introduced in Congress to further cut back steel imports, even though the Japanese and European steel industries already agreed to substantial cutbacks under severe pressure from protectionist interests. Elaborate reasons were put forth to justify the limitations in what was characterized as the "special" steel situation.

But no sooner was the ink dry on that "voluntary" agreement than your Government announced the intention of seeking another so-called "voluntary" agreement, this time in textiles.

Let me make it quite clear that we do not automatically and without any examination condemn any and every suggestion for orderly adjustment in international trade. And it is not solely from the viewpoint of Japan's export interests that we find the plea for additional protection for textile and apparel to be completely unjustified.

An exhaustive and comprehensive report by the U.S. Tariff Commission, released last year, concluded that the U.S. textile and apparel industries "enjoyed a period of unparalleled growth since the early 1960's." To bring that up to date, the U.S. textile industry's sales increased by 11 percent and its profits by 45 percent for the first three quarters of 1968 compared to the same period in 1967. Similarly, the apparel industry's sales were up 10 percent and profits 28 percent.

A point that must be clearly understood, I believe, is that the so-called "voluntary" agreements are burdened with the same liabilities as mandatory quotas. And this is true with respect to both the exporting country and the importing country. For example, is consumer choice limited any less or price competition weakened any less because im-

ports are excluded from your market by "voluntary" rather than mandatory agreements? In short, we must not let these semantics blind us to the equally bad effects of quotas, however imposed.

Of particular importance to those of you here are the effects of U.S. restrictions on trade policy in Japan. I said earlier that there is no question that we will achieve liberalization on items of interest to you: the only question is one of timing.

The position of those in Japanese Government and industry who wish the liberalization to be sooner rather than later is undercut by protectionism in the United States. I am sure that you can understand this just as we recognize that restrictions in Japan are used as an excuse by those seeking protection in the United States.

Therefore, it is evident that for us to achieve growth in agricultural trade in the Pacific area, it will be necessary to work together to maintain and expand liberal trade policies in the area.

In this context, you and your fellow agricultural leaders throughout the United States have a great responsibility for you have considerable influence upon the course of events in this country.

Last October, I had the opportunity of addressing the National Association of State Departments of Agriculture at its annual meeting in Sun Valley, Idaho. I had the pleasure of meeting there your distinguished Director of Agriculture, Richard Lyng, who you have contributed to the National Government where, as Assistant Secretary of Agriculture, he will be directing efforts to tasks of not only commercial value but also great humanitarian significance.

During that Sun Valley meeting, I closed my remarks by thanking directly "those United States agricultural interests that have worked so hard to prevent the imposition of arbitrary restrictions on our trade." I would like again to extend my thanks to those here today and to those organizations that work so hard for the growth of trade.

This is a time of difficulty in trade policy. Let us approach this time with foresight, so that in the years ahead, we will look back and see how our steadfast adherence to the policies of growth was after all the wisest course for those on both sides of the Pacific to follow.

I thank you.

**DWIGHT DAVID EISENHOWER—
POEM BY VIRGINIA LOUISE DORIS**

Mr. PASTORE. Mr. President, supplementary to the remarks that I made on the floor of the Senate yesterday in tribute to our beloved former President, Dwight David Eisenhower, I ask unanimous consent to print in the RECORD at this point of my remarks a very lovely poem written by Virginia Louise Doris, of Rhode Island, on the occasion of President Eisenhower's second inauguration.

It exemplifies in beautiful language the spirit that this great soldier-hero brought to the Nation as a gallant and revered statesman.

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

WARRIOR

*(In honor of President Eisenhower's
inauguration, January 20, 1957)*

Stalwart breed, of freedom's dream,
A force imbedded far beyond
The blast of martial drum, bears in
Arms, a birth of manly strength.
Pattern, formed in bone of youth,
Springing to excessive courage
By his vision of country, fair and
Green; the American vista.

Sound the bugle, with its golden
Victory, for the heritage we share
Is proud, in its invincible plan,
Fulfilled by exacting balance.

The conqueror's blood flows fast, and
Heady, through a brave heart;
Never faltering at burden of duty,
Nor trembling in affairs of state.

Wisdom, matched by knowledge, and
Justice, is his role as he scans,
With sleepless orbit, the flux of tensions,
In this liberty-loving nation.

Salute, each citizen, our Leader!
March in solid affirmation, along
The adventurous road of future; spirit
Adame, this hour, in our soldier's honor!

VIRGINIA LOUISE DORIS.

GENOCIDE CONVENTION—EVERY HUMAN LIFE IS VALUABLE

Mr. PROXMIRE. Mr. President, in this age of technology and the computer we can lose sight of the value of a human life. When we speak of nuclear weapons systems, it is in terms of kill and overkill capacity—that is, how many millions can be annihilated at one time. It is asked which system can push past a mere 40 or 50 percent population extermination to one that can penetrate the enemy's defenses so well as to insure 70 percent destruction? Some speak of such mass murder of human beings in the same tone as they do a farm subsidy or a credit rate. When the neat charts are made, human lives are reduced to small red lines extending up just so many spaces.

For the 33,000 young men who have died fighting a war in Vietnam, a life laid down is too often just another number added to the total dead. It appears at times that the statistics are put in the newspapers for the apparent purpose of comparing favorably with the reported enemy dead for the week.

We hear that more than 6,000 people starve every day in Biafra, and too often they are just that—6,000 people and not 6,000 living, breathing, talking human beings. Mr. President, just what is a human life?

A life is the miracle of birth, the glee a satisfied infant brings to all who surround him, and the vivaciousness of a mischievous 10-year-old. As a child grows up, he begins to use his brain productively and makes a genuine contribution to his own society. And let us make no mistake—the life of one directly affects those of 10 around him.

Mr. President, we cannot afford to reduce a life to a mere number or a human being to a chart. The Genocide Convention of the United Nations seeks to guarantee the right to live for all people. It seems almost incredible, when we think of the value of a single human life, that the Senate has procrastinated 20 years in ratifying this convention. Therefore, let us delay no longer, let us look beyond our imagined objections, and let us at this time ratify the Genocide Convention.

UTAH TOPS NATION IN VOTING TURNOUT

Mr. BENNETT. Mr. President, I join with pride in saluting citizens and civic-

minded groups in Utah who last year worked to make our State tops in the Nation in voting percentage turnout.

The U.S. Bureau of the Census, in a newly published report, shows that 76.1 percent of the eligible voters of Utah went to the polls in the general election last year. This continues a great tradition which, since 1920, has seen the Beehive State lead the Nation in three presidential elections and be among the top three States eight times.

Voting citizens generally are good citizens, and we believe this holds true in Utah, where "patriotism" is a word still very much in vogue, and keen interest is taken in civic and political affairs at every level of government.

Potential voters who fall to exercise their precious right are, in essence, just as disfranchised as millions of persons abroad who live under tyranny and have no such option. Utahans understand this well, and both invite and challenge citizens throughout the Nation to excel the 1968 voting percentage high and thus strengthen the bonds of democracy.

An editorial published in the Salt Lake Tribune of March 29, 1969, details Utah's consistently high voting record. I ask unanimous consent that it be printed in the RECORD.

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

A BIG "BRAVO" AND "ENCORE"

It's always nice to be No. 1, especially when the effort is in behalf of a highly worthwhile purpose. And if the achievement is statewide, the satisfaction is that much more enhanced. Utahans can be proud their state ranks No. 1 in the turnout at last November's election.

The result became official this week when the U.S. Bureau of Census announced the ratings. In the 1968 presidential election, 76.1 percent of Utah's eligible voters went to the polls. That led the next best state performance, Minnesota's, by one-tenth of a percentage point. And the Democratic presidential candidate, Hubert H. Humphrey, is a longtime Minnesota resident!

Utah's record for voter turnout has been consistently good. Since 1920, the state has held the top spot in three presidential elections and has been one of the first three states eight times. Distracting from last year's otherwise high mark was the drop of 2.8 points from the Utah turnout in 1964.

Utah's 1968 record did not "just happen." Many public spirited groups and individuals worked long and hard to keep the challenge of voter participation alive and meaningful. They deserve special congratulations.

The most appropriate response to a success of this kind is the resolve to do even better next time. Every election, whether local, statewide or national, deserves the fullest possible participation by eligible voters. Even with 76.1 percent, there is still room for improvement. Utah is equal to the task.

DWIGHT DAVID EISENHOWER

Mr. BIBLE. Mr. President, I wish to add my own thoughts to the eloquent expressions of respect and admiration that already have been offered to the memory of General Eisenhower in this Chamber, across the land, and throughout the capitals of the free world.

Few Americans have ever served their Nation with the devotion and dedication of Dwight David Eisenhower. From the time of his early boyhood in Kansas, he

was totally committed to the perpetuation of the American ideal.

He was born to command. As a young second lieutenant leading a company, as a general leading the mightiest army in all history, and as a President leading a great people he was destined to shape the course of human events.

We admired him for his strength and wisdom and we loved him for his warm good humor and modesty. He embodied the highest of human virtues.

Few of us will ever forget the final words he spoke to his wife on the day of his passing:

I have always loved my wife, I have always loved my children. I have always loved my grandchildren. I have always loved my country.

Mr. President, that tender expression may well prove the most enduring memorial to a man who revered everything decent and noble because, instinctively, he was a warm and gentle human being with an infinite capacity for love.

The enormity of his contribution to the American people and to all the free nations of the earth can never be adequately measured. Perhaps it is enough to say that we are immeasurably in his debt, just as our children and their children and countless generations to come will be in his debt. Soldier, statesman, patriot—he left his imprint on the ages.

THE PUBLIC DEBT LIMIT

Mr. PEARSON. Mr. President, the Senate last week approved a measure to raise the public debt limit through fiscal 1970 from \$365 to \$377 billion and to provide for a permanent limit of \$365 billion thereafter. I believe this action was demanded both by necessity and by the public interest.

Without an immediate increase of this magnitude, the Treasury would have been forced to operate with a perilously small cash balance for the remainder of fiscal 1969. Had we not passed this act, our Government might have been forced by the operation of the previous limit to withdraw financial responsibilities already undertaken. Our operations in Vietnam, the farm program and public assistance grants to States are only some of the obligations that would have been imperiled had we refused to increase the debt limit.

Furthermore, the limit had to be raised during fiscal 1970 because we face an increased deficit for that period, using the realistic method of calculating the budget by excluding social security and other trust funds. Any surpluses in these funds are held in trust by the Federal Government and are not available to balance deficits in the administrative budget. Therefore, it is only realistic to calculate the budget without these funds; and by doing so, we are again faced with an increase in the national debt during fiscal 1970. I believe the American public deserves to have a straightforward picture of the Federal budget, in spite of deficits it might contain. Congress has acted to provide that such a picture will be available.

Finally, Congress has acted to bring down to \$365 billion the permanent debt

limit after fiscal 1970. This is a clear manifestation of the interest of Congress in real and continuing limitations on public spending in the future, and I am confident the administration will heed it.

THE WAR AGAINST POVERTY

Mr. WILLIAMS of New Jersey. Mr. President, ending poverty is an irreversible national commitment. America can and must provide to every citizen the fullest possible opportunity for a life of dignity and justice. In his final report on the Fair Labor Standards Act, former Secretary of Labor Willard Wirtz convincingly demonstrated that the act itself, if improved and strengthened—and extended to protect all workers—can be the best single weapon in the war against poverty. Organized labor's view on Secretary Wirtz's position was well expressed in a recent AFL-CIO News editorial. Calling attention to a decent wage as the most effective way to end poverty, the editorial quoted these salient facts from Secretary Wirtz's findings:

Poverty is erroneously identified, in loose thinking, with unemployment. . . . The number of people who have been out of work for more than five weeks is never more at any one time than about 1¼ million.

Yet there are between 22 and 26 million people living in this country under "poverty" conditions. This number includes family members, and so is not directly comparable with the unemployment figures. But even when the necessary adjustment is made, it becomes obvious that considerably more than half of those living in poverty live there not because the head of the family is unemployed but because he doesn't get a decent living wage for the work he does.

It is a conservative estimate that if every worker in the country received \$2 an hour for his labor, the number of people living "in poverty"—presently estimated at 22 to 26 million—would be more than cut in half.

I ask unanimous consent that the editorial, entitled "Wirtz Points the Way," be printed in the RECORD.

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

WIRTZ POINTS THE WAY

One of the final actions of Labor Sec. Willard Wirtz before leaving office was to file with the 91st Congress the required annual report on the operations of the Fair Labor Standards Act. That report may well go down in the annals of legislative history. It brushed aside all the rhetoric of the obstructionists and the "conventional wisdom" of the economists in a sweeping call for a universal minimum wage.

The characteristic that will mark the 1960s, Wirtz said, is the "national determination to eliminate poverty in the United States." While there have been "magnificent and incomparable achievements in this area," the job has not been completed, he said, and continued:

"I urge consideration of the view that the appropriate and feasible next step is to assure—through amendment of the Fair Labor Standards Act—that every person who works in this country receives at least enough for his labor to maintain himself and his family decently."

Spelling out the specifics of his proposal—full coverage of all workers and a step up to \$2 an hour—Wirtz directed the attention of Congress to the problems of the working poor.

"Poverty is erroneously identified, in loose thinking, with unemployment. The monthly unemployment figures show between 2 and 3 million people unemployed; and about half of them are just entering the work force (and are looking for their first job) or are between jobs and only briefly out of work. The number of people who have been out of work for more than five weeks is never more at any one time than about 1¼ million.

"Yet there are between 22 and 26 million people living in this country under 'poverty' conditions. This number includes family members, and so is not directly comparable with the unemployment figures. But even when the necessary adjustment is made, it becomes obvious that considerably more than half of those living in poverty live there not because the head of the family is unemployed but because he doesn't get a decent living wage for the work he does.

"It is a conservative estimate that if every worker in the country received \$2 an hour for his labor, the number of people living 'in poverty'—presently estimated at 22 to 26 million—would be more than cut in half."

Wirtz goes on to say that "there is significant coincidence today between the groups of people in this country who work at jobs not covered by the Fair Labor Standards Act and those who are still earning less than 'poverty-level' incomes."

His report notes that there is discussion currently of anti-poverty efforts to increase the incomes of the poor through a "guaranteed annual income" and a "negative income tax." He comments that whatever basis there is in any of these proposals "commands strongly a first step of seeing to it that when a person does work he gets enough for it to support himself and his family."

AFL-CIO Pres. George Meany noted that the Wirtz report and recommendations are "a fitting climax to his term in office. He is a compassionate man, a true humanitarian and his recommendations are a demonstration of those qualities."

Now it's up to Congress. If the drive to eliminate poverty is to have any meaning, Willard Wirtz's call for a universal \$2 minimum wage must become a reality.

NARCOTICS IN NEW YORK CITY SCHOOLS

Mr. GOODELL. Mr. President, a serious narcotics problem is plaguing New York City, and it is rapidly assuming the proportions of an epidemic. More than half of the known addicts in this country live in New York. Estimates of the number of "hard" drug users in the city range from 50,000 to 200,000.

Narcotics addiction in New York is not a new affliction. However, up to now, the Federal Government has stood idly by—studying the problem, recommending proposals for action, and then failing to act. New York State and New York City have had to step into this void, but they cannot do the job alone. Only the Federal Government has the enforcement powers and the financial resources to attack the root of the problem; to cut down on the supply of illegal narcotics and reduce the demand for drugs. I have recently proposed a five-point Federal narcotics program to launch this attack immediately.

One of the most tragic aspects of the narcotics scourge is its growing hold over children. A tremendous number of kids today are taking drugs and are on their way to becoming hardcore addicts. They are an easy mark for vicious drug pushers adept at exploitation. Junior and senior

high schools are literally becoming drug markets.

This situation in one New York City high school was graphically described by Joseph Alsop in the Washington Post on March 28. It is a story which probably could be told about far too many of our urban high schools.

Mr. President, I ask unanimous consent that the text of Mr. Alsop's article be printed in the RECORD.

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

ONE SCHOOL'S DRUG PROBLEM PREDICTS THE FUTURE IN CITIES

(By Joseph Alsop)

NEW YORK.—"Since we ran the pushers out of Hughes, maybe two in fifteen of the kids have given up heroin. All the rest are due to become hard-core addicts, unless they can find some sort of cure. And man, I'm talking about forty to fifty per cent of the kids in the whole damn school."

The tone, understandably, was a mite bleak, yet the horrifying sentences were uttered in the matter-of-fact manner that is normally reserved for such statements as, "It's raining today." The speaker was a handsome, earnest young black, Casey Sapp, who has left the Post Office to work in the New York high schools under the auspices of the Urban League and the Rockefeller Foundation.

Elliott Shapiro, the wise and gentle superintendent of the Southern Manhattan School District that contains Hughes High School, had arranged the meeting with Sapp, Robert Gales and a few more of the Hughes Streetworkers, as they are called. The surreal horror lay in the harsh fact that the young Streetworkers and Elliott Shapiro were actually telling a success story of sorts, in which they took quite genuine pride. It was the story of how they got the drug traffic out of the school building—"anyway 95 per cent," said the stocky, careful Gales.

"Man, you shoulda seen this place last January," said Sapp. "Why this school was known all over town as one of the best places to make a connection. The entrance vestibule was a regular dope-market, and the big pushers used to drive right up to the main entrance in their Cadillacs."

Three things have happened since then. Double sessions have been abolished by some transfers out of the school and by the opening of an annex by the hard-working school principal, George Shirkey.

The Urban League streetworkers have been given a quasi official status and a badge to indicate it, by authority of the Mayor. And, they have been provided with allies, paid for with money obtained by Shapiro from the Ford Foundation—tough young men recruited in Harlem, who have the main "security" duty.

"Security" may seem an odd word, in connection with a public high school, but at Hughes they use it all the time. Principal Shirkey explained that when his school opens at 8:30 a.m., all entrances are now guarded, all the boys and girls are now required to come in by the main entrance, and all must show identity cards.

"That way," he said, "we're now able to keep out all the outsiders—which means the dope pushers; but with double sessions, it was hopeless."

Two-thirds of the Hughes High School boys and girls come all the way from Harlem to West Eighteenth Street; for Harlem has been left with no high school of its own, in the name of desegregation. And, the Streetworkers and Elliott Shapiro were quick to admit that they had only expelled the dope problem from the school's front doors—"when they get home to Harlem, there it is

again, all around the kids," one of them said.

When the Streetworkers said that 40 to 50 per cent of the kids were "on" heroin—an estimate agreed to by Shirkey and Shapiro—they did not mean, of course, that they were already the hard core addicts that Sapp so grimly predicted they would finally become. They meant, rather, that they were already experimenting.

"Just for school kids," said Gales bitterly, "the damn pushers break the regular five-dollar bags down to two-dollar bags. Then four kids pool their lunch money—fifty cents apiece—and share the bag between them instead of eating lunch."

The Streetworkers further said—and Shapiro again agreed—that use of hard drugs in the schools is now a city-wide problem, though at its worst, perhaps, in Manhattan. One of the Streetworkers remarked that "the pushers we ran out of Hughes just went on to other high schools." And Elliott Shapiro sadly added, "or maybe to intermediate schools, for we're finding drug use at younger and younger ages."

"You gotta remember," Sapp added, "that the heroin pusher is probably the biggest man on the block, in the neighborhoods these kids come from. He's got the car; he's got the clothes; he's *somebody*, Man!"

So there is one part of the story of what can only be called the incipient breakdown of the public school system in this Nation's largest city. And remember, please, that New York merely predicts the future in just about all our other cities, in which 70 per cent of our people now live or work—unless something is done to change that future!

DWIGHT DAVID EISENHOWER

Mr. HOLLINGS. Mr. President, with the death of General Eisenhower, the Nation loses one of the great heroes and genuine leaders this century has produced. As a military leader, he provided direction when the free world demanded a calm and deliberate leadership. As President, he produced a stability which every American yearns for today. General Eisenhower truly put country before self and, in so doing, left a great legacy for those who direct this Nation today.

As Supreme Commander of the Allied Expeditionary Forces in World War II, as president of Columbia University, and as President of the United States, Dwight David Eisenhower exhibited an unequalled sense of duty that has been forever inscribed in our history and in the hearts of millions throughout the world. His record of public service will stand as an inspiration for those who believe in character and government. We shall all be better for the life of dedication he led.

GUIDELINES TO FULL EMPLOYMENT

Mr. TOWER. Mr. President, at a time when Congress and the executive branch of the Government are making serious efforts to promise full employment, I am seriously concerned with the situation just brought to my attention by one of the largest employment agencies in the country. A highly controversial guideline of the Equal Employment Opportunity Commission has disrupted the employment of this agency which has been trying earnestly to comply. The message I have received follows:

GREENSBORO, N.C.

We have complied with EEOC Advertising Guidelines in spite of general absence of compliance by other agencies or employers. Due to drastic drop in traffic from ads in neuter columns, if wholesale local enforcement is not immediate, we must for economic survival return to sex columns. Please help and either have this Guideline enforced, suspended, or repealed. Ironically the greatest drop in traffic is from normally female occupations as secretary, etc.

JOE D. KYLE,

Senior President, Snelling & Snelling of Greensboro, Inc.

PAUL B. GOEFORTH,

President, American Personnel, Inc.

The Equal Employment Opportunity Commission's guideline in question relates to the legality of placing help-wanted advertising under separate male and female headings established by the newspaper publishers for the arrangement of the classified advertising pages. This guideline has been challenged in the Federal courts by the American Newspaper Publishers Association and the Washington Evening Star. They contend that such classification of the help-wanted advertising is for the convenience of readers and actually benefits both sexes as well as employers and agencies such as Snelling & Snelling.

This experience of Snelling & Snelling seems to cast serious doubt on the wisdom of the Equal Employment Opportunity Commission's interpretation. I am bringing this situation to the attention of the Equal Employment Opportunity Commission and other Members of the Senate because of my great concern over any action of our Government which harms the employment efforts of those seeking jobs or those seeking to hire persons of any race, color, creed, or sex.

As evidenced by the telegram above, females particularly are not inclined to laborious searching through help-wanted ads which are, in the words of Messrs. Kyle and Goeforth, "in neuter columns."

Could it be that most individuals are unashamed of their sex and do not actually view the headings "Help Wanted, Male" and "Help Wanted, Female" as discriminatory, but only as a convenience? I think that definitely is the case.

DISAPPOINTMENT OVER FAILURE TO RESTORE MILK PRICE SUPPORT

Mr. NELSON. Mr. President, I understand that the U.S. Department of Agriculture has announced that the price support for manufacturing milk will be maintained at \$4.28 per hundred pounds for the marketing year, beginning April 1, 1969.

I am shocked by this refusal of the Secretary of Agriculture to increase the milk price support for dairy farmers.

It is especially disappointing that one of the first agricultural decisions of the new administration hits our dairy farmers in Wisconsin the hardest. The failure to restore the milk price support to 90 percent of parity authorized by Congress has the effect of depriving every dairy farmer of up to 30 cents for every 100 pounds of milk that he produces.

With production costs increasing by more than 6 percent over the past year, a

price support increase to 90 percent of parity was rightfully expected by all dairy farmers, especially those in Wisconsin who are entirely dependent upon the price support for the exact price that they receive for their milk.

Former Agriculture Secretary Orville Freeman faced a similar decision a year ago when the price support had dropped below the authorized figure. He did restore the price support to the full 90 percent of parity.

With the parity level now at 84 percent, conditions are no different than they were a year ago. Dairy farmers deserved the price support increase and the fact now that they will not get it is very disappointing for the entire dairy industry.

THE ROLE OF BUSINESS IN COMMUNITY DEVELOPMENT

Mr. JAVITS. Mr. President, late last year H. I. Romnes, chairman of the board of the American Telephone & Telegraph Co., delivered a most challenging speech on the role of business in community development. This lecture, sponsored by Colorado College under a grant by Shepard's Citations, was part of the H. Chase Stone Memorial Lecture series.

In his speech, Mr. Romnes emphasized the role which business must play in creating a sense of community in our urban society. In particular, he referred to the obligation of business to sponsor and encourage employee volunteer efforts and to train and hire underqualified people. I especially invite attention to Mr. Romnes' statement that:

Business has much to offer in management skills that can help solve administrative problems in educational systems and other municipal affairs.

I have long urged private enterprise to make available its managerial and technical skills in meeting urban problems, and I am pleased that so distinguished a leader of the business community has advocated this in a most forceful and persuasive manner.

I ask unanimous consent that this provocative statement be printed in the RECORD.

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

THE ROLE OF BUSINESS IN COMMUNITY DEVELOPMENT

(Inaugural H. Chase Stone Memorial Lecture by H. I. Romnes, chairman of the board, American Telephone & Telegraph Co., Colorado College, Colorado Springs, Colo., November 21, 1968)

(NOTE.—The H. Chase Stone Memorial Lectures are designed to promote and publicize the initiatives of private enterprise in community development in the tradition of H. Chase Stone's contribution to Colorado Springs, Colorado. The Lecture will be delivered annually by an outstanding man or woman, American or foreign, who by personal example has demonstrated that great social enterprise requires the best of enterprise private and public.)

Thank you for that generous introduction. I appreciate it. I also appreciate the honor of being invited to give the first of these lectures, although their general theme or topic—the role of business in community development—is not an easy one to discuss.

If I am conscious of that now, I can assure you I felt it just as keenly (or even more) some weeks ago, when I first really came to grips with the question of what I should say tonight. For at that time in New York, where I spend most of my days, we were even then in the midst of a school strike marked by strong currents of racial tension; while police and firemen, rivalling each other for higher wages, were also testing their muscle in planned slowdowns, "sickness" absences, and the like. The sense of community, in short, was notable mainly for its absence. And while some (yet not all) of the immediate crises have been patched over for the moment, the basic problems that provoke dissonance and threaten civic calamity are still very much with us.

I am unable, therefore, to discuss this subject in any spirit of bland confidence. I do speak, however, out of a deep concern and conviction that the re-creation of a sense of community is vital to our society; a conviction also that business must share in the responsibility for bringing this about.

What I have just said probably makes clear what I mean when I use the word "community." The dictionary defines it first as "a body of people having common organization and interests," and then says they may be people living in the same place or region under the same laws or regulations. However, the dictionary doesn't say anything about the community problem, which is to bring together the interests of people who live together. And it is this that I shall be talking about, with particular reference to big cities.

Many people today have a nostalgia for the small community where life seemed simpler and more pleasant. They deplore the loss of small-town values and regard the quality of life in the big, impersonal city as poorer and less satisfying. However, I do not think there is anything to be gained by being wistful about small-town life. There can be no doubt that we have become an urban society and that city influences predominate in our national life.

This point was strongly made, I thought, in a TV program sponsored by the Bell System a couple of months ago.

This was the first of three programs we are putting on this year under the general title, "The Ordeal of the Cities." The purport of this first one was that in their influence on people, cities really have no limits. For even in remote rural areas, much of our manner of living, the very quality of our lives, is shaped by the cities and the activities that center in them.

For example, the cars and highways and ships and planes that take us away from city streets are devised in city offices and factories. So too are the tractors and plows and seeders and harvesters that displace agricultural workers and send them off from the farms to the cities. And the arts and sciences that shape our culture are mainly generated under the stimulus of city life. There is a sort of centrifugal force that is born in the cities and that whirls ideas and artifacts outward—the propositions that engage us, our vocations and avocations, our homes and furnishings, our styles and tastes, our golf balls and our tennis rackets, the boots we wear when we walk in the woods to "get away from it all."

So—cities have no limits. They reach out and touch everyone. They mould our civilization with all its resources, its amenities, its perils.

One can also say, perhaps, that the true age of the city is over—that in the very process of urban expansion, many cities are losing their geographic identity; and further, that as city populations grow, they are more and more composed, not of an urbane citizenry, but of people to whom the urban experience is new.

This concept, however, simply emphasizes the need—and also the difficulty—of building the sense of community in the face of rapid technological and social change. It also emphasizes the most important aspect of the theme that cities have no limits, which I have not yet stated. This is that all of us, regardless of where we live, are not only beholden to the city for all its cultural and material achievements—we are also, every one of us, involved in the city's troubles. City problems are our problems—yours, mine, everybody's—and there is no escaping this.

We may agree, I take it, that the first civic responsibility of business centers in its economic role of organizing work and generating goods and services. However, this has been discussed so many times that tonight I shall just take it for granted and concentrate, as I have already indicated, on our effort to help ameliorate city problems and build the sense of community.

Where then shall such effort begin? Where can it begin?

I believe it can and must begin in the work atmosphere of the business itself. This must be of a kind that will nourish the sense of community among the members of the business. It must help to build among employees the vitality, the awareness of personal responsibility, that are the necessary foundation for community spirit.

Perhaps this sounds elementary. I emphasize it, however, because I do not think we in business can accomplish much in community development if business people do not have attributes of character and responsibility.

Must we not ask—

Do we really provide the sort of work atmosphere that helps people grow?

Do our business practices encourage the sense of responsibility?

Do we stimulate people to respond to common problems with interest and concern?

In the context of differences in race that have intensified problems of poverty, housing, and work opportunity—are we doing everything we can to foster a spirit of helpfulness and mutual respect?

And—most importantly—do the actions of the company as a company, toward meeting social problems, demonstrate its sincerity and reinforce its expectations of employees?

Now, I know of no business that would care to answer questions like these in a complacent spirit. Certainly the business I am in would not. And if I speak now of some of the efforts we are making, this is not to advertise the Bell System. However, in order to discuss areas of activity that I consider important I have to refer to examples with which I am familiar.

I have several kinds of activities in mind.

One is an expanding effort to redesign many jobs to make them more satisfying.

Another is the encouragement of voluntary community services by employees.

Another is the commitment to provide equal opportunity in employment and, beyond that, to hire, train, and develop men and women who are not qualified according to traditional or conventional employment standards.

These will bring me, a bit later, to discuss several aspects of what I consider the growing responsibility of business to exert management skills and influence to help solve urban problems of education, administration and planning.

The first activity, the redesign of work, I wanted to mention simply as an example of effort toward building human attitudes of lively interest and concern.

Let's face it—in modern industry many methods for organizing and supervising work do blunt the human spirit. Bureaucratic routines tend to take over. They take the joy out of life. They induce negative habits of mind and this is deadly.

So we have been doing a lot of experimenting to see if we can't load more personal, individual responsibility into a number of basic telephone company jobs—I mean jobs like selling service to customers, taking care of equipment in central offices, handling billing matters, and the like.

What have been the results so far? Well—better work, first of all. But underlying this, we are sure, is the fact that the people concerned have a much better feeling about what they are doing. Given responsibility, they enjoy measuring up to it.

Now, you may consider that this is fairly obvious and fairly simple. To that I would answer that it may be obvious, but we have found it far from simple. In fact, it is clear that to accomplish fruitful changes of this kind it is necessary to think radically about the way work is to be performed.

This then is what we are trying to do, in many different kinds of work situations. And in the course of—by now—quite a few such trials, the people deeply engaged have been persuaded that in one situation after another, the natural module of the work, as they call it, centers on the individual. They say:

Find out how to give each person a place, a customer, a set of customers all his own. Do not let the individual be lost in the generalities of group responsibility, group standards, group ratings. Bridge from the general to the specific, then let each person know how he is performing. Time after time after time, the results will be vastly rewarding.

Now, all work of course can not be enriched, all jobs can not be individualized. But—ever so many can be. And as I said, I report this effort as one instance of how alertness in management can help to build attitudes that are not only important inside a business but will also contribute to the quality of community life.

Let me turn now to the second kind of undertaking I mentioned a moment ago—that is, the encouragement and growth of voluntary services.

In a recent essay Professor Adam Yaromlinsky of the Harvard Law School comments on the value of such services in a way I find illuminating. He speaks of the modern complex system of urban society as making it difficult for many people, especially those who live in poverty, to find the services they need. In countless instances the services of volunteers are essential to help baffled people break out of the bounds of the system and find answers to deep personal need.

These voluntary services today, he also observes, are "at the opposite pole from the Lady Bountiful role of the social service volunteer of a previous generation. That role was an expression of privilege and inequality. The future service role is at best an expression of mutuality, or mutual recognition of human capacities and human needs. As urban society makes possible greater mutuality of service among its citizens, it enables them to fulfill their possibilities as men."

Admittedly there is nothing new in the theme of volunteer community service. However that doesn't make it any less important. In my view it is enormously important and I believe business leadership should do everything it possibly can to foster and encourage it.

In the telephone industry much of what is being done—although certainly not all—has been generated through a group we call The Telephone Pioneers. This is an organization of telephone people who have had relatively long experience in the business. There are now more than 300,000 Pioneers in the United States and Canada, including some 120,000 who have retired from active duty. They are well organized and the nature and extent of their volunteer services, which were established as a definite part of Pioneer activity about ten years ago, are becoming impressive.

The other day I was looking through a summary of this voluntary service during the past year or so and I couldn't help thinking that you too might be interested. Let me give you a bit of the flavor of it.

One activity is tutoring. Pioneers work with preschool children in the Head Start program. They tutor others in reading and arithmetic. They show youngsters unaccustomed to books how to use reference material. They give speech courses that help job-seekers gain confidence. They teach adults how to read newspapers and want ads. They conduct classes in grooming manners, handicrafts, and safe repair of electrical appliances.

In Denver Pioneers serve as lay probation officers. In New York they counsel Job Corps graduates on how to use their vocational training. In Washington they work with self-help committees trying to improve life in slum streets. In other places they repair toys, distribute shoes that make it possible for children to go to school, and collect old eyeglasses for redistribution.

Pioneers work in hospitals and nursing homes, where they take care of radios and electronic medical equipment, give shampoos and sets to physically handicapped children, put on shows, and make hospital gowns.

For retarded children, Pioneers make "self-help" articles that accelerate learning—toy animals, for example, that a child enjoys taking apart and buttoning together again. They have developed portable stop-and-go lights to help teach safety. They make devices that enable retarded and blind children to identify and count money. They teach vocational skills at workshops for retarded young adults. They take children bowling. They recondition ice-skates.

For physically handicapped children, Pioneers rebuild and install old telephone switchboards, which are wonderful tools for physical therapy. They design and build handrails, wheelchair trays, bed backrests, exercise ladders, walkers, mechanical page turners, looms and hobby horses.

In work for the blind, Pioneers maintain and repair 70,000 talking book machines each year. They also make records and since 1951 have produced more than 60,000 talking book records and tapes. Dozens of Pioneer groups have mastered the art of braille writing and each year fill requests that range from a play script to a sonata to a medical dictionary to calendars, cookbooks, and major league baseball schedules. Some of the braille books for children contain three-dimensional illustrations young readers can "see" with their fingers.

Many other projects might be mentioned—and other groups as well, for the Pioneers are not the only organization of telephone people to devote much energy to community service. I haven't touched on the civic responsibilities that people in business take on as individuals, for you are just as familiar with those as I am. The point I make here is that organization for community service, through associations of employees encouraged and in fact sponsored by a business, seems to add something significant. Aside from the benefit and exhilaration experienced by the volunteers themselves, when they are active by the tens of thousands the overall accomplishment is really very large.

And we can go further—quite a lot further. In fact, should not the company itself, the corporation, make people and facilities available, even at some considerable cost, when doing so helps to meet important community needs? I think yes, by all means. I shall say more about this later, in the context of what business management, as such, can do with respect to problems of urban education, administration, and planning, but a few comments now may also be appropriate.

For instance, when employee volunteers help students with their homework, should rooms in company buildings be opened as homework centers, if that will help further the project? I think so, yes.

And if the high schools ask our cooperation in developing safety programs for students, do we answer "Yes"? I think we do indeed.

Along these lines, looking over some current examples of community services that involve company participation, I find, for instance:

Organized liaison with area associations of school superintendents.

Partnership programs with schools and school systems that include counseling of students, combination work-study arrangements, furnishing substitute teachers when needed, modernization of adult education curriculums, and workshops that show the relevance of school work to careers.

Leadership in statewide research effort to improve highway safety.

Leadership in local and regional committees coordinating training and employment programs.

Participation in a community council on alcoholism.

Cooperative work in black communities to help independent small businesses get going.

Leadership, in cooperation with community agencies, in developing a "Suppliers Opportunity Mart" that recently brought 170 black businessmen together with representatives and purchasing agents of more than 50 corporations.

Organized clerical and janitorial assistance to local hospitals.

One Bell System General Manager sums up by saying, "Almost any group or agency connected with community development would contact us for aid, assistance, and counseling in its formative stages and well into the later stages of its development and functioning."

To this I might add one other comment: "I think any business can contribute something important to the community just by setting a good example in appearance, in maintaining its property well, in showing that it cares about doing all things well. The feeling for quality can have great influence: a good neighbor makes more good neighbors."

I come now to the vitally important subject of employment opportunity—in particular, opportunity for black people and, in this part of the country, Mexican-Americans, including many who are unable to meet the standards by which, in the past, applicants for employment have been tested.

Now, I think we are beginning to make some progress here. Many businesses, including my own, are greatly widening employment opportunities. In the Bell System, for example, we have committed ourselves to hire, during the next year or so, several thousand people who will need special consideration and training to qualify.

Certainly a meaningful job commensurate with ability is the backbone of community life. And the role of creating and providing jobs—organizing useful work that meets the needs of the individual and the community as well—this is the traditional and basic role that business has naturally performed.

But in the modern city, now and in the foreseeable future, we are faced with significant numbers of people whose skills are insufficient, or whose past conduct has made them ineligible for most jobs. I believe businessmen must tackle the problem of helping these people qualify to earn a living. I want to say too that projects we now have going indicate strongly that this can be done.

For example, the Western Electric Company some months ago organized a shop adjoining a ghetto area and undertook to employ and train several hundred underqualified people to work on simple assembly jobs.

So far, the evidence here, as in the case of other underqualified people employed by the telephone companies, is that most of them are able to make it. Quite a number have qualified for regular work in another plant and only a quarter or so of those hired have left, either on their own volition or because it became clear to the company that they couldn't make the grade.

Of course we wish that the loss or failure rate were lower. Yet the measure of success is still very considerable. In fact, I have a feeling that this particular candle will throw its beam a long, long way.

Efforts of this kind call for much patience and understanding. And we had better have plenty of both. I am struck by the acute necessity that all of us in business—managers and employees alike—should educate and adapt ourselves to the realities of opening employment opportunities to all conditions and races of men. I realize there is much more to the problem of building the sense of community than the breaking down of racial barriers. But if we do not succeed in this, all our efforts will be flawed—and some would say nullified. The experience of working together must, therefore, be fully exploited to help bring barriers down.

Actually I believe the shared work experience is doing this, step by step. This is a process of indescribable complexity and I do not want to overstate the progress made. Yet within my own business, recognizing all the difficulties that still persist, nevertheless it is impossible to look back over the last decade or so without recognizing that great change for the better has been accomplished. In saying this, I also want to make particular note of the fact that the unions in the telephone industry—unlike some other unions—have acted in a manner that has done much, in my judgment, to promote equal opportunity and, also, a growing sense of community among employees of different race.

The necessity to train underqualified people for employment emphasizes dramatically the great need for better education. For we must have people who can work effectively in the dynamic modern environment. Our whole future is wrapped up in the future of the cities and this depends on education of a quality and character that are relevant to changing city-community needs. It seems to me essential, therefore, that business should actively support efforts to improve education and it is no accident that several of the instances of community service that I have already mentioned are education-oriented.

I do not imply that business has special capacities for coping with educational problems. We simply share the well-nigh universal public recognition that the city schools, particularly, are beset by enormous difficulties. We know at first hand that grave problems exist and that their solution is critically important to the cities—and to us.

What then shall we do? What can we do to help?

This is by no means obvious. As I have said, we in the Bell System in recent years have tried to help the schools in modest ways. We have consulted with teachers and students—when invited to do so—on what is taught. We have given counsel and part-time instruction of students in topics related to communications. We have worked cooperatively with various learning resource centers, Bell Laboratories mathematicians, scientists and engineers have made considerable contributions, I believe, toward the development of modern curricula in the "new math" and also in physics and engineering. We have provided materials and teaching aids now widely used in high school science courses. Techniques in programmed learning developed at our Laboratories have also had useful application in teaching disadvantaged children. And we have of course participated, as citizens, on many school boards.

However, in the light of today's gigantic school problems in the cities, these activities hardly seem to have the kind of impact that is required. We are therefore wrestling with the question of how we can extend more effective help. And as we move into closer and closer association with school authorities in many cities, we are more and more struck by the tremendous opportunity to apply management skills to administrative problems.

Certainly administrative skills alone will never solve educational problems. On the other hand, school systems today are beset by the overwhelming difficulties of teaching new millions of children who bring with them all the handicaps born of poverty—and when school systems so confronted are also plagued by monumental administrative difficulties, their ability to carry out their fundamental responsibility is seriously threatened. Good educational performance can hardly be expected.

Now, I do not suggest that managers in business are inherently smarter than administrators in public education and in other civic and municipal departments. I am saying however that we in business management have experience and skills to offer that could be of great value and just might be of decisive value. I am saying also that in my judgment we have a responsibility not merely to offer our help but to urge its acceptance.

I reflect for example on what might be the impact on a big-city department if a team of purchasing agents from the major corporations in the area were put in charge of purchasing methods for, let us say, one year.

I wonder what a team of cost-reduction engineers might accomplish if, over a suitable period, they were invited to analyze construction procedures.

And what would happen, I wonder, if payroll and other disbursement procedures were put in the hands of the banks?

Now someone will say, "But think of the political problems!" I haven't forgotten those. Nor do I minimize them. And I shall say something about them before I finish. But first it is necessary to point out that in order even to think about business putting its skills at the service of the cities, business must be willing to make skilled people available. It must say outright, "We will lend them." And government, in my view, must also recognize the need for such action, and its public value, and take this into account when it comes to matters of taxation, regulation, and the like.

In my business we have seen a few beginnings of the kind of enterprise I am suggesting here. For example, a telephone company lends people to analyze the administrative routines, the paper and work flow, of a large high school. Another telephone company, jointly with another corporation, lends people to help improve administrative techniques throughout a municipal school system. In addition, this same team has been introducing to school administrators training in "participative management," so-called—a technique for bringing together people at different levels in the organization, improving communication among them, and making the best use of administrative time.

In sum, I seriously suggest that business skills not only can but should be used to help pump life-saving innovations into the procedures of municipal government. To quote from an interim report on the project I have just mentioned, "Education is big business. The art and science of management have applications in this as in any other enterprise. By equipping school administrators with practical management skills, we can help promote the businesslike operation of the community's biggest business."

With regard to business participation in urban planning, I shall simply say that in my estimation there ought to be a lot more careful planning and also more participation by business to help bring that about.

Planning of course is no substitute for action. We can't put out today's fires by simulating how we would prevent tomorrow's. Nevertheless, if we are to find a reasonable road to a decent urban life for most people, it seems to me we have to make better plans for the future than we have made for the present.

We have such a tradition of individualism in this country that planning, with its implication of systems and situations that require some conformity, tends to be looked at askance. The fact that we wander into unplanned constrictive systems, where a little better planning might have produced more freedom for more people, is forgotten.

The aim of planning in my judgment is certainly not to prepare some technological brave new world in 1984. It is the human condition that concerns us. But today we do have better instruments for measuring future alternatives than we ever had before and if we do not use them to measure and weigh we shall have missed a great opportunity. At the risk of sounding over-paradoxical, I could say that the opportunity is perhaps to use some of the sophisticated techniques technology has given us to help prevent future technological disasters—such as, for example, the current disaster of city traffic jams.

In my view business should support and in fact press for more effort of this kind. It should do this so far as possible in concert with government, labor, and the academic community. Urban coalitions, while not limited to planning activities, can contribute to their effectiveness and business participation is essential to whatever success the urban coalition movement can achieve.

The involvement of trade association is another potential means for progress. Regarding them, Mr. William C. Stok, chairman of the Committee for Economic Development, recently had this to say:

"All we have to do," he said, "is turn them around: convert them from defenders of the status quo into instrumentalities for collective action in the public interest."

That may prove to be quite an order. Nevertheless it points in the right direction. I would think the trade associations could do a lot, among other things, to help foster intelligent long-range planning. Not, be it said, just to make the world and the city a better place for this business or that business, but a better place for everyone.

Still another avenue for business encouragement of intelligent urban planning is offered by independent institutes and by university projects as they develop. I think business should interest itself in these efforts and help to suggest opportunities for useful work.

Now I am almost at the end of my story. But there is one more point. I have said in substance that there is considerable public business that needs better management and that the skills of private business ought to be more engaged to help bring that about. But the management of public business is far more difficult and complex because the problems are not merely managerial—they are also political.

City after city suffers from the power struggles of separate groups. Each is intent on its own interest and the capacity for pursuing segmented and sometimes conflicting objectives outruns our human ability to bring them together.

Also, the very machinery of city government is often beset by the traditions of vested political interests. If business is really to make a contribution, therefore, it cannot do so by being—what shall I say?—naïvely managerial in its approach. It must also be political and not fear to take political positions.

The movement for urban coalition is one avenue. In this, I believe, business can and

should take an active part—not as a means of trying to resolve problems on its own terms, but to help bring together people who hold genuine influence in all the main sectors of civic life; who can, therefore, reach decisions that will be respected and will permit true leadership action.

I doubt however that coalition efforts will be the full answer. It will also be necessary for business to take positions flat out. If we believe in a housing bill, or a school bond issue, or something else, whatever it is, let us say so—and let us push for it. And if we don't believe in it, let us push against. But always the criterion must be, "What do we sincerely believe will best serve the community welfare?"

Now, in summary, I have suggested that the first requirement on a business that seeks to contribute to the quality of community life is to foster personal growth and the sense of responsibility among its own people; that business should sponsor and encourage employee organizations that are concerned to render voluntary services; that we should do all we reasonably can to train and hire underqualified people; and that we should exploit the increasing experience of work shared among people of all races and ethnic origin to help minimize aspects of discrimination throughout the community.

I have also emphasized that company commitment to help meet urban problems is vital. I have indicated that in the Bell System, problems of education are among our first concerns. I have suggested that business has much to offer in management skills that can help solve administrative problems in educational systems and other municipal affairs. I have urged business support of qualified projects in urban planning. Finally, I have asserted my belief that business should take clear-cut positions in community affairs, not only in coalition movements but also independently when it is judged that the community welfare requires it.

Please let me say in conclusion that I am grateful indeed for the opportunity that this occasion, and your patience, have given me to review some of my concerns. Thank you.

DWIGHT DAVID EISENHOWER

Mr. JORDAN of North Carolina. Mr. President, I share with a grateful nation and the entire free world a deep feeling of grief and loss in the death of Gen. Dwight D. Eisenhower, in every sense a great and gallant leader in war and a distinguished and revered President in the years of peace which he did so much to win.

As one privileged to serve in the Senate during the closing years of his administration, I came to know and respect him for his warm humanity, his insight and perception of people and problems, and his unwavering dedication to his country and its welfare.

Although we were of different political parties, I found myself during those years in frequent agreement with his policies and proposals primarily because they seemed so attuned to American traditions, ideals, and goals on which the country had been founded and which had brought it to its position of world leadership.

One of the things most often said about General Eisenhower by those seeking to detract was that he lacked political skill. This may in a sense be true, but I think it was one of the greatest sources of his strength rather than a weakness in his armor.

I think it was the very fact that he was not regarded as a master politician that best explains the trust, belief, and loyalty which he inspired not only among his fellow countrymen but in much of the rest of the world.

The "I Like Ike" slogan which served as the trademark of his campaigns was not just a catchy phrase. It was true to a degree seldom matched in the history of electioneering.

People did, indeed, like Ike. They liked him for his honesty, his courage, his integrity, his humanity and his simplicity.

They liked—even loved—him through two terms in office and the more than 8 years which ensued after he left the White House and there was more than ample proof of that in the outpouring of a world's genuine sorrow in his passing.

The general once told a London audience that "I am from the heart of America."

And whatever other verdict history may render, it will say that is where he remains enshrined.

COMMISSION ON TAX SHARING

Mr. NELSON. Mr. President, last week I introduced proposed legislation to create a commission to study proposals for Federal-State tax sharing.

I have obtained the most recent available figures of tax receipts in my State of Wisconsin which show the need to set up a commission. In 1964, a total of \$1.246 billion was collected in State and local taxes. By June 30, 1968, this had risen to \$1.758 billion. In each of the past 3 years the State and local taxes rose by over 10 percent over the previous year. Federal taxes collected in Wisconsin rose from \$1.9 billion in 1964, to \$3.079 billion in 1968. Property taxes levied by school districts, municipal taxes transferred for school purposes, and State aids for local schools totaled \$824 million, or 47 percent of the tax receipts.

The current gross national product of close to \$800 billion is expected to rise to almost \$1,476 billion in 15 years. Government spending will increase by 86 percent. But while Federal spending is estimated to rise only 33 percent, State and local expenditures will increase by 142 percent. New ways must be devised for State and local governments to be financed if our system of government is to continue in its present form.

This incredibly complex issue must be studied at length, and the various proposals analyzed before Congress can take any action. Such a study can best be accomplished by a tax sharing commission.

I ask unanimous consent that an excerpt from a report by the Advisory Commission on Intergovernmental Relations be printed in the RECORD. The excerpt describes briefly some aspects of tax sharing in foreign countries.

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

FOREIGN EXPERIENCE WITH REVENUE SHARING
Several foreign countries have used the general support device and the same general considerations (equalization and local re-

sponsibility issues), were also relevant issues abroad. The lessons of foreign experience, however, are not clear-cut and therefore may not be of general applicability to the United States either now or in the future. Nonetheless, one of the more general findings that does emerge rather strikingly, is the adoption of the income tax as a revenue source for the central government, thereby shutting off or constraining its use by lower governmental levels. This situation of fiscal imbalance, therefore, generated pressures for devices to channel money from the Federal to the State sector involving the complex political problems of creating a sharing arrangement acceptable to several competing governmental units. In India, however, tax sharing avoids this political confrontation, since this is written into the Constitution, with a statutory body—the Finance Commission—appointed every five years to determine the actual tax shares for each region or State.

Although the tax sharing debate in the United States is most generally linked solely to the sharing on the individual income tax, the general support programs of both Canada and Germany include additional taxes as well. In the latter, for example, the corporate income tax is also shared between the Federal and State governments and the 1966 Commission on Financial Reform recommended including also the turnover tax (a sales levy on successive stages of production) as well as the gasoline tax, provided the State use the receipts only for urban road construction.

By and large, equalization has been the objective of tax sharing arrangements in other countries. Canada goes quite far in this direction, providing grants in the amounts necessary to bring the per capita yield from the various taxes included in the base up to the average level in the two wealthiest Provinces. Germany also has equalization features built in to its system with the interesting feature that States are obliged to grant a part of their receipts to municipalities; this share, however, is determined by State—rather than—Federal law.

The experience in India is different. Although some attention is given to equalization, the results are rather mixed because some of the taxes that are returned are done so on the basis of origin of collection. Thus, the more efficient tax administration powers of the Federal sector are called into play specifically. Some observers read the past experience in India as a demonstration that under tax sharing, State governments do not seem to make an adequate tax effort or carefully scrutinize their public expenditures, and that tax sharing obligations tend to erode the counter cyclical powers of the central Government.

NAVAHO COMMUNITY COLLEGE

Mr. FANNIN. Mr. President, on January 20, as President Nixon took his oath of office signifying the orderly change of the political administration of our country, a significant event was also taking place on the Navajo Indian Reservation at Many Farms, Ariz. January 20 marked the opening of Navaho Community College, an institution without peer in America. That date initiated a new concept in education, bringing community college classes to the Navajo people for the first time on their own land. It is a great tribute to the Navajo people that they undertook the creation of this college themselves.

Navaho Community College is the first institution of higher learning ever located on an Indian reservation and the first to be controlled and operated by an Indian tribe. Its regents are members of

the Navajo tribe. It fulfills a dream held by the Navajo people for decades.

As early as 1959, members of the Navajo Education Committee were considering the possibilities of a junior college for their reservation. That such an institution was needed was clearly evident. The Navajo Reservation, comprising some 25,000 square miles in three States, was home to over 100,000 Navajos.

The land contained great productive potential but was largely undeveloped. The Navajos, long famous for their weaving, stone and metal craft skills, were generally poor, uneducated, and unemployed. Job opportunities were scarce and job skills less prevalent. Many inhabited areas of the reservation were practically inaccessible during long periods of each year, and numerous Navajos spoke no English. While American prosperity avoided the Navajo people, the Navajo birthrate was running double that of the rest of the United States. One Navajo out of 100 who graduated from high school was going on to college.

The Navajo Tribal Council was out to reverse that devastating trend, and by the early 1960's had set aside \$10 million in a trust fund so that Navajo high school graduates might go to college. While this fund greatly aided Navajo college students, the \$400,000 interest generated annually is clearly inadequate to meet the tribe's present needs. Last year some 550 students received scholarship money from the tribe. But thousands of other eager college aspirants were deprived of any post-high-school education because of the lack of sufficient financial resources. It is estimated that by 1972 the number of high school graduates on the reservation will exceed 3,000 students per year. The present figure is about 1,600 per year. Navaho Community College is a vital institution for its young Navajo students who might otherwise be prohibited from pursuing a college course of study.

In 1965, when OEO money was made available to the Navajo community action project, a detailed study of the proposed junior college was made possible for the first time. The tribe, in cooperation with Arizona State University, decided that a community college in the Window Rock-Fort Defiance area was the best location. Window Rock is the capital of the Navajo nation, the center of its tribal government, and the hub for many Federal activities which serve the reservation, including the Bureau of Indian Affairs and the Public Health Service. This geographic area, it was felt, would provide the greatest potential for educational programs due to expanding job opportunities in the vicinity.

The tribe rejected suggestions to seek location of a junior college for Indians off the reservation. The Navajo population, approaching 125,000, has over 40,000 children attending school on the reservation. Yet the closest college facility is in Flagstaff, many miles away, and life at the other State Universities located in the Phoenix and Tucson areas is completely foreign to anything most Navajo

youngsters have ever experienced. The Navajos love their land and most want to remain and live on the reservation. It is their home. Their desire is to live in harmony with nature and their fellow man in the community of mountains, painted desert, forests, and beautiful landscapes. These factors have led the Navajo Education Committee to the conclusion that a college on the reservation would be best for the people. The potential of the reservation must be developed, and it is expected that location of the college on the reservation will greatly generate and enhance economic and social progress for the Navajo community.

Mr. President, Navaho Community College is a prototype of the schools that must be developed to serve the disadvantaged minorities of our country. The college is a model of curriculum innovation. It offers both terminal and transfer courses, catering to the unique needs of the Navajo people. The curriculum is designed to meet individual needs, and programs have been developed to assist both English and non-English speaking students, high school graduates, and high school dropouts, and students who transfer from other colleges and universities. The college offers classes both day and night in order to reach as many people in the Navajo community as possible.

The curriculum presents the Navajo viewpoint in courses such as history, anthropology, philosophy, political science, and sociology. Courses in Navajo culture and language are designed to help the Indian student understand who he is, where he is going, and why he ought to be proud of his place in society. Because of the English language deficiency among many Navajo students, English language and literature are an important part of the curriculum. In addition, business and management skills, vital to development of the reservation's economic structure, are stressed.

Besides the academic programs offered, a full range of vocational-technical subjects and arts and crafts classes are being taught. These are open to students who did not graduate from high school; and even those Navajos who never attended school at all. Industries on and near the reservation are cooperating with the Navaho Community College to develop meaningful, practical job training courses. Students following this course of study advance at their own pace.

The college has developed a National Indian leadership training program, with an advisory board of Indian leaders throughout the country, including Mrs. Fred Harris, Cato Valandra, Roger Jordan, Jimmy Hend, and others. The board's purpose is to encourage outstanding Indian youth to attend the Navaho Community College for the 2-year leadership program prior to transferring to a 4-year institution to complete their undergraduate training.

Navaho Community College presently enrolls 300 students and is temporarily occupying the facilities of a Bureau of Indian Affairs high school at Many Farms loaned to the tribe through the end of the 1969-70 school year. For the

300 available spots, 5,000 students wanted to enroll this year, a further indication of the great need for an institution of this type on the reservation. The present enrollment includes students from 10 different Indian tribes, including a few Anglo students. Approximately 10 percent of the students are non-Navajo. The school is coeducational.

The Navaho Community College has sought accreditation, and has already received correspondent status by the North Central Association of Colleges and Secondary Schools. In 3 years the college will be ready for the next step toward full accreditation. In addition, the three State universities, Northern Arizona University, Arizona State University, and the University of Arizona, have given assurance that credits will be transferable.

The board of regents, established by a resolution of the Navajo Tribal Council, is comprised of five at-large members representing the five agencies of the reservation, as well as the Navajo tribal chairman and the student body president of the college. The regents make all major decisions regarding the college, including hiring of staff and instructors, operation, and admission standards. I have personally met with each of the gentlemen who sit on the board of regents, and am very favorably impressed with their capacity and skill to govern the affairs of the college.

Operational expenses, some half-million dollars for the current fiscal year, come from two principal sources: OEO, which has contributed \$450,000 this year, and the Donner Foundation, with an initial donation of \$60,000. The Navajo Tribe will soon vote on a resolution to contribute \$250,000 annually for operational expenses. The tribe has also donated 2,000 acres for a permanent college site, as well as 500 additional acres at Many Farms for an agricultural program. The value of these lands have been appraised at \$350,000.

The board is now undertaking an aggressive campaign to solicit construction funds for the permanent college facilities at Tsaile Lake, a beautifully wooded, rolling area north of Window Rock. Architects roughly estimate that permanent facilities accommodating 1,500 students will cost \$13 million. These facilities would include administration and classroom building, a science laboratory, an auditorium, a gymnasium, student center, vocational-technical shops, dormitories, and a Navajo Culture Center, which will be the hub of the campus. In addition, funds are being sought for scholarships, endowed chairs, vehicles, and library materials.

The initial results of these solicitations are most encouraging. The Donner Foundation is making available \$100,000 for next year, and a recent gift from Mrs. Henry Moses of \$50,000 for library materials has been matched by the Donner Foundation. The Navajo Tribe will provide \$70,000 in scholarship aid for 1969-70, and many private businesses have indicated their intent to contribute to that scholarship fund. OEO has made a 3-year commitment of operational expenses of approximately \$450,000 per

year. The regents have approached numerous industries and foundations for contributions to the construction of the permanent facility, and are optimistic that at least \$2 million will be pledged from these sources.

The regents are also currently negotiating with organizations such as FHA, HUD, and EDA for development loans for low-cost housing for faculty and staff. Private investment capital is being sought for the development of a shopping center near the college.

Mr. President, the young history of Navaho Community College is already a magnificent success. It is a tribute to the Indian people as to what they can accomplish when given the opportunity. As the college's first president, the noted educator, Dr. Robert Roessel recently stated:

Many people feel that the Navaho Community College is perhaps one of the most important things that ever happened in terms of growth on the Navajo Reservation.

These are very compelling reasons for the continuation of his vital institution and the construction of a permanent college facility.

Construction of a permanent facility at the Tsaile Lake site is the most pressing immediate need. There will simply be no place for the college to go once it is dispossessed from the Many Farms location, which will be in June 1970. In order for a new facility to be available by the fall semester of 1970, construction of the new buildings must begin this year. The Navajo Tribe is currently supporting the college to the maximum possible extent of its financial ability. While private contributions are being received in significant amounts, it is highly doubtful that these funds will even approach the amount needed to construct the permanent facility. Federal financial assistance is necessary.

The Federal Government has had primary control over the education of our Indian people for many decades. Yet as late as 1968, no college facility existed in this country which catered specifically to the unique needs of Indian students. The Navajo people, through their own initiative and hard work, are creating such an institution on their own reservation.

I urgently request that Congress support this vital project with whatever financial assistance is necessary to assure construction of the permanent college facility, so that the Navajo people may realize that their monumental efforts are not in vain.

DWIGHT DAVID EISENHOWER

Mr. CANNON. Mr. President, the United States mourns the death of Dwight David Eisenhower—soldier, statesman, patriot.

This selfless person, devoted to the common cause of humanity, to his country, to his family, was truly a man among men. I was proud to have known him and to serve with him as an officer under his command in World War II and to be a Member of the Senate in 1959 and 1960, during his second term

of office as President of the United States.

As a man who had never lost his capacity to lead, he was an inspiration to me in my efforts to serve my country and represent my fellow citizens of the State of Nevada.

The respect and affection which Dwight Eisenhower enjoyed among all men reflected the deep faith in his candor, his integrity, his simplicity, his natural dignity, and the warmth of his personality.

Our Nation will not forget his service to his country and to the free world. He will be long and gratefully remembered.

A REVIEW OF SENATE CORPORATION FARM HEARINGS

Mr. NELSON. Mr. President, I wish to review the Senate Small Business Monopoly Subcommittee's investigation of the effects of corporation farming on small businesses and family farms that I announced 11 months ago.

Since that time, our subcommittee has held field hearings in Nebraska and Wisconsin. The testimony that we received documented the fact that large conglomerate corporations and other absentee interests are acquiring vast tracts of agricultural land across the Great Plains and the upper Midwest once owned and farmed by family farmers. Rural communities and local small businesses are suffering and family farmers are being pushed off the land. Water resources are being depleted by massive irrigated farming operations.

It should be made very clear that our investigation is not concerned about the incorporation of family farms by their owner-operators. Instead, the focus of our hearings are on the large conglomerate corporations and the vertically integrating firms that pose a threat to the foundation of American agriculture as we have known it throughout the history of our country.

It is a very real possibility that corporate ownership of the land could lead to corporate control over our country's food production with food prices dictated to consumers by syndicates and not determined by competition.

The subcommittee wants to resolve these issues now before corporation farming becomes an irreversible trend in American agriculture.

One of the initial findings of our investigation indicates that the agricultural establishment has failed to give sufficient attention to the threat of corporation farming.

Most of the statements and research on current changes in agriculture made by the U.S. Department of Agriculture, land-grant colleges, and general farm organizations have been devoted to counting disappearing cows and deserted farmhouses. They have failed to give any significant consideration to the causes and consequences of these changes.

Our Senate investigation has uncovered an embarrassing absence of any substantial research on corporation farming or its implications. It seems that

those in the agricultural establishment usually involved in farm research have not had the inspiration or the interest to do work in this area.

An initial Agriculture Department survey on land ownership has indicated that corporation farming has grown rapidly in the past 8 years. Fifty-seven percent of the nonfamily corporation farms in the 22-State survey were set up since 1960. They now control more than 7 million acres in those 22 States.

It would be an unjustified gamble to permit large conglomerate corporations to continue to move into agriculture without a full investigation of the consequences.

It is my hope that Federal agencies will spend less time counting farm-to-city migrants and more time finding out why they leave and what effect it has. This should include an exhaustive study of the effect of corporation farming on the movement of farm and rural people to the cities.

Our Senate Monopoly Subcommittee will continue its investigation of corporation farming this year by focusing its attention on the rural communities which are now being affected by the concentration of landownership and agricultural production in the hands of a few companies.

Some agricultural observers still seem to doubt the grim implications of the rapid movement of large conglomerate corporations into agriculture. But testimony that our subcommittee has already obtained from economists, sociologists, and farm leaders indicates great concern over the prospect of giant food monopolies gaining control of American agriculture.

The unhindered growth of corporation farming is certain to lead to the end of family farms and destruction of rural communities.

Now we want to talk directly with the small businessman, the rural minister, and the local family farmer, and determine what effect corporation farming is having on their communities and the citizens living there.

We plan to go to those communities where large rubber and chemical companies have established massive cattle and egg enterprises and where other widely diversified companies have created huge feed-grain operations, covering tens of thousands of acres of America's best farmland.

Our goal is to learn what corporation farming means to the marketing of food and fiber, to the future of rural America and local small businesses and to the use of our natural resources.

Mr. Roger Blobaum, who has served as the editor of the Chicago bureau of United Press International and as the editor of the National Union Farmer newspaper, has written an extensive analysis of the subcommittee's activities over the first year. I ask unanimous consent that his article be printed in the RECORD.

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

A SECOND LOOK AT HEARINGS—CONGRESSIONAL COMMITTEE SPOTLIGHTS NONFARM INVADERS

(By Roger Blobaum)

Corporation farming's impact on farmers and ranchers is finally getting serious attention in Washington in the first Congressional investigation of the issue in more than 20 years.

The inquiry is disclosing how farming companies avoid taxes, inflate land prices, exploit underground water, use secrecy in acquiring land, destroy farm markets, and manipulate local government.

It is showing how the government, through unfair tax writeoff policies and unsound surplus land sales practices, helps company farming spread.

It is raising questions about the kind of citizen, or the kind of neighbor as one witness put it, that farming companies would be. "Company towns" and the local government control that goes with them are likely.

And it is making clear how little is known (and how many people in high places could care less) about economic and social consequences of the rapid movement of conglomerate and other non-farm interests into agriculture.

Senator Gaylord Nelson, an investigator who doesn't let go when he gets his teeth into a problem, launched the corporate farming probe last year. He is using the Monopoly subcommittee he has chaired so effectively in exposing scandalous profits of big drug companies.

"It would be a dangerous gamble," he insists, "to permit large conglomerate corporations to continue to move into agriculture without a full investigation of the consequences."

Nelson has pushed ahead on the issue in spite of lack of support from most politicians, building an impressive 446-page record and giving the issue badly-needed national exposure.

Twenty corporations, including some of the nation's biggest conglomerates, have been tied to farming or ranching so far in the investigation.

The subcommittee found, as expected, that bankers, implement dealers, insurance agencies, and other Main Street businesses will be hard hit when big farming corporations start up in their trade areas.

It also turned up evidence implicating the so-called "agricultural establishment." It appears most land grant universities, agribusiness firms and government agencies now stand aside, or actually provide help, as outside interests move into farming and ranching.

Nelson is deeply concerned over how little is known, either in or out of government, about corporation farming's impact. This basic change in agriculture appears to be going on with almost no debate or questioning of its consequences.

"Important policy issues, involving both small business and related economic and social elements in rural America, are involved," he says.

"These public interest questions should be resolved before corporate farming becomes an irreversible trend."

The record shows there has been no recent in-depth, comprehensive investigation of either corporation farming or its implication. Questioning of witnesses about current research, whether by organizations or universities or individuals, clearly shows this.

It appears, Nelson says, that those in the agricultural establishment who usually do farm research have had neither the inspiration nor the interest to do any work on corporation farming.

Lack of interest also was hit hard in testimony by Howard Bertsch, former administrator of the Farmers Home Administration. He

was disturbed at public apathy toward corporation farming's social implications.

"The whole dialog of the social virtues and social values of family farming in this country has died," he complained.

UNDERSTANDING NEEDED

"And I believe the most important outcome of these hearings . . . will be the renewal of this dialog because if we ever get the American people talking about this issue and understanding it, I have the greatest faith in the ultimate outcome."

The subcommittee held hearings last year in Omaha and Eau Claire, Wis., with 34 witnesses appearing. Not a single representative showed up to defend corporation farming.

Considerable testimony dealt with corporation farming's impact on soil and water resources. Several witnesses suggested farming companies would "mine" both land and water to take big profits, then move on to areas not yet exploited.

Most water problems cited involved the Ogallala Basin, a vast underground reservoir underlying parts of Colorado, Nebraska, Kansas, Oklahoma and Texas. Pumping from the basin was limited until recently, for the most part, to water needed for livestock and household use.

Several witnesses emphatically opposed heavy withdrawal from the Ogallala, a closed basin that could be pumped dry in a generation or less. It is not fed by surface streams or lakes and is recharged solely from rain water seeping through the soil.

Amer Lehman, a Colorado rancher, testified that non-farm interests are sinking wells in sagebrush-covered sand dunes, making the land productive by heavy fertilizer application and irrigation.

SIFTING SOILS

"However, these soils under row-crop production will sift during the winter months without fall cover crops," he told the subcommittee.

"If the water resource is exhausted, these fields will have to be abandoned and they will become barren, blowing desert."

Similar testimony came in a report on Central Wisconsin's sandy soil area, where company farmers attracted by underground water have bulldozed out shelter belts and exposed large sandy stretches to wind erosion.

Soil and water conservationists, in going through these reports and others in the hearing record, can get a sobering look at the resource nightmare that large-scale corporation farming represents.

Small businesses also are in for trouble from corporation farming. Several months ago the daily newspaper in Wellington, Kan., published an editorial alerting readers to its dangers.

"The thought of one giant corporation controlling all of the agricultural wealth of Sumner County would provide a lifetime of nightmares for our merchants," the *Wellington Daily News* said.

"Small town insurance firms wouldn't have anyone to insure. Realtors wouldn't have anything to sell to anyone. Implement dealers could forget it. Petroleum dealers would go out of business or out of town, or like most of us, both."

KILL SMALL BUSINESS

The Senate subcommittee was told repeatedly that this is the likely impact of widespread company farming in the trade area of any small town or city directly tied to agriculture.

There is ample evidence that large farming companies, as a general practice, buy equipment and production supplies discounted and direct from either wholesalers or the factory.

One example cited was purchase of \$250,000 in farm equipment by Shinrone Inc., operator of a huge farm in Sac County, Iowa. The equipment was purchased from manu-

facturing plants in Brantford, Canada, and in Detroit, Mich., and Algoma, Wis.

There was testimony that many farming companies are directly affiliated with big oil, tire and other makers of farm supplies and thus find it doubly profitable to buy direct.

Several witnesses also discussed the impact on service establishments, highly important in farm-rural trade areas. A substantial drop in local demand will force banks, medical clinics, law offices, and similar service institutions to cut back or close entirely.

"Because towns and banks are in the business of serving people, the banker sees that the disappearance of these families would cause his town and his bank to disappear. Pat DuBois, spokesman for the Independent Bankers Association, told the subcommittee.

FARMERS NEEDED

"The fact remains that the small town cannot exist without people on the land, no matter how productive a vast corporation farm may be."

Buying and financing practices of company farms also work against Main Street attempts to keep locally-earned money in the community. William Pickering, a Chipewewa Falls, Wis., banker, outlined the problem for the subcommittee.

"They (company farms) hurt us in our business of banking particularly in that financing automatically comes from the bank at their head office," he said.

"In turn, any excess deposits eventually will drift back into the home office and circulate in that monetary system . . ."

The testimony of Howard Bertsch also emphasized the close relationship between farm families and local business firms and direct purchase practices of farming corporations. "In an area where corporation farms dominate there is no place for the village farm supply dealers, the co-op grain elevator, the small banker," he said.

"You simply cannot have corporation farms and small business enterprises cheek by jowl . . . (but) where family farms thrive, small businesses flourish, too."

A disturbing long-term outlook from John A. Hopkins, an expert in finance at the University of Illinois, was entered in the record. He concludes, the subcommittee was told, that corporate farms eventually will either tie themselves to selected suppliers or set up supply subsidiaries.

INFLATE LAND VALUES

The subcommittee found prices well above those justified by normal investment returns are paid in assembling large holdings, some of 10,000 acres or more. The testimony shows non-farm investors pay \$25 to \$100 an acre over going prices to put together large tracts.

Data on this situation was submitted to the subcommittee by Arnold Onstad of Spring Grove, Minn., chairman of a task force investigating corporations farming in Minnesota.

Task force researchers found, in analyzing hundreds of questionnaire returns, that 27 real estate dealers knew of standing offers by outside companies or investors to buy large tracts of Minnesota farm land. All involved higher-than-market quotations.

Eleven real estate dealers reported a \$25-an-acre premium offered for land in big tracts. Three reported a premium of \$50 an acre. Five said the standing offer was \$100 or more over going market prices.

A shocking land acquisition story was told by Amer Lehman during his report on a corporation's secrecy-shrouded land deals and related scrambling by farmers to save valuable water rights. The transactions took place in northeastern Colorado.

Lehman told how a real estate broker optioned land for an undisclosed buyer, using contracts requiring sellers to obtain state ground water permits and to prove their wells would pump at least 1,000 gallons a minute.

"When the options were exercised, the undisclosed principal was identified as Gates Farms, a subsidiary of the Gates Rubber Co., a substantial conglomerate corporation," Lehman testified.

"The already disordered development at this point began showing signs of panic . . . some farmers obtained permits, drilled wells, and capped them to protect their water rights."

FARMER BARRED

The water commission clamped down after the Gates buying spree, barring many farmers from sinking wells. The irony of it is that those denied permits included several who sold part of their land, complete with high-flow wells, to Gates Farms.

Edwin Christianson, Farmers Union's vice president, hit corporate land buying as poor public policy. He told the subcommittee that land, once company owned, is off the market indefinitely. This contrasts with individual ownership where death, poor health, retirement or other personal considerations force sales about once a generation.

"Since a corporation never dies, the land tends to remain in corporate hands even though some of the stockholders may change from time to time," he testified.

"Land swallowed up by corporations is likely to be gone for good as far as family-type operators are concerned."

GOVERNMENT HELPS CORPORATIONS

Criticism of the government's role in assisting farming companies came in testimony by Elton Berck, president of Nebraska Farmers Union. He told the subcommittee how this developed in a transaction involving a federal agency and the sprawling Hastings (Neb.) Naval Ammunition Depot.

A sizeable portion of the depot area was obtained as surplus by the City of Hastings with help from Nebraska's industrial development act. The city, to the surprise of the area's farmers, immediately entered a lease-purchase agreement that gave the land to a corporation for a huge hog feeding operation.

Although this involved the Defense Department, it is reported the Atomic Energy Commission and other federal agencies also transfer large-acreage installations to farming companies.

The subcommittee was told these unused installations attract farming companies because they involve huge land tracts, clear in most cases of farm buildings, hedgerows, terraces, and other obstructions to big operations. They also are usually free of public road and other rights-of-way.

It is clear from the testimony that federal tax policy is a major factor, possibly the most important, in attracting heavily-financed outsiders into agriculture. Substantial capital gains, favorable depreciation rates on machinery and equipment, and tax loss writeoffs against nonfarm income return sizeable tax savings.

TAX LOSS FARMING

Widespread incidence of "tax loss farming" was clearly shown in the hearings, both for wealthy individuals using farm investments as a tax haven and for corporations whose principal business is farming.

Internal Revenue Service figures submitted show that 680,000 of the 3 million farm income tax returns filed in 1965 had farm losses offsetting nonfarm income. The subcommittee was told that much of this "loss," estimated at up to \$400 million a year, would appear later as capital gain taxed at a reduced rate.

Witnesses leveled a sharp attack on the 25% ceiling on the tax on long-term capital gains. One expert, singling out this area of tax favoritism, called it a "graduated and progressive subsidy" to wealthy non-farm investors moving into agriculture.

"It is difficult to avoid the conclusion that much of the recent interest in farm investments by non-farm investors would fall

away if the capital gains tax ceiling were raised to, say, 40 to 50%," he testified.

"This 25% limit . . . is inconsistent with the principle of the progressive income tax and is distorting capital flows, with no clear benefit to the public interest."

One interesting aspect of the hearings was testimony dealing with "low visibility" corporation farming—the kind that doesn't require large-acreage farm and ranch operations. This includes such things as contract farming and control of the output of huge feedlots and egg factories.

The subcommittee was told that the big corporations using this approach can control sizeable volumes of farm products without acquiring large land tracts, investing in farm machinery, or setting up farming subsidiaries. Most companies involved are either processors, mainly packers and canners, or farm supply manufacturers.

It was estimated, for example, that non-farm corporations now control 98% of U.S. broiler production. Companies also are involved in production of feed cattle, hogs, lambs, turkeys, eggs and vegetables.

BY-PASS COMPETITION

It is clear from the testimony that corporation-controlled production bypasses the regular market system, upsetting supply-demand factors that set prices. The result is a breakdown, or even total destruction, of markets since there no longer are enough buyers and sellers to provide competition.

One expert told the subcommittee that corporate attempts to control agricultural production will gradually dry up open markets, with price levels less and less responsive to supply-demand conditions.

Paul L. Farris, a prominent Purdue University economist, testified that another result will be gravitation of management from the hands of farmers to those of processors and suppliers with the farmer ending up as a laborer.

"Integrating companies may not completely take over the production of food and fiber by owning the land and capital and hiring the labor so long as they can earn more with their resources in other uses," he testified.

"Also, by using contract, integrating companies may be able to avoid some employee costs, such as Social Security, workmen's compensation, and possibly union wages, which would likely come with complete ownership . . ."

COMMUNITY STUDY

One of the most significant corporation farming studies ever made was a comparison of two California farm communities, one surrounded by family-type farms and the other dominated by farming companies. One conclusion was that the family farm community had more and better schools, churches, recreational facilities, civic organizations and public services.

The hearings reflected concern that these same things will be undermined by any community where company farming becomes dominant. Witnesses also expressed concern over prospects of "company town" situations with local government and public services eroded by absentee owner influence.

Threat of an eroded tax base, coupled with corporate demands for lower tax rates and fewer services, were expressed repeatedly. A drop in value of taxable property, the subcommittee was told, would follow removal of family farm buildings from large tracts cleared by company farmers and small business closeouts resulting when these corporations bought supplies from distributors and manufacturers.

There was testimony, too, that changes in the farm-rural population that would accompany corporation farming—hired managers and migrant workers becoming predominant—would undermine local government. *Prof. Douglas G. Marshall, a Univer-*

sity of Wisconsin sociologist, said one likely result is local political apathy.

THREAT TO GOVERNMENT

"The new farm employees may not see that they have much of a stake in local political participation," he testified.

"Moreover they will be few in number and are likely to be pressured by companies that employ them."

The larger question of the kind of "citizen" a farming company becomes in a community also was posed. One witness told the subcommittee that most corporations entering agriculture are likely to fail this important social test.

"I see corporations appearing in agriculture that are not large enough to be socially responsible but are large enough to ignore the wishes of their communities," he testified.

"And I am afraid that we may emerge from this period of change having gotten the worst of both possible worlds, having traded effective and efficient small units of production which were not growing rapidly enough to keep pace with technological change for larger corporate units of production which were not large enough and well financed enough to be socially responsible and financially flexible."

SENATOR ROBERT BYRD'S ANALYSIS

Mr. HANSEN. Mr. President, the distinguished and able Senator from West Virginia (Mr. BYRD) approaches his duties conscientiously. He does not shirk work in the conduct of his assignments from the taxpayers and the Congress.

Last year, in the 90th Congress, Senator BYRD was chairman of the Subcommittee on District of Columbia Appropriations. Last year, 1968, was a time of great trial for the District of Columbia. We recall especially the tragedy of the April riots.

As a consequence of those April riots, and because of Senator BYRD's long and sincere interest in having our Nation's Capital City be the ideal model for the world, he undertook a monumental task to analyze what is wrong in Washington, D.C. We all know that our Capital City, Washington, is not a model city for the world, although it is the seat of government for the greatest nation on earth, and quite often is the only part of our beautiful Nation ever viewed by the heads of state of the other nations.

On the contrary, Washington is viewed by most people in our Nation as one of the worst possible cities in which to live. And this opinion is shared by many throughout the world. Yet, Washington has great beauty—in its parks, its architecture, and its monuments.

The problem with Washington, D.C., is as Senator BYRD analyzed it after weeks of study—in its lawlessness. Senator BYRD did a major part of his work at night, interviewing, in his own words, many Washington business men and women, police officers, bus drivers, firemen, and other individuals. He took from them 1,418 pages of testimony concerning their personal knowledge of the crime situation in the District. He had to assure these people that they would remain anonymous, for the protection of themselves, their families and their businesses, if they had a business left after the April riots. Senator BYRD placed in

the RECORD of October 10, October 12, and November 1, last year, for our enlightenment, a part of the testimony he received.

Any Senator who has read that testimony, or any portion of it, realizes the validity of Senator BYRD's analysis that the fear in Washington, D.C., is directly attributable to a lack of law and order. I think it would be appropriate to here enter in the RECORD again, for emphasis, some excerpts from Senator BYRD's remarks last October 10:

Mr. President, many and varied are the suggestions advanced regarding the causes of crime.

Some say poverty. Yet, there is probably less real poverty today in America than ever before, but crime is more rampant.

Some say injustice. Yet, the U.S. Supreme Court and some of the Federal circuit courts of appeals have weighted the balance in favor of the criminal and against society, but crime is more rampant.

Some say joblessness is the cause of crime. But the unemployment statistics of today are at a record low. Yet, crime is more rampant.

Some say racial discrimination is the cause of crime. However, more steps have been taken in the past 15 years to eradicate discrimination, both real and imagined, than at any time since the adoption of the 13th, 14th, and 15th amendments to the Federal Constitution. There have been numerous court decisions and countless Federal and State and municipal laws enacted prohibiting discrimination. Yet, crime is more rampant.

Many circumstances may contribute to crime, but one key factor will always be present—the individual himself, his temperament, his attitude, his level of mentality.

Some people argue that criminals are made, not born; others maintain that the reverse is true. But one thing is sure: something must be done to restore law and order and a respect for authority, and to renew a sense of individual responsibility in the Nation's Capital and throughout the land, or this Republic will succumb to anarchy.

There are some who say today that "social justice" must take precedence over law and order.

They seem to be arguing that individuals or groups who contend they have not received justice, if they do not actually have the right to plunder and burn and to shoot policemen, at least can be excused for doing so. I cannot agree.

As Senator BYRD cannot agree that criminals can be excused for plundering, burning, and killing, neither can I agree. There has been too much concern for the rights of criminals to the detriment of the rights of the victims of their crimes.

I therefore applaud President Nixon for making the problem of crime in this Capital City and in this Nation a matter of major concern for his administration.

We would hope that along with the various reports made on crime and riots that this analytical testimony put together by Senator BYRD will count considerably in our thoughts on this serious matter. And, we would hope that consideration will be given this testimony, for reasons that should be obvious from the story told by the typical small businessmen of Washington. That testimony should be read and considered as we map plans to come to grips with the problem.

If the people in what are called the ghetto areas are ever to improve themselves, they have got to find work. Yet,

the businesses which could provide job opportunities for many are leaving these areas because law and order is not preserved, and therefore their businesses have been destroyed, or they have reason to believe they will be destroyed.

At the same time, when a business closes and moves out, competition is restricted—and prices almost inevitably are going to rise in these areas. The best way to help the people in the so-called ghetto areas is to see that there is law and order. Further, when businesses close, taxes so essential to schools, and other adequate governmental services are diminished. It is a vicious cycle in more ways than one.

Quite frankly, many of my constituents in Wyoming are shocked by what happens daily in Washington, D.C. I have received hundreds of letters asking whether the acts of crime in Washington reported to them by the news media are myths. The problems of this city defy their imaginations. Those who have been able to visit with me here in Washington are jolted by the local newspaper, radio, and television reports of violent crimes. One of the first questions I am asked by a visiting constituent, and I am reasonably confident the same is true of many of your own guests, is which areas of this city they can safely visit without having their lives endangered. This is a harsh question to hear asked by the men and women and children of this Nation, in their own Capital City. They tell me that when they check into their respective hotels the desk clerks immediately begin warning them against venturing into certain areas of the city, and against going anywhere alone.

This spell of fear hanging over this city would not exist if there were adequate law and order. Senator BYRD has done much to bring us the facts. It is our job, and that of the President and of Mayor Washington, to help to abate the plague of lawlessness. We can hope for success if we understand all the facts.

EISENHOWER—A MAN OF PEACE

Mr. NELSON. Mr. President, the Nation grieves at the loss of one of its truly great statesmen and leaders, Dwight David Eisenhower.

General Eisenhower was a man of peace and personal charm, a man who embodied the most noble and honorable qualities of the American character. His warmth as an individual and his ability as a statesman have left a profound mark of appreciation on the memories of all those at home and abroad who knew and loved him.

Our Nation is indebted to the generosity of his spirit. He gave of himself in selfless manner as he led this country with its allies through the dark struggle against the forces of Nazi tyranny. General Eisenhower was both competent and compassionate as a military commander. He moved decisively toward ending the conflict and destruction of war, yet never lost sight of the personal needs and sorrows of those men who fought under him. He carried within him the burden of every soldier who suffered death and hardship on the battlefield.

General Eisenhower was a man of in-

ternational stature. He sought the interests of all men, above and beyond the personal devices and desires of the few. He looked forward with anticipation to the day when peace and tranquility would be a permanent reality fostered by the counsel of those who had learned from the bitter lessons of the past.

Retaining a constant distaste for war, and having had a firsthand knowledge of its cost, he warned against the growing influence of the institutions of war, lest they purchase the future of the world at the expense of human civilization.

We pay tribute to Dwight Eisenhower for the unswerving loyalty and commitment he had to his country. He served us all well, remaining cheerful to the end, calling forth in us the best that we could give.

As President his popularity attested to the trust and love which the American people gratefully afforded him.

America and the world are better for having known Dwight Eisenhower. His presence will be greatly missed. Yet his memory will never diminish.

As a Nation, we strive to honor him by living those qualities of life which to Dwight Eisenhower were his creed and his manner.

THE EMPEROR'S NEW CLOTHES

Mr. FANNIN. Mr. President, it appears that in the matter of seeing the will of the people carried out, through their expression of intent by their elected representatives, we have gotten into an extremely thorny thicket. I am referring to reports of the remarks made by the distinguished minority leader in his questioning of the chairman of the Equal Employment Opportunity Commission, Mr. Clifford Alexander, before a judiciary subcommittee headed by the senior Senator from Massachusetts (Mr. KENNEDY).

The senior Senator from Illinois (Mr. DIRKSEN) has, I think, an exemplary record on what has of late become an almost "sacred cow" subject—civil rights. Certainly no one who examines the voting record of our minority leader can accuse him of legislative bias or unfairness in this area. As a matter of fact, he has come under attack for being too "liberal" in the civil rights field. I say all that simply as background, Mr. President.

It seems to me that in our present situation we have come very close to the fantastic scene described in the Hans Christian Andersen fairy tale, "The Emperor's New Clothes." I am sure most of us are familiar with that story in which a group of unscrupulous tailors "sold" the Emperor some new clothes by saying that only those worthy of their position could see them. Since no one was willing to admit he could not see the nonexistent clothes the hoax worked until a child pointed out that the Emperor simply had no clothes on at all.

This is the impasse to which we have come in the matter of Government-enforced equal opportunity.

Some Americans have undertaken to set themselves up as judge and jury and decide, ex cathedra, what does and what does not constitute discrimination. Un-

fortunately this tendency extends even to high public officials and is, I think, particularly unbecoming when the robes of self-righteousness very thinly conceal the uniform of partisan political ambition.

Now we are in the perplexing situation of being almost unable to raise one word of criticism—even constructive criticism such as the minority leader was engaged in—without suddenly and certainly being labeled as opposed to equal employment opportunity. Perhaps we are in need of a childlike national voice to call attention to the fact that the "equal employment emperor" is going about without his clothes.

Mr. President, the Senator from Illinois has a duty to speak out when he learns that a governmental agency is abusing its authority. He would be remiss in his duty if he failed to do so. And believe me, Mr. President, the EEOC and its sister agency, the Office of Federal Contract Compliance, have far exceeded their authority of trying to eliminate discrimination in employment. I know something about these agencies because I have been following their activities for some time. Both employers and unions have been in touch with me and from time to time I have pointed out in the RECORD the outrageous manner in which the personnel of these agencies have conducted themselves. Mr. President, the EEOC should have been censured for its actions in many cases and if the chairman cannot control his own personnel, he should be removed.

The same would be true of any other agency or agency head, whether involved in the area of civil rights or not.

Mr. President, as I stated on the floor on March 24:

So far as I have been able to determine from many sources, the personnel of these agencies are not concerned with seeing that the law is complied with; rather, they see their duty as one to belittle, embarrass, bully and abuse American industry for failure to make up for alleged past misdeeds. As time goes on, these people are becoming increasingly arrogant and insulting. I think that it is high time that the personnel of these agencies learn that there are limitations on their power. Judging from recent reports, they might also learn simple manners.

Mr. President, by way of verification of these charges let me refer to recent hearings held by the EEOC in Los Angeles on the question of discrimination in the aerospace, movie, and television industries. A number of observers in the audience recounted what took place.

Mr. President, listen to this account of the hearings and see whether this can be called an objective hearing:

The temper and attitude of the Equal Employment Opportunity Commission was different from a similar hearing held in New York City in January, 1968. Although the questions were unnecessarily tough at the New York Hearing, and even at times caustic, neither the Chairman nor the staff engaged in continuous harassment in New York. Unfortunately, from March 12 through the 14th the Los Angeles Hearing was conducted in such a manner as to negate any sense of objectivity by the Commission and staff. In fact, at times the so-called Hearing resembled a carnival atmosphere rather than a government hearing. There seemed to be an attitude of personal vendetta by the Equal Employment Opportunity Commission with the representatives of the business community

and the unions. Most of the questions asked of those testifying were not asked to either elicit information or to help those testifying, but were asked merely to be punitive or to show that minority persons could "dish it out" to the so called establishment.

Then consider some of the questions and the manner of interrogation. I find particularly objectionable the questions and sarcastic comments of the chairman and his protege Commissioner Brown who I might observe has not yet been confirmed by the Senate.

Mr. President, I am not merely speaking from a casual acquaintance with this problem. I have documented these problems before. I ask unanimous consent that an article which I prepared for Nation's Business magazine be printed at the conclusion of my remarks in the RECORD.

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

(See exhibit 1.)

Mr. FANNING. Furthermore, Mr. President, on March 24 of this year I placed in the RECORD on page E2279, an example of the type of harassment which the Senator from Illinois has described to the Senate Judiciary Subcommittee. That case deals with Southwest Forest Industries and their problems with the many investigations they have had to undergo from the Agriculture Department, the Post Office Department, the Small Business Administration, and the Office of Federal Contract Compliance. These multitudinous and overlapping investigations should be halted, the conflicting regulations and ambiguity cleared up, and some order brought out of this chaos.

This has been my purpose, Mr. President, in the introduction of S. 931 on February 7 this year, which would restore a measure of congressional control to these activities and remove the conflict, doubt, and recriminations that presently exist. I hope the Committee on the Judiciary will schedule hearings on the bill soon.

On the heels of all this press criticism of Senator DIRKSEN for daring to speak out about this, comes one of the most flagrant examples of what he has been talking about. Within the past week I received the file on this case from Motorola executives in Arizona. I know the Senator from Illinois is interested in this because he, too, has Motorola plants in his State and knows of the excellent efforts they make to be a part of the community in which they are located as well as the important contributions they make to the economy of their locale.

Mr. President, I ask unanimous consent that the entire letter and memorandum to which I refer be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. FANNIN. Mr. President, I also ask unanimous consent that there be printed in the RECORD exhibit 3, relating to Arizona Public Service Co.'s dealing with the OFCC.

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

Mr. FANNIN. Mr. President, there is little doubt in my mind that much is amiss in the present administration of

the equal employment laws in the Nation. Some have tried to make this simply into a regional problem, yet we have employers from all over the Nation who are affected. We have had companies with outstanding records, such as Allen-Bradley of Milwaukee, which are not even remotely connected with the South; they have been practically vilified by public pronouncements of the EEOC.

We have had the entire TV and movie industry branded as—and I am quoting exactly—"racist dogs," and the EEOC Chairman has not spoken a moderating word.

I ask unanimous consent to have an account of these hearings inserted at the end of my remarks.

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

(See exhibit 4.)

Mr. FANNIN. In my opinion, Mr. President, it is time for us to get down to cases. It is time for courage, yes and even temper, to be exhibited in this matter. It is time for Americans of all races to grow up and drop some of this "super-sensitivity" that has been fostered over this race issue.

It has always seemed strange to me, Mr. President, that those who have appealed the loudest for a "colorblind" society, are in the forefront of the mob claiming they have been mistreated on the basis of color. I say, if you want treatment without regard to race, sex, national origin, and all the rest of it, then you are going to have to quit asking for special treatment because of those same factors.

There is no question but that discrimination—and unfair discrimination—has existed in all parts of the country at various times. We are all concerned with that. The thrust of every major legislative effort has been to insure, so far as is possible, that such legally perpetuated discrimination does not continue. I know of no reasonable man that will quarrel with that aim.

At the same time, to claim special treatment—discriminatory treatment, if you will—in an attempt to redress past wrongs, real or imagined, is plainly unfair and un-American. I cannot redress the wrongs which my great, great grandfather may have committed against your great, great grandfather; and I suggest that if the situation is reversed, you are just as helpless as I. So let us leave this quibbling about past differences. We are in the present—the here and now—let us move on.

To those who are so prone to criticize, so quick to speak with absolute infallibility, so quick to jump into the fray without benefit of the facts—to those I quote these words from the book of Job; words quoted to his very critical friends who were so sure Job had committed some sin simply because of his circumstances. Job said:

No doubt ye are the people, and wisdom shall die with you.

EXHIBIT 1

DOES WASHINGTON FORCE RACIAL BIAS?
(By PAUL FANNIN, U.S. Senator from Arizona)

Jimmy Lee never got his promotion. His skin is the wrong color. Jimmy had to stand aside and let someone less qualified be pro-

moted in his place because the federal government threatened to cancel contracts with his employer unless someone of another race got Jimmy's job.

Jimmy Lee is white.

His case is not uncommon—not since the advent of the Equal Employment Opportunity Commission. The names here are changed to protect the individuals, but the circumstances and details are shockingly real.

The Equal Employment Opportunity Commission came into being in mid-1965 as a result of Title VII of the Civil Rights Act of 1964. The five-man Commission was created to prevent unlawful employment practices. Instead it has undermined some of the most basic relationships between employer and employee. Now it seeks more power of enforcement to spread its influence even wider. I don't think it can be trusted with more authority.

EEOC's record is clear: Misuse of power, violation of the spirit and letter of the law, disruption of labor-management-union relationships. Let me be plain. I'm not against equal employment opportunities. I'm against granting EEOC, or anyone else, arbitrary powers over workingmen and their jobs.

So-called civil rights groups have wrapped themselves around this EEOC issue to the extent that any discussion of the problem immediately brings forth the cry of "racist."

To my mind there is no more basic right than that of a man to provide for himself and those he loves with the smallest interference possible from government. That's what is involved in this issue.

I am disturbed that the EEOC has associated itself with extremist groups. One of the EEOC's former consultants (Timothy L. Jenkins) bills himself as a member of the staff of the Student Non-Violent Coordinating Committee—an associate of H. Rap Brown and Stokely Carmichael.

If this is the kind of person insuring equality of employment opportunities—then I want to be very careful about granting any additional powers.

The Commission got off to a rather shaky start under the chairmanship of Franklin D. Roosevelt Jr. who assured me and other members of the Senate Labor Committee that he would devote his full time and resources to the job. He wrote a letter to Senator Javits of New York stating that he had asked specifically for a two-year appointment taking him beyond June 1 1967 so as to allay any fears Senators Javits and Winston Prouty might have that he would quit to go politicking.

"I will have to leave the day-to-day political activity to such eminent practitioners of the art as you, Congressman Lindsay and Governor Rockefeller" Roosevelt said.

Ten months later he quit to run for the governorship of New York. It was a bad beginning.

PICKING A TARGET

During its first year of operations the EEOC singled out the Newport News Shipbuilding and Drydock Co. as a likely target for its maiden effort. The company is located in the South. A defense contractor—the nation's sole supplier of capital ships—it had well-developed program of apprentice training.

Jimmy Lee and other old hands at the shipyard heard news that the EEOC boys were knocking on doors soliciting complaints about the company. They didn't think much of it. Of the 22,000 employees 41 said they were willing to complain. It later narrowed down to only four. Armed with this "evidence" EEOC notified the company it was in violation of the Civil Rights Act and sat down to negotiate an agreement to stop the alleged discrimination.

Because it is a defense supplier, Newport News had already signed an agreement to take "affirmative action" in eliminating discrimination.

Soon the full array of federal power was focused on one company.

The Department of Justice notified the company it was holding up a pending case awaiting outcome of the negotiations.

The Office of Federal Contract Compliance under the Department of Labor notified the company all its defense contracts would be suspended pending the outcome of the talks.

The Defense Department was made a party to, and inspector of, the enforcement proceedings.

Small wonder that Newport News Shipbuilding "voluntarily" agreed to the compact which Commission spokesmen called a "landmark" case and a "model" for future agreements.

Jimmy Lee was soon to find out that his career in the shipyard, despite the fact that he belonged to a union, was out of his hands. He had exchanged the quiet of the southwest Virginia hills for the roar and excitement of heavy industry and progressed right out of high school through the shipyard's training program. He thought he was ready to go somewhere. He was next in line for promotion to quartermaster. But he had reckoned without the EEOC.

SETTING BLACK AGAINST WHITE

The agreement between EEOC and the company substituted favoritism as a goal. And in the words of one veteran welder, "did everything possible to set black against white."

Jimmy found that a preferential promotion list had been created with 100 Negroes on it. This list had to be exhausted before he could be promoted. Any exceptions to the order of placement had to be cleared with the Commission.

Jimmy got mad.

Others got mad, too. One of Jimmy's friends who had gone through the apprentice school with him says, "They've ruined the school. It used to be there were more boys wanting to get in than they could take—boys who couldn't go to college, but wanted more training. Now they've lowered the requirements so much the teachers are quitting. They've converted the dormitory space back to offices and are having trouble getting enough to fill out the class."

Bone-cracking violence erupted at the main gate of the yard last summer and a score of people were injured. What caused these passionate outbursts in a placid town where the shipyard had operated for 81 years without disturbance?

Listen to these words in the EEOC agreement pertaining to enrollment in the apprentice school:

"The ratio of Negro to white apprentices in any given year should approach the ratio . . . of Negro to whites in the labor area."

And this about promotions:

"Vacancies will be filled by qualified Negro employees."

And this about training opportunities:

"Employees in predominantly Negro departments shall be given the first opportunity to enter training programs in which they are qualified to enter."

Did you wonder that Jimmy Lee and his white friends got mad?

One of the first to protest the agreement was the union representing the 22,000 employees. Their position in employee representation had been entirely preempted.

Co-managers of the independent union, one a white and the other a Negro, have both been very critical of the EEOC's action.

At one time the union threatened to sue the Labor Department unless it set the record straight on the number of raises and promotions. The Labor Department claimed 3,890. The union and the company both contend raises amounted to about 155 as a result of the agreement and 250 Negroes put on preferential promotion lists.

"Any time the Secretary of Labor will claim 3,890 promotions under an agreement that actually produced 155," said one of the union leaders, "I've got a lot of reservations about whether he should be Secretary of Labor."

The unions have a right to be upset about extending the powers of EEOC. The pattern of agreements emanating from the EEOC offices generally bears these four stipulations directly relating to union interests:

WOULD YOU FLY IN THIS ROCKET?

First, most of the EEOC agreements call for abolition of job seniority arrangements in labor agreements. They generally take plant seniority as the only nondiscriminatory yardstick. The practical effect is that a sweeper, for example, who has been in the plant a long time, must be promoted to the next supervisory opening in the rocket assembly shop, regardless of his training or job preparedness.

The commission attitude is, "You must try him, even if he isn't trained."

How would you like a trip to the moon on one of those rockets?

Second, special treatment must be given to Negro employees who are found to be unqualified in their training or advancement.

Third, the EEOC generally calls for an end to all testing. It makes no difference if it is related to the job—the test must be "culturally validated." Ask any sociologist if you can culturally validate a test with less than a 100-man sample equally divided as to race and job experience.

Fourth, and most important to unions, the agreements usually call for a unilateral change in any union contract which is in conflict with any of the above proposals.

POSE LEGAL PROBLEM

This creates a nice legal question.

Does an employer have the right to break one law (the Taft-Hartley protections of collective bargaining agreements) and subject himself to NLRB action in order to obey the orders of the EEOC?

One company tells me it spends over \$1 million a year just trying to be in compliance with the multitude of often contradicting decrees handed down by government antidiscrimination agencies.

One federal agency, in existence by executive order, is taking a completely dictatorial attitude with defense contractors. It is the Office of Federal Contract Compliance (OFCC) which hands down ironclad regulations to those doing business with the government.

The really frightening thing here is the lack of Congressional restraint upon their operations, plus the fact that there is no appeal from an OFCC ruling. All this is even more fantastic when considered in the light of what the law actually says the Commission may and may not do.

Congress debated loud and long on the question of having an EEOC in the first place. There are plenty of statements on both sides of the aisle where both supporters and detractors agreed on things the law would not do.

Everyone agreed that setting employment quotas is not the right way to go about eliminating discrimination. Language specifically prohibited hiring or firing, promoting or holding back, just on the basis of race to fill out a percentage quota. Yet practically every agreement coming out of EEOC has some mention of the local area's Negro population and relates the employer's performance to that quota.

Setting quotas, while probably the most frequent violation the EEOC commits, is not its only sin. Congresswoman Martha Griffiths of Michigan spoke out plainly on the floor of the House after the EEOC had been in operation for about a year.

She roundly castigated the Commission for

failing to enforce the antidiscrimination provisions in regard to sex and said:

"These EEOC officials are completely out of step with the President, the rest of the Administration, the courts and, indeed, the country as a whole."

She charged the executive director of the Commission with saying the sex provision of title VII was a "fluke" and "conceived out of wedlock." Mrs. Griffiths reminded the Commission that "they took an oath to uphold the law—not just the part of it that they are interested in."

You can get a better idea of the haphazard, hot-eyed approach to the law taken by representatives of the Commission if you'll follow this chain of events that occurred during an actual case. Names, places and dates have been changed.

HOW EEOC OPERATES

Joseph Bedford operates a small manufacturing concern in the Midwest. He was on vacation last June when Jefferson Rank, a Negro, came in to ask about a job. So far as can be determined, he received courteous treatment from the receptionist in the personnel department, was told there were no openings at present either for employees or trainees, but offered an employment application to fill out and leave if he cared to. He didn't.

Now it's February and Mr. Bedford gets a call from his receptionist that a Mr. Sperlin of the EEOC is waiting to see him. He meets Mr. Sperlin and is promptly served a charge of discrimination dated the day before. It is signed by Jefferson Rank and sworn to before Mr. Sperlin. It's the first time Joe knows he's been charged with an unfair discrimination practice alleged to have happened last June.

Upon request he shows Mr. Sperlin around the plant and lets him talk to the personnel people. The manufacturer finds out he should be keeping records of applications, terminations, promotions, raises and the like for 180 days. He'd been throwing them away after 90 days. So far that's the only EEOC regulation he's been found negligent in. However, even if he had been keeping records for the stipulated time, Jefferson's application would not have been on file, since almost 270 days have passed.

Mr. Sperlin asks Negro employees if they are treated the same as white employees. He asks if the canteen areas or restrooms are segregated. Asked if personnel like working for their supervisor and Mr. Bedford. When they say, "Yes," he says, "Oh, that's too bad. I like to find people who aren't happy in their jobs."

Mr. Bedford contains himself. Mr. Sperlin leaves saying he has found nothing wrong except the record-keeping time limit. Joe Bedford sighs.

Seven and a half weeks later he gets an EEOC decision. It finds an unfair employment practice occurred in June, the charge filed in September and served on him in February.

The Commission is squeezing the law a bit. A three-month limitation on making a charge is written into the law. Its supposed to be signed and sworn to. So the Commission says under questioning from Mr. Bedford's attorney (by now he's decided he needs one) that they've "adopted" the attitude that a written complaint fulfills the requirements of the law even though it was not sworn to.

Just like that—change the law.

A couple of months go by before an EEOC conciliator makes contact and arranges a meeting. Now it's a little over a year since Jefferson Rank first entered the manufacturers reception room.

Mr. Bedford and his attorney face the conciliator. Most of the agreement he wants Joe Bedford to sign is standard civil rights language—but there are some real stunners.

THE LIST OF DEMANDS

EEOC wants Mr. Bedford to hire Jefferson Rank as a trainee and pay him minimum wage back pay from the time of his alleged application.

EEOC wants him to employ, train and accept the applications of the next 75 Negroes referred to him by a civil rights organization. The figure is determined by taking the percentage of Joe's work force that's Negro and comparing it with an (inflated) percentage of the areas Negro population in the labor market.

EEOC wants Joe Bedford to agree to hire Negroes for the next five white-collar jobs. And he must upgrade at least three Negroes to supervisory positions within three months of the agreement.

On top of this, for two years Mr. Bedford has to report, quarterly, to the Commission everything he's doing that pertains to both his white and Negro workers. He can't promote anybody who is not a Negro unless he gets prior EEOC approval. All refusals of Negroes to take higher jobs must be documented in writing and sent to the Commission.

Mr. Bedford and his attorney managed to trim some of the rough edges off these demands, but he signed an agreement—even though he had done nothing wrong. The plant is located in a town that has lots of militant civil rights activity and he decided he didn't want pickets pounding on his door.

Whether Mr. Bedford got off lucky or not, we don't know. If proponents of additional enforcement teeth for the EEOC get their way, he probably did.

Reasonable negotiations would be harder to come by. The Commission will get the power to enforce its decisions based on "evidence" which it chooses to credit.

Could the same thing happen to you as an employer, or employee?

It not only could—it probably will.

Under the proposed setup for EEOC, the practical effect would be presumptions of guilt. An examiner's "evidence" is deemed to be conclusive. You'll have to prove yourself innocent. The roles of policeman and judge are combined, and a single EEOC employee could conceivably issue his own cease and desist orders.

We've probably made a mistake in describing EEOC desired enforcement powers as "NLRB-like." The National Labor Relations Board has an independent General Counsel who must apply to the courts for authority to issue cease and desist orders. Under the new setup, EEOC appeal procedures would be practically useless. The NLRB was originally set up along the lines proposed for the EEOC. The ensuing mess was atrocious and the present limitations on the NLRB were devised.

Granting cease and desist powers to the EEOC, as the present legislative proposal would do, will deprive you of your day in court. The Commission may find you in violation, issue an order for you to cease and desist.

No testimony need be taken. No independent investigation to establish "substantial evidence" of violation need be conducted. The full power of the Commission may be delegated to a single Commissioner, or even to an individual employee.

This amazing concentration of power is without precedent.

The Commission has made much of the plans it has for submitting all types of job employment "patterns"—quotas on a large scale—to the computer. Already it has held a fishing expedition down South into the textile industry and received criticism from conservative and liberal alike.

The EEOC trotted out the familiar percentage figures again and flogged the industry, causing the liberally oriented *Charlotte Observer* to comment editorially:

"If the larger purpose was actually to get something accomplished about equalizing employment in textiles, we are persuaded this was not the best way to go about it."

TRIAL BY HEADLINES

EEOC's public forum in New York in January, headed by Chairman C. L. Alexander, produced much more heat (and headlines) than light.

Blue-chip corporations were disdainfully put under the public microscope and, of course, found lacking as EEOC denunciations about "tokenism" and other catch phrases flew through the air.

At one point Mr. Alexander asked the president of one of our major airlines how many pilots were Negro. When told that only one out of 420 stationed in New York was, the EEOC spokesman demanded, "Are you satisfied with that?"

I would like to ask that Commissioner if he would care to fly on a plane in which the crew had been selected by race rather than ability? I'll take my flight crews promoted on the basis of skill.

The discouraging thing is that, even for those who have no civil rights ax to grind and would genuinely seek to live up to the Commission's wishes, it becomes impossible under the present approach, for the rules are changed so often.

If you get your total work force in balance with some particular percentage figure, then you find your managerial staff is out of line. Should you get that taken care of, the base of your percentage population figure is changed to make your quota still higher. It's a game nobody wins.

Let there be no mistake, I am for equal employment opportunity. But in substituting favoritism, we are not correcting anything.

Thomas Jefferson said, "All men are created equal." We cannot then come along with legislation and make some men more equal than others.

THE OUTLOOK

What is our legislative situation now?

Senator Clark of Pennsylvania has introduced a bill that would give broad enforcement powers to the EEOC or an individual employee of the Commission. Basically these would be the same type powers residing in the National Labor Relations Board, with only limited appeal.

The bill is cosponsored by Senator Javits of New York. It is before the Labor and Public Welfare Committee on which I serve.

It is almost impossible to keep the bill from seeing floor action, unless the public really expresses itself to the Congress.

If people become aware of the strong influence that militant elements will have over their businesses and their jobs should this bill pass—then we can muster the strength to stop its extension.

Otherwise we are forging another link in the chain that can ultimately enslave this republic.

EXHIBIT 2

MOTOROLA INC.,
March 28, 1969.

CHAIRMAN,
Equal Employment Opportunity Commission,
Washington, D.C.

DEAR SIR: Enclosed is a statement prepared by Mr. Rufus Coulter, Director of Human Relations, Motorola, Inc., Scottsdale, Arizona, concerning the conduct of Mr. John J. Sanchez during an Equal Employment Opportunity Commission investigation at Phoenix, Arizona on March 6 and 7, 1969.

The conduct and statements of Mr. Sanchez on this occasion as a representative of the United States government were so unfortunate as to reflect derogatorily on the program of the Equal Employment Opportunity Commission. If this conduct goes unre-

ported, I feel certain that your enforcement activity will suffer irreparably.

I have been involved, as have others in my capacity in industry, in cooperating with federal, state, local and private agencies in the fair employment field. I have never had representatives of our company exposed to such unprovoked abuse as that from Mr. Sanchez. I believe that you will agree that this approach to our company is unforgivable and should be summarily disciplined. This letter is my notice to you as the head of your Commission that no one at Motorola with authority to represent our company on Equal Employment Opportunity Commission matters will meet or communicate or cooperate in any manner in the future with Mr. Sanchez. If he comes to our premises, he will not be permitted to enter. If he communicates, we shall not respond.

However, we shall be glad to cooperate with other representatives of your agency on appropriate business which your Commission may have with us. I believe that the purpose of the Congress in legislating the Civil Rights Act of 1964 and the purpose of the President in issuing the pertinent Executive Orders can be served only by men of good will and high integrity.

Sincerely,

K. M. PIPER,
Vice President.

INVESTIGATION OF CHARGE BY EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ON COMPLAINT OF HARRY RUBINSTEIN

Pursuant to a date set in early February 1969 for an investigation of the above charge by the Albuquerque office of the Equal Employment Opportunity Commission, Mr. Robert Nystrom, 77 West Washington Street, Chicago, Illinois, attorney for Motorola, Inc., flew to Phoenix, Arizona to meet in my office with Mr. John J. Sanchez of the Equal Employment Opportunity Commission for an arranged date during the day of March 6, 1969. Mr. Nystrom and I were ready at 8:30 a.m. to proceed with the meeting with Mr. Sanchez. However, he was not present. After waiting for more than an hour, I called the Equal Employment Opportunity Commission office and was assured by the receptionist who answered the telephone that Mr. Sanchez was in Phoenix and at the Westward Ho Hotel. I advised the receptionist that he had an appointment that morning in my office and that our attorney, with the knowledge of Mr. Sanchez, had come all the way from Chicago to participate in the meeting. I subsequently telephoned the Westward Ho Hotel in an effort to locate Mr. Sanchez and was advised that he was not registered at this hotel. I again called the Equal Employment Opportunity office and reported to the receptionist that I had been unable to locate Mr. Sanchez at the Westward Ho Hotel. I asked that she report to him that I had called concerning our appointment that morning and I requested that she ask him to communicate with me at the earliest opportunity. At 10:15 a.m., Mr. Sanchez appeared in my office. I told him that Mr. Nystrom and I had been waiting for him since 8:30 a.m. He responded that he had difficulty in arranging transportation.

Mr. Nystrom inquired of Mr. John Sanchez as to the nature of the information he desired that we submit to him in connection with the charge filed with the Equal Employment Opportunity Commission by Mr. Harry Rubinstein, a job applicant. A discussion followed as to the wording of the charge with an observation by Mr. Nystrom that it did not appear to be a valid statement. However, Mr. Nystrom indicated quite clearly that Motorola desired to furnish all the pertinent facts concerning the matter. In this discussion, Mr. Nystrom exhibited to Mr. Sanchez a list of the officers of Motorola,

pointing out the names of those who were Jewish and at the request of Mr. Sanchez, Mr. Nystrom gave to him a list of three officers who were of Jewish extraction. Mr. Nystrom, at the request of Mr. Sanchez, also gave to Mr. Sanchez the names of principal department heads in the Semi-conductor Products Division (the division against which the charge was filed) who are of Jewish origin. The names were those of Mr. Arnie Lesk, Mr. David Metz and Mr. Gerald Fried. Mr. Sanchez was advised that he was at liberty to interview any of these employees concerning the nature of the charge brought by Mr. Rubinstein. The latest EEOC form and three employee booklets on Motorola were furnished to Mr. Sanchez at his request. Additionally, Mr. Sanchez, at his request, was furnished a copy of Mr. Rubinstein's application received on November 18, 1968; a letter from Mr. LeRoy Maready (Mr. Maready is a former Motorola employee and professional recruitment interviewer who allegedly interviewed Mr. Rubinstein concerning the latter's technical qualifications); and a copy of a memorandum dated December 13, 1968 by Mr. Maready regarding his employment interview with Mr. Rubinstein. Mr. Sanchez requested to see closed cases of job applicants who had been interviewed by Mr. Maready. Mr. Nystrom advised him that these were apparently not at issue and his investigation should be limited to the charge brought by Mr. Rubinstein.

In response to a question from Mr. Sanchez, he was advised that Mr. Maready was of the Mormon faith. Upon the furnishing of the information to Mr. Sanchez as to the religious faith of Maready, Mr. Sanchez charged that Mormons were prejudiced against Negroes and that Mormons were also prejudiced against Jews. Mr. Sanchez stated that Mormons interpreted their version of the Bible to mean that Negroes are second-class citizens. He added that at the University of New Mexico one of the athletic teams had refused to play in a scheduled contest with a team from Brigham Young University because of the known attitude of the Mormons about Negroes. Mr. Nystrom interrupted Mr. Sanchez to remind him that the meeting was for the purpose of investigating the charge of Mr. Rubinstein and in order to accomplish the objective of the meeting, he would appreciate it if the inquiry were restricted to subject matter which was pertinent. Mr. Nystrom advised Mr. Sanchez that based upon the reactions which he gratuitously expressed, he was raising a question in his mind as to his attitude about persons affirming the Mormon religion.

Mr. Paul Abele, Employment Manager at the Semiconductor Products Division, was interviewed by Mr. Sanchez and in response to the questions directed at Mr. Abele, he outlined the procedures by which applications for employment were processed.

After lunch, Mr. LeRoy Maready came to my office where he was questioned by Mr. Sanchez as to the details of Mr. Maready's purported interview with Rubinstein. Mr. Maready told Mr. Sanchez that in his opinion the charge that Motorola had discriminated against Mr. Rubinstein because of religion was ridiculous. Mr. Maready stated he had worked as a missionary for his church in Germany and had assumed Mr. Rubinstein was of German origin because he had known many Germans with that name. Mr. Maready stated that he had no recollection of having interviewed Mr. Rubinstein. He stated that his only contact with Mr. Rubinstein as reflected by the file information was one telephone conversation. In response to questions from Mr. Sanchez as to the reason for not hiring Mr. Rubinstein, Mr. Maready pointed out that there had not been much need for technicians at the time Mr. Rubinstein applied. Mr. Maready stated that in reviewing the file he would conclude that Mr. Rubinstein was a job hopper because of his many

short-tenure jobs and that he would have rejected him on his work record which was spotty and showed excessive job changes. Mr. Sanchez asked Mr. Maready if he was prejudiced against Mr. Rubinstein because he was a Jew. Mr. Maready claimed that he was not prejudiced against Mr. Rubinstein. Mr. Sanchez asked Mr. Maready what his religious beliefs were with respect to Negroes. Mr. Nystrom interrupted and stated, "I have told you we are not going into that matter because it is irrelevant to the Rubinstein case. You cannot come in here and ask questions which are not pertinent." Mr. Sanchez apparently lost his composure at this point. Mr. Sanchez stood up and waved his arms in a provocative manner as if to challenge in physical combat and started talking in a very loud manner while pointing to Mr. Nystrom. Mr. Sanchez said, "You are a typical Minnesota Catholic bigot. You should see your priest because you are prejudiced against Mexicans. I have three college degrees and a better background than both of you. Neither of you have more than one degree. I know all about you and Motorola." At this point, I told Mr. Sanchez that I had to admit that I was not very smart. Mr. Sanchez replied, "I am, and I am a tough Mexican." Mr. Sanchez, with his standing physical pose maintained, indicated he was willing to enter into a fist fight. Mr. Sanchez stated to Mr. Nystrom, "You are fat and soft." Mr. Sanchez complained that, "You stalled me for a month in getting together in this meeting." Mr. Nystrom said, "I am sorry but I have been on a vacation for two weeks in Mexico." Mr. Sanchez stated, "Oh, seeing how the peons live, I suppose?" Mr. Nystrom stated, "In my opinion, we are not getting any place in this meeting. Therefore, I am suggesting that the investigation cease and if Mr. Sanchez feels the way he has expressed himself, he is free to leave the meeting." At this juncture, Mr. Sanchez calmed down and took his seat.

Without any preliminary warning or basis for making the request, Mr. Sanchez asked Mr. Nystrom to leave the room. Mr. Nystrom replied, "Not a chance. If you do not like what is going on in this meeting, I should like for you to know that you are free to leave if you so desire." Mr. Sanchez said, "I have a right to be here." Mr. Nystrom replied, "You are here at our invitation." At the conclusion of this exchange of remarks, Mr. Sanchez appeared to regain his composure and the questioning of Mr. Maready by Mr. Sanchez continued with Mr. Sanchez stating his preference that he would like to meet with Mr. Maready at some other place. Mr. Maready who had remained silent and witnessed the conduct of Mr. Sanchez, then said, "I am late to another appointment and would like to get this over with. For your information, I am not prejudiced against any race." Mr. Maready then wrote a statement for Mr. Sanchez that he was not prejudiced against any race. He submitted a pamphlet to Mr. Sanchez with regard to the position of the Mormon Church's favorable attitude towards Jews. Mr. Sanchez stated that since Mr. Maready was not at this point an employee of Motorola, he had no obligation whatsoever to furnish to Motorola a copy of the statement. I asked Mr. Maready if he would give me a copy. He replied, "Yes." Thereafter, two copies were made.

Arrangements were then made for Mr. Sanchez to interview the engineers from the Mesa, Arizona plant of Motorola who had had some contact with Mr. Rubinstein. These engineers were Mr. Joe Chapley and Mr. Lawrence McMillan. They agreed to submit statements. The questioning by Mr. Sanchez was concluded at 4:27 p.m. on March 6, 1969. At the conclusion of the meeting, Mr. Nystrom stated to Mr. Sanchez, "So that you will know that I am not the bigot you think I am, a young Mexican girl has lived in my home

for the past year, and my daughters have visited the home of her parents in Mexico on an exchange during the same period."

Mr. Sanchez advised me and Mr. Nystrom that he would return to my office at 2:00 p.m. on March 7, 1969 to pick up the type-written and signed statements of Mr. Chapley and Mr. McMillan. Mr. Sanchez asked me to write Mr. McMillan urging him to find a job at Motorola for Mr. Rubinstein. He stated that if I would do this, and furnish to him a copy of my letter to Mr. McMillan, he would approach Mr. Rubinstein to request that the latter dismiss the complaint.

At 2:00 p.m. on March 7, 1969, Mr. Sanchez came to my office where he met with Mr. Joseph Levang, Personnel Director for the Government Electronics Division of Motorola, Mr. Nystrom and me. I furnished to Mr. Sanchez the written statements of Mr. Abele and Mr. McMillan. Mr. Sanchez requested that the company submit a position paper on its activities in the minority employment field in which Motorola was engaged.

Mr. Sanchez stated that Motorola was under no compulsion to submit such a paper and that it would be a voluntary response to his request. I told him, "Mr. Sanchez, you have all the facts you have requested that we furnish to you and I believe that this should be adequate." Mr. Sanchez advised me that I was highly prejudiced against Indians. He stated that he did not like my attitude. Mr. Sanchez said, "You are a bigot. You are working against everything we are trying to accomplish." I asked Mr. Sanchez what my attitude was since I did not recall having expressed it. Mr. Sanchez stated, "I know what you said about Indians yesterday." I replied, "I simply advised you what an Indian had told me about Indians. I have made no independent statement of my own about Indians."

Mr. Sanchez then charged me with having been insulting to the girl at the Equal Employment Opportunity office when I had called on the prior day when Mr. Nystrom and I were waiting for Mr. Sanchez. I told Mr. Sanchez plainly that I was irritated with having our lawyer sit in my office and waste our time and money.

During the course of the days of March 6 and 7, 1969, Mr. Sanchez did not take one note. However, he asked persons interviewed to submit a statement as to what they had said.

At 4:15 p.m. on March 7, 1969, which was only a few minutes after Mr. Sanchez had left the office, Mr. Harry Rubinstein telephoned me. Mr. Rubinstein stated that he understood the investigation resulting from his filing the complaint had been embarrassing to me. I said, "Yes, and the cost to the company is a needless consideration." He said, "I cannot indict Motorola on the basis of the facts. Actually, I do not practice the religion of my ethnic group. I am trying to be objective. I had no intention of using the complaint as a leverage to get into Motorola." He stated that he was against government interference and believed that Motorola had done a lot for the country and a great deal for the community. He stated Motorola actually owed him nothing.

I would infer that Mr. Sanchez had called Mr. Rubinstein regarding his investigation of Mr. Rubinstein's charge since Mr. Rubinstein seemed to have information bearing upon it which could have come only from an individual who had participated in the meetings on March 6 and 7, 1969.

RUFUS COULTER,
Director of Human Relations, Motorola,
Inc.

EXHIBIT 3

ARIZONA PUBLIC SERVICE COMPANY

The following are some of the problems that we encountered in attempting to provide the information requested by Mr. Oroz of the

Office of Federal Contract Compliance. Please understand that any figures quoted are estimates and we have no figure on the cost incurred in the Data Processing Department.

First of all, as you recall, we only had two days to research our records to give him the information he requested which of course meant dropping other routine work. There is no way of knowing the cost of postponing these other projects. To the best of our recollection, there were close to ninety man hours spent, part of it at overtime. (This ninety hours includes time spent on the project after Mr. Oroz arrived.) We first had to review the weekly personnel letters to get a list of employees hired, terminated or transferred. From this list each employee's personnel file had to be reviewed in an attempt to find out: (1) previous job title and pay rate, (2) in the case of terminations we had to look for a reason (some of this we had to obtain from the exit interviews), (3) personnel files and/or E.E.O.C. files were researched to determine each employee's race.

After these records had been reviewed it then became necessary to compile the information in legible form and special 808's had to be prepared to code for race in the master history.

Since that time it has become necessary to make an extra copy of 808's of all new hires, terminations and transfers to eliminate going through the same steps again in May and November.

As I mentioned before, we don't have any figures on man hours or costs in the Data Processing Department. As I understand it, it required a slight revision in the master history program to incorporate the race code and the special form that was prepared in Wage and Salary indicating the race code of each employee other than Caucasian had to be typed by Data Processing in order to get it into the permanent master history. In addition to the above, it required redesigning our 808 form to provide a space for the race code.

Hope this will be of some use to you.

ARIZONA PUBLIC SERVICE CO.—VISIT OF OFCC OFFICIAL, NOVEMBER 1968

On November 4, 1968, Mr. Oroz of the Office of Federal Contract Compliance called and notified our company that he would be visiting us on November 6-7, 1968, to review our company for compliance with Executive Order 11246. He dictated to my secretary, over the telephone, a list of items which he asked be made available to him upon his arrival which are as follows:

1. Specific steps to guarantee employment opportunity keyed to the problems and needs of members of minority groups, including, when there are deficiencies, the development of specific goals and time tables for the prompt achievement of full and equal employment opportunity.

2. A table of job classifications showing job titles, a clear statement of principal and auxiliary duties, rates of pay, and where more than one rate of pay applies, due to longevity or other factors, the applicable rates.

3. An evaluation of the utilization of minority group personnel which includes:

a. An analysis of minority group representation in all job categories.

b. An analysis of hiring practices for the past year, including recruitment sources and testing, to determine whether equal employment opportunity is being afforded in all job categories.

c. An analysis of upgrading, transfer and promotion for the past year to determine whether equal employment opportunity is being afforded.

A written Affirmative Action Compliance Program, signed by an executive official of the company, is required for each of the contractor's establishments. Each must be evaluated and updated annually.

We immediately began to try to get this

information, and worked nights to have most of it ready for him. When Mr. Oroz arrived on November 6, we entered into two days of the most frustrating discussions I have ever been exposed to. Some examples of this are as follows:

1. He insisted on talking to the President of the company instead of a Vice President, as he said that was his instruction. Finally, he agreed to work with me after talking to Mr. Forman.

2. I told Mr. Oroz we had been working closely with the Equal Employment Opportunity Commission and had been visited by Mr. Kimines (a commissioner), who seemed very happy with Arizona Public Service Company. Mr. Oroz told me his office had nothing to do with EEOC—it was another department and he was not concerned with them, and that I was now talking to the OFCC.

3. In reviewing the many figures that we presented, he continually probed into them as to their basis in fact. I was continually given examples of how other companies evaded the requirements.

4. When our Executive Vice President was in a session with Mr. Oroz and others, explaining to him some of the outstanding contributions APS had made in the area of human relations, Mr. Oroz stated that the group he was using as an example was a social group and was doing no good for the Mexican-American community; this in spite of testimonials, etc., as to past results.

5. When I was presenting statistics that our Mexican-American employment was 7 percent of the work force, and that the supervisory force was 10.5 percent Mexican-American, he said this didn't necessarily indicate good progress. When I asked him why, he replied that some companies have a policy of holding back minorities at certain supervisory levels. What he was interested in, was did we have a Mexican Vice President?

6. He insisted on visiting many of our facilities which are scattered throughout the area and we had to send him along with a company guide while he visited employee areas and examined our bulletin boards, etc., in minute detail.

7. At one point in his suggested action for compliance, he recommended that we should go to SER (Mexican-American employment group) for all job openings before we went to any other source. I might add Mr. Oroz didn't seem particularly interested in minority groups other than Mexican-American.

8. Mr. Oroz overheard me discussing a speech I was to give at the Mexican-American Club that day. He invited himself to go along with me. I made him welcome, of course; after calling the State Civil Rights Commission, who had invited me as a speaker. Mr. Oroz came to the meeting late, and questioned me in the meeting on several items that I had presented in my speech.

As I mentioned to you previously, we have had to completely revise our records and re-establish the minority group numbers and ratios, because as a result of the original Civil Rights Act, we destroyed all this information in compliance with the government order of Title 7.

We had to work employees overtime and borrow employees from other departments in order to bring this information into compliance with the new requirements. We are still working on various items that conflict between EEOC and OFCC.

EXHIBIT 4

NEW DIRECTIONS AND ATTITUDES OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, MARCH, 1969: AEROSPACE INDUSTRY, MARCH 12, 1969, MOVIE INDUSTRY, MARCH 13, 1969, BANKS AND T.V., MARCH 14, 1969

GENERAL CLIMATE

The temper and attitude of the Equal Employment Opportunity Commission was dif-

ferent from a similar hearing held in New York City in January, 1968. Although the questions were unnecessarily tough at the New York Hearing, and even at times caustic, the Chairman nor the staff engaged in continuous harassment in New York. Unfortunately, from March 12 through the 14th the Los Angeles Hearing was conducted in such a manner as to negate any sense of objectivity by the commission and staff. In fact, at times the so-called Hearing resembled a carnival atmosphere rather than a government hearing. There seemed to be an attitude of personal vendetta by the Equal Employment Opportunity Commission with the representatives of the business community and the unions. Most of the questions asked of those testifying were not asked to either elicit information or to help those testifying, but were asked merely to be punitive or to show that minority persons could "dish it out" to the so-called establishment.

The following are questions representative of the attitude that has just been described. These questions were asked through the hearing and are not isolated examples:

(1) One of the first questions asked McDonnell-Douglas Corporation and repeated to every aerospace company testifying, "Do you have a plan when you build planes? Do you fire the supervisors or those in charge if they do not meet the specifications of those plans? Do you fire supervisors for not living up to your "plan" of equal opportunity? Shouldn't people be fired for not meeting the specifications of plans in regard to equal opportunity the same as they are fired for not meeting a plan or a specification for the building of an airplane?"

(2) Every company testifying during the three day Hearing was asked the following question, "Do you have any blacks, Mexican Americans, women, Indians, Orientals or other minorities on your Board of Directors, as President or at the Vice Presidential level?"

(3) The second company testifying was Lockheed. After a few minutes of their testimony, 20 or 30 rude and ugly signs began appearing at the back of the room about brown power, chicano power and against the Equal Employment Opportunity Commission and Commissioner Vicente Ximenes, the only Mexican American member of the Commission. Mr. Steiner, the General Counsel made the Group Vice President of Lockheed testify about the special efforts needed to prepare minorities during this interruption.

(4) At the beginning of Lockheed's testimony the following question was asked, "Do you have regular top management reviews of your employment policy?" When the answer was given that they had semi-annual meetings with all Lockheed vice presidents. Mr. Steiner then asked, "Isn't the great white father image presented in these semi-annual meetings when all of the persons present are all white and all vice presidents?"

(5) The Chairman then asked Lockheed to tell the Equal Employment Opportunity Commission the exact number of dollars spent on their total equal opportunity program. (Throughout Lockheed's testimony, persons in the audience rumbled and made noise if they did not like the answers.)

(6) A further question was asked Lockheed, "Maybe you need training programs for hard-core management instead of training for hard-core minorities?"

(7) Then the Chairman stated that perhaps the "exotic behavior of minorities was perhaps the direct fault of the company's testifying because of their lack of success in the field of equal opportunity."

(8) The Chairman then lectured Lockheed, "How a person wears his hair, or clothes, or speaks should not make a difference."

(9) When North American Rockwell appeared, they were really grilled by the

Commission. After Mr. Wohl, representative of North American Rockwell, said something the Chairman disliked, the Chairman would reply sarcastically, "Very interesting," and the audience would laugh. The Chairman also said, very sarcastically, "At the rate you are going maybe in 20 years you will have 3% minorities in your work force."

(10) Rockwell was then asked, "What are the salaries of the 10 highest paid minorities in the Company? And the highest 10 paid whites? (This of course included the President)"

(11) At this time, many persons in the audience started screaming obscenities and cursing the Equal Employment Opportunity Commission, the companies, and Commissioner Ximenes. The Chairman did not try very hard to put a stop to this demonstration. During the questioning of North American Rockwell, the audience (black) clapped the questions of the General Counsel five times (Because the General Counsel put the company down) Thirty persons got up and clapped against the company (black) and one person even screamed "damn liar" at Mr. Wohl when he was trying to speak. The Chairman was soundly cheered by the audience when he denounced the company for not trying.

(12) Then the question was asked of Rockwell, "What percent of your sales are made to the government?" The Chairman then said, "In view of that kind of data, don't you think you had better improve, lest the government do something about your inadequate compliance?"

(13) Rockwell was then asked, "Why not let minorities come into the company on a favored basis because of the lack of 100 years of equal opportunity?"

(14) Commissioner Kuck accused Rockwell of having a "credibility gap." The audience cheered.

(15) Commissioner Brown then asked several questions, like a prosecuting attorney. The Chairman concluded the questioning of North American Rockwell by stating, "The employment picture will get worse. This is because of the employment projections in Washington. And those who are hired last, (minorities) will be thrown out of jobs first. Do you believe that anybody who talks about unemployment has another motive? To throw minorities out of jobs? (He was hinting that this was a Nixon policy)."

(16) Mr. Steiner, General Counsel, then discussed *Weeks v Southern Bell*, decided in the 5th circuit on March 4, 1969 which determined that the BFOQ (Bona Fide Occupation Qualification) exception of 703(e) of Title VII was to be interpreted narrowly. In order to rely on the BFOQ exception, the burden was on the employer to prove that women could not do a certain task. It stated that Title VII precludes romantic paternalism and now women are on equal footing and must be judged on individual merit and not a traditional stereotype.

Mr. Steiner stated that the Equal Employment Opportunity Commission's opinions will have a lot of weight with the courts during the following year.

(17) When the international representative of the International Association of Machinists (IAM) appeared, the Commission humiliated him. It was most embarrassing because the man was black and had worked himself up through the ranks of Lockheed and had finally become an international representative of a union. Commissioner Brown's comments are particularly interesting, "I am not only surprised at your testimony, I am appalled." Commissioner Brown then asked, "Are you willing to strike because of discriminatory employment policies by companies?"

(18) The Chairman asked the representative of IAM, "How much money does your union give the Urban League? How in good conscience can you ask help from the Urban League if you don't give money to it?"

(19) TRW Systems was admonished by the Chairman, "Don't talk about the NAB, that is not important here and it is another whole thing." Then he said at the rate you are going it will take another 50 years before there are any minorities employer at your company. Then the company was asked what contributions have you made to organizations that need help like the Mexican American Foundation? Other contributions?"

MOVIE INDUSTRY

The testimony and questions regarding the motion picture was so horrid that it was a nightmare. Both the questions asked and the answers received were unbelievable. The following are a few examples of questions asked and responses received:

(1) A minority witness for the Equal Employment Opportunity Commission, Ray Martel, a striving actor, was allowed to call the entire motion picture industry "dogs" and to say that they were "racist pigs" and that they should be tried like the nazi's at a world tribunal. The Chairman let him go on like this totally unrestrained.

(2) Warner Brothers was asked by the Chairman, "Do you know that two thirds of the world is brown or black? So you better do something about hiring some of them."

The Chairman also asked Warners', "You have done such a poor job in employment of minorities, do you even know what title the EEOC is under in the Civil Rights Act of 1964."

Commissioner Brown asked Warners', "In light of your terrible figures and your size, number two in the industry, maybe you should try a little harder?"

The Chairman then asked, "When is your company going to take this law seriously? Is it going to take another 100 years?"

Then the Chairman asked what the highest salary of a black employee was and then asked the man to supply the salary of Darrel Zanuck, the president of Warners.

(3) Commissioner Brown asked Walt Disney Productions, "After Walt Disney died, you demoted the only black secretary in the executive office. Why? I think that Walt Disney would turn over in his grave if he read your figures." When the man objected to this line of questioning, Commissioner Brown tore into him and said, "I will do the questioning, not you."

(4) The Chairman summed up the day by addressing his comments to the Walt Disney representatives, "Your attitude is indicative of your industry. You find the questions funny and the lack of progress funny. I trust you change very fast to comply with the law."

(5) The General Counsel closed the hearing with the attached indictment that was given to the press after he read it to the hearing.

TELEVISION NETWORKS

The final testimony was heard from the three major networks. The Los Angeles Times article read, "U.S. Hearing Assails Networks on Minority Hiring Practices" and the sub-heading read, "TV Portrayals of Blacks, Mexican-Americans also Draw Fire From Equal Employment Opportunity Commissioners". Following are representative questions asked the networks:

(1) "Are any Mexican-Americans or blacks used in roles as Doctors, Lawyers, or D.A.'s? Why are Mexican-Americans always used in the role of a heavy (bad guy)?" The Chairman demanded to know how the companies could put on all those documentaries (about minority problems) when you don't have any minority employees?" Commissioner Ximenes asked all the networks, "We have heard from Ray Martel and in the Los Angeles Times this morning an article appeared about Gilbert Roland. Both state that the television and movie industry is racists and bigoted. With your figures, I would have to agree that they have something."

(2) The Chairman asked for a report at the

end of 6 months on the number of TV shows where Mexican-Americans appeared and in what type of roles.

(3) Commissioner Kuck made the following statement after all the networks had testified and during the question and answer period of ABC. "The television programs concentrate on the hard-core unemployed. Could it be that the programs concentrate on the hard-core unemployed too much? Maybe they should concentrate on discrimination in employment?"

(4) Commissioner Brown stated to ABC, "You have not done a good job. Candidly, I'll have to say that if your figures speak for the country, we are in terrible shape."

(5) The Chairman ended the questioning as follows: "Not to praise your competition you have the worst figures of all the networks. (ABC) "Ladies and gentlemen, you have just heard from the three networks, they bring you the news." (The audience broke out in gales of laughter). He pointed out that none has had a "black or brown vice president." He called the attitude of the networks "callous" and said that there was little improvement since the EEOC hearings in New York fifteen months ago where the networks were quizzed. He then stated, "I would remind the networks that equal opportunity is the law of the land and we are telling you that you are potential lawbreakers. You have a greater responsibility than anyone else we have heard from this week, and with your figures you can't bring the news fairly to America. It is an awful situation. I think America will worry about what was heard here today."

BANKING INDUSTRY

The Commission seemed fairly pleased with the minority employment figures of Occidental Life Insurance, 39% minorities and did not quiz them very much. In the case of Bank of America, numerous questions were asked about the Bank's reluctance to put black or brown bank managers into all-white areas. Bank of America was also asked, "Do you use the Los Angeles Times for Advertising? Do you know that they use separate heading by sex? Do you know that this violates Title VII for you to use the separate headings?"

As for Security Pacific National Bank, the Commission asked many questions in regard to their difficulty in recruiting from colleges and one Commissioner stated, "I do not think that you are sending recruiters out really looking for minorities." The Chairman asked them "Do you give the Wonderlic test or the California Maturity Test to your board of directors? Why not? You give them to all other persons entering the company." The Chairman ended the questioning of Pacific with the following, "Why should blacks or browns bother to get an education? They will never get on the board of directors or on the vice presidential level. Who needs high falutin education when you can't make the grade? Do you have any average whites at the bank? Do you hire average blacks or browns? Or only super blacks?"

GENERAL COMMENTS MADE BY CHAIRMAN ALEXANDER

The EEOC will hold hearings with the Textile Industry soon as a follow up to the hearings held in 1967 with the Textile Industry.

The Chairman made numerous references to the New York Hearing held in January of 1968 and implied that the EEOC will be returning soon to hold follow up hearings in New York in order to determine if substantial changes have occurred during the last 15 months.

The Chairman stated a number of times that the EEOC discovered during the New York hearings that Plans for Progress companies were the greatest underutilizers of minority persons. He further stated that this continues to be the case for Plans for Progress companies throughout the nation.

DWIGHT DAVID EISENHOWER

Mr. BURDICK. Mr. President, one of America's greatest sons has returned to the plains of the Midwest, having concluded a lifetime of service to his country. Dwight David Eisenhower, General of the Army, 34th President of the United States, one of the most beloved men in America, is laid to rest in the heartland of the Nation he served and led.

Future historians will write what his deeds and accomplishments meant to the world. We of this generation were too close to the many events he helped shape. His leadership of the diverse elements in the Allied armies against the common aggressor brought victory in the largest war in history. His later leadership as President brought us through a difficult time of readjustment. He ended a bloody war in Asia; he made the first stand for civil rights when the order of our Highest Court was ignored. Now the work for his fellow men is done and Dwight David Eisenhower has returned to the native Kansas he loved.

Not only does every American feel a personal loss at his passing, but the whole world mourns the death of this good man. His name and good works will live in history.

REQUEST FOR FUNDS FOR NAVAHO COMMUNITY COLLEGE

Mr. FANNIN. Mr. President, on behalf of my colleague from Arizona (Mr. GOLDWATER), I ask unanimous consent that remarks which he had prepared for delivery in the Senate today be printed in the RECORD. He greatly desired to be here to deliver this speech on behalf of a most worthy undertaking and regrets that he is unable to do so.

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

NAVAHO COMMUNITY COLLEGE
(Statement by Senator GOLDWATER)

The purpose of my remarks on this occasion is to acquaint Congress and the people of the country with one of the most constructive and inspiring educational projects ever undertaken by a minority group in the United States.

The subject which I bring to your attention is that of the Navaho Community College, a unique and extremely promising enterprise which was launched in January of this year with the best wishes and prayers of all Americans concerned with the present plight and future condition of the American Indian. This college was established by the Navajo Indians themselves on a dream and a shoestring. It is a courageous undertaking which contains many of the aspirations of a very proud and deserving segment of our population.

The Navaho Community College is the first college ever located on an Indian reservation. It is the first college ever to be controlled by an Indian board of regents. And it is the first college which is totally sensitive to the needs of Indian students.

The college is located temporarily at Many Farms, Arizona, the geographical center of the vast Navajo reservation which compares in size with the state of West Virginia. The college has the support and endorsement of the Navajo Tribal Council which has given both land and money to the new institution of higher education. And although the Navajo tribe is supporting the college to the full

extent of its financial capacity, the project requires additional help from government, private foundations, business and industry and interested individuals.

Before I go any further, Mr. President, let me emphasize that the Navaho Community College, while it will be designed primarily to serve the needs of the Navajos, will also be open to any qualified non-Indians who wish to enroll.

I mentioned earlier that the college was a courageous undertaking launched on a dream and a shoestring. The dream goes back many years and can best be summed up as the yearning of our Indian residents for a clear and positive self-image, and a clear and positive sense of identity. It represents the Indians' great desire for the full development of their individual capacities so that they can function in their own culture and in the complex of varied cultures which comprise the larger society of man.

The shoestring is, of course, financial in nature. I am sure I do not have to emphasize here the fact that it requires large sums of money under the circumstances existing today to sustain an educational undertaking of this magnitude. The fact that the Navaho Community College came into being this year is due in large part to the determination and help of the Navajo Indians themselves, two grants from the Donner Foundation and a two-year financial commitment by the Office of Economic Opportunity. I might state here, Mr. President, that while I am not an admirer of everything done by the OEO in this country, its assistance to the Navaho Community College, I believe, is one of its worthiest endeavors.

With the above mentioned help, a president was named and a staff assembled to permit the college to open its doors on January 20 of this year. It is situated presently in temporary quarters obtained in the new Bureau of Indian Affairs High School at Many Farms. The college will share this facility until June, 1970, when, hopefully, it will move to a permanent campus on a 2,000 acre site near the beautiful Tsalle Lake, located about a thirty-mile drive from Window Rock, capital of the Navajo reservation.

At the present time the college has 350 students. A university study shows that this number will increase by at least four times in the next few years. But direct financial help is needed in the very near future if the new college is to make the most of its fine beginning and start construction on a permanent installation.

Mr. President, those most directly interested in this very worthwhile and extremely necessary project have surveyed many suggestions on ways to provide adequate financing. It is generally understood that the Navajo Tribe cannot begin to meet this heavy financial obligation itself, particularly while it continues to provide for the Navajo reservation—often referred to as "a nation within a nation." Consequently, we believe that the requirements will be for financial from the Federal Government as well as from private sources.

The college currently is engaged in presenting a request to the House Subcommittee on Appropriations for a "line item" appropriation to permit it to start construction at Tsalle Lake this summer. I am sure this body is well acquainted with my long-held views in opposition to federal aid to education. However, room has always existed for exceptions to this opposition, particularly in the realm of higher education and construction costs. Added to this is my firm belief that the Indians represent a special case for consideration by the Federal Government. A deep and lasting obligation is involved here, having to do with the dignity and the honor of a very proud and worthy people. These people, the American Indians, need leadership to help them to better help themselves in a

changing world. And in this connection I can think of nothing that is better designed to provide such leadership than projects such as the Navaho Community College. I might point out that a National Indian Leadership-Service Institute has been established in the Navaho Community College to serve this very need.

Therefore, I should like to state my firm belief in the merits of the Navaho Community College and go on record in support of an appropriation by the Federal Government to assist it in its quest for permanency.

A MIRV MORATORIUM

Mr. NELSON. Mr. President, although the country and the Congress are legitimately concerned about the antiballistic missile, another weapon, soon to be added to America's arsenal, can bring mankind beyond the point of no return, too.

MIRV—multiple independently targetable reentry vehicles—are currently being tested and soon will be deployed.

The troublesome feature of MIRV's is that they may have a dangerous effect on the strategic nuclear balance. The use of MIRV missiles by the United States may cause a Soviet reaction that will further exacerbate the already spiraling armaments race.

This is because once MIRV is deployed the Soviets will not know how many independently retargetable missiles loaded with nuclear warheads we will have. This uncertainty could lead the Russians to escalate their missile building to offset our new advancements. In turn, the Russians might develop MIRV's causing the United States to be unsure of the Soviet potential, leading us to build more weapons to combat the added Russian threat—and so we will go around the merry-go-round, continuing to aggravate the already delicate balance of power.

Last year, the Senator from Minnesota (Mr. McCARTHY) called for an international moratorium on all testing and deployment of new offensive and defensive weapon systems. It seems to me that Senator McCARTHY's proposal has a great deal of persuasiveness.

I ask unanimous consent that this proposal and several newspaper articles explaining why MIRV's should not be deployed now be printed in the RECORD.

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

EXCERPT FROM POSITION PAPER OF EUGENE McCARTHY, JULY 10, 1968

We must seek an immediate international moratorium—a freeze—on the number and characteristics of strategic weapons, both offensive and defensive. Such a moratorium would prevent ABM deployments by the United States and the Soviet Union. It would mean there would be no deployment by the United States of new offensive missiles, for example the multiple warhead missiles, Minuteman III and Poseidon. The Soviet Union in turn would terminate the very considerable expansion of its offensive strategic program that is now underway. It is particularly important that this moratorium come into effect before there is any major ABM deployment by the United States and before the Soviet ABM is extended.

So long as the moratorium is effective there should also be an agreement that there shall be no flight testing of new ICBMs,

or new submarine-launched missiles. Fortunately it appears feasible to verify compliance with all these prohibitions—on ABM deployment, on significant new offensive missile deployment and on flight testing of new offensive missiles—without there being any need for intrusive verification procedures. Both sides now have other verification capabilities, including observation satellites, which are sufficiently dependable to minimize the risks of significant undetected evasions even in the absence of specific inspection agreements.

As an initial step toward reaching agreements to limit strategic armaments we should announce that we are delaying deployment of the Sentinel ABM system and the Poseidon and Minuteman III ICBM pending speedy agreement with the U.S.S.R. We can do this without putting our security in jeopardy, since neither the Chinese nuclear threat against which we are deploying Sentinel, nor the Soviet ABM which is the rationale for the Poseidon and Minuteman III developments, are moving ahead perceptibly. At the very least we would be deferring expenditures in a year when our economy is seriously strained; and if our restraint should promote an agreement on strategic forces we would have gained greatly from our unilateral initiatives in this area.

As part of a freeze on strategic offensive and defensive systems, we should also seek an international agreement to prohibit both development and deployment of new intercontinental bombers. Compliance in this case too could be easily verified.

Following a freeze on strategic offensive systems and ABMs, there should be an agreement to reduce the number of strategic weapons. Reaching agreement on this point may be more difficult because of the problems of establishing the levels to be retained, and balancing dissimilar weapons systems. Reductions of strategic systems to very low levels will be extremely difficult and we should not make the mistake of believing otherwise. It will be necessary but not easy to persuade all countries having nuclear weapon capabilities to accede to such agreements. It will also be difficult to secure agreement on the intrusive inspection procedures that will be necessary when the retained levels are so low that small evasions could affect the strategic balance. These problems, however, are not beyond solution if they are not beyond political will.

A freeze on strategic delivery systems and ABMs should significantly reduce the military demand for production of additional nuclear warheads, and encourage the Soviets to agree finally to prohibit further production of fissionable material for military purposes. Such an agreement too could be verified without intrusive inspection. It would require merely the same International Atomic Energy Agency controls on reactors and on the facilities that are used for peaceful purposes.

[From the New York Times, August 1968]
DECISION ON THE MIRV

Twenty-three years ago this week the world entered the nuclear weapons era at Hiroshima and Nagasaki. Ever since, Washington has been torn between the temptation to maintain and exploit its lead and the knowledge that nuclear superiority would become meaningless when both Russia and the United States had the capability to destroy each other regardless of which attacked first.

That moment has long since arrived. Yet, just as momentous talks to curb nuclear missiles impend between Moscow and Washington, President Johnson is under pressure from his military advisers to initiate a vast new expansion of American nuclear delivery vehicles. And no one doubts that the Soviet Union would follow suit.

The trigger for this new venture into overkill would be provided by going ahead on

schedule this month with the first full-systems flight-test of the revolutionary nuclear warheads known as MIRV (Multiple Independently Targeted Re-entry Vehicles). Prototype versions of the two new missiles developed as MIRV carriers for the nineteen-seventies—the submarine-launched Poseidon and silo-based Minuteman III—will get their initial flight tests at Cape Kennedy next week. But whether MIRV will also be tested on these flights has now been classified secret.

Even without the expansion that MIRV would represent, the action-reaction phenomenon of the arms race already has given both the United States and the Soviet Union nuclear forces that former Defense Secretary McNamara describes as "greatly in excess" of security needs. More serious still, nuclear escalation has foreclosed, one by one, the possibilities of ever getting the atom under control.

The failure to agree to ban tests of H-bombs before 1952-54 and of intercontinental missiles before 1958-60 has not only increased the nuclear danger but—by shortening reaction time from many hours to a few minutes—has also made arms control far more difficult. A major watershed was passed in 1955 when defense scientists of East and West conceded that no means of international inspection any longer could find concealed stockpiles of nuclear warheads. Ever since, it has been possible to control only delivery systems.

Now, Russia's reaction to American testing and deployment of MIRV could make control of delivery systems as difficult as control of nuclear bombs. In the MIRV era, no satellite will be able to count whether a Soviet missile carries five or fifty warheads. And there is a greater risk.

Small and highly accurate, MIRV warheads will be far more effective against enemy missile silos than existing weapons. This quality, plus MIRV's ability to overwhelm missile defenses, could lead the Soviet Union to turn away from underground silos toward mobile land-based ICBMs. These would be about as invulnerable to MIRV attack as Polaris submarines, but cheaper to build and easier to deploy.

And that would be the end of the line. Satellites can count Polaris submarines at sea. But even with on-site inspection in the Soviet Union, the number of mobile missiles on land could never be known with certainty. With no realizable means to turn down the arms race.

[From the New York Times, Aug. 5, 1968]
DELAY THE MIRV TESTS

There is a kind of "mad momentum" intrinsic in the development of all new nuclear weaponry, former Defense Secretary McNamara said not long ago. "If a weapons system works and works well," he added, "there is strong pressure from many directions to procure and deploy the weapon"—whether or not it is needed.

Perhaps this is the only explanation for the danger, discussed elsewhere on this page, that the United States this month may take itself and Russia into a "MIRV era" that would multiply nuclear delivery vehicles manifold on both sides—just as Soviet-American talks to curb the missile race are about to open.

The revolutionary nuclear warheads known as MIRV—Multiple Independently Targeted Re-entry Vehicles—were developed to enable the United States to overwhelm a heavy nationwide Soviet anti-missile system. But Russia so far is limiting its missile defense construction to the Moscow area, where it is proceeding at a snail's pace. It may have decided that neither Russia nor the U.S. can build an effective missile defense that the other could overcome. Yet America's \$4-billion MIRV program is moving ahead unchanged.

The United States, Mr. McNamara has revealed, already has a nuclear arsenal "greatly

in excess" of prudent security need because it overestimated Soviet missile plans. It has 2,200 separately deliverable warheads in its alert forces and a total of 4,200 in all, three to four times as many as the Soviet Union. Delivery of only 400 warheads on Soviet targets would inflict 74 million fatalities and wipe out three-fourths of Soviet industry.

There clearly is no need right now to take the irreversible steps that the first MIRV flight-test this month would represent. The American lead in MIRV development of two years or more, the slowdown in Soviet anti-missile deployment and the imminent Soviet-American talks cry out for a few months delay.

The MIRV era would have a dangerous destabilizing effect on the strategic nuclear balance—one that would be distinctly unfavorable to America as well as world security interests. It would rule out an early missile freeze. And it would enormously complicate arms control inspection problems, making a comprehensive agreement with the Soviet Union far more difficult, if not impossible, for the next Administration to achieve. History will not easily forgive such a mindless acceleration of the arms race.

[From the New York Times, July 31, 1968]
HALTING MISSILE DEPLOYMENT

Senator McCarthy's proposal that the United States delay deployment of new offensive and defensive strategic missiles pending "speedy agreement" on a mutual moratorium with the Soviet Union places the problem in proper perspective.

The objective would be to achieve the missile freeze, which Washington and Moscow have agreed to negotiate, before rather than after a vast new expansion of nuclear delivery systems on both sides. Such expansion would be both expensive and dangerous, and it would greatly complicate the projected Soviet-American negotiations. It is therefore highly desirable in the initial talks with Moscow to seek a quick agreement on mutual restraint while the comprehensive negotiations go forward.

A delay in American missile deployment until this approach can be explored with the Soviet Union would dramatize the need for a rapid reciprocal move by Moscow; a unilateral American standstill obviously could not continue indefinitely.

The McCarthy position paper, which was prepared by two former Presidential science advisers—Dr. George Kistiakowsky of Harvard and Dr. Jerome Wiesner, provost of Massachusetts Institute of Technology—argues that such a standstill would not jeopardize American security. It would apply to the Sentinel antimissile system and the Poseidon and Minuteman III offensive missiles. The fact that the House has now followed the Senate in approving funds for Sentinel deployment does not obligate the Administration to begin construction immediately.

Neither the Chinese nuclear threat against which we are deploying Sentinel nor the Soviet antiballistic-missile, which is the rationale for the Poseidon and Minuteman III deployments, are moving ahead perceptibly," the McCarthy paper observes.

The danger in letting the missile race go on during a prolonged negotiation is evident. The introduction of sophisticated missile defense systems and new offensive missiles equipped with multiple warheads could destroy the strategic stability that now exists. That stability results from the presence on both sides of invulnerable deterrent forces capable of absorbing a surprise attack, then striking back in retaliation with devastating effect. The new weapons systems, on the contrary, would raise fears on both sides that the other may be achieving a capability for a preemptive attack. In crises, there would be the temptation to launch a first strike.

The mutual moratorium Senator McCarthy proposes to head off this danger would freeze the number and characteristics of strategic offensive and defensive weapons at their present level. Both sides would halt anti-missile deployments. The United States would cease deployment and flight-testing of new offensive missiles, such as Poseidon and Minuteman III. The Soviet Union would do the same, terminating the considerable expansion of its offensive strategic program that has been underway. Development and deployment of new intercontinental bombers would also be prohibited.

Subsequent reduction of strategic weapons would be more difficult to achieve, since intrusive inspection would be needed and agreement on retained levels of arms would not be easy. But a freeze of present weapons could be monitored by satellite reconnaissance without intrusive onsite verification.

Would the Soviet Union respond to this proposal for quick agreement on a mutual moratorium as a prelude to a comprehensive treaty? No one can say. But an attempt should be made to find out before another upward spiral in the missile race is initiated.

[From the New York Times, Aug. 5, 1968]

MIRV'S FIRST TEST AND THE MISSILE FREEZE

(By Robert Kleiman)

Impending talks with Moscow on the curbing of nuclear missiles confront President Johnson with a conundrum as complex as any he has faced in the White House: Can the arms race be slowed down by speeding it up?

The Joint Chiefs of Staff want to go ahead this month as scheduled with the first flight-tests of the revolutionary MIRV (Multiple Independently-Targeted Re-entry Vehicles) warheads.

The Arms Control and Disarmament Agency, with some military as well as civilian support in the Defense and State Departments, favors a delay. Postponement of the test series is urged until talks with the Russians reveal whether a missile freeze before, rather than after, entry into the "MIRV era" is possible.

President Johnson reportedly is convinced that MIRV development and moves to deploy the "thin" Sentinel antiballistic missile (ABM) system are what have brought Moscow, after a 17-month delay, to accept negotiations. But the MIRV test-series would take the world past a point of no return in the arms race that would certainly complicate, probably delay and possibly doom attempts to negotiate missile ceilings.

At present, many experts believe, a missile freeze could be verified by satellite reconnaissance and other unilateral intelligence means. ABMs, offensive missile silos and Polaris submarines at sea could be counted with sufficient accuracy to detect large-scale evasion that might seriously upset the strategic balance.

But satellite observation could not tell whether a MIRV-tipped missile carried five or fifty nuclear warheads. In the MIRV era—if it cannot be headed off—verification of a missile freeze might require on-site inspection far more intrusive than any the Soviet Union has been willing to contemplate.

The negotiations would also be hindered by the rapidly spiraling missile race, which would threaten the stability of mutual deterrence that now exists. MIRV would enable the new silo-based Minuteman III and submarine-launched Poseidon missiles, each to deliver 3 to 12 nuclear warheads on 3 to 12 widely separated targets.

On the average, by one calculation, the number of separately targeted warheads mounted on the 1,710 American strategic offensive missiles could be multiplied perhaps sixfold to over 10,000. A similar expansion of Russia's deliverable warheads would be possible. With missile accuracy increas-

ing and missile defenses introducing other uncertainties, fear on both sides that the other was achieving a pre-emptive capability could lead in a crisis to a shoot-first psychology.

What risk is there in holding up the MIRV tests? MIRV was developed to overwhelm a heavy nationwide Soviet missile defense. But the Soviet ABM system is still limited to the Moscow area and is proceeding very slowly there.

The Joint Chiefs of Staff reportedly argue that Moscow might drag out the missile talks for the two years it would need to prepare its own MIRV tests. Meanwhile, the tripling of Russia's land-based offensive missile force that has been under way could be completed. That would give the Soviet Union parity with America's 1,054 Minuteman and Titan II missiles, but not with the U.S. Polaris force of 656 missiles.

Essentially, the Joint Chiefs feel that the United States should maintain its arms lead by going ahead with MIRV and a heavy missile defense. They ask rigorous on-site inspection for any missile-freeze pact.

How will President Johnson decide? His arms control advisers would seek agreement with Moscow first on measures they feel can be verified adequately, despite JCS objections, without intrusive on-site inspections. That might permit an early mutual moratorium on further deployment of ABMs and offensive missiles.

There is more controversy over the adequacy of satellite and peripheral radar verification of a MIRV test-ban; a small amount of inspection could increase confidence. But Russia is believed to be two years or more from a MIRV test and this question could well be left for the next Administration to decide.

What must be decided now is whether to foreclose options for the next President—and for future generations of Americans—by flight-testing MIRV before exploring the issue with the Russians. To do so would probably assure Moscow's decision to develop and test its own MIRV before accepting a missile freeze. Soviet development of mobile land-based intercontinental missiles—safe from American MIRV attack but far more difficult than MIRV for arms control inspection—might also be stimulated. And chances undoubtedly would be ended for President Johnson before leaving office to obtain—or at least prepare—a moratorium that would freeze missile deployment at present levels pending negotiated reductions.

ROGER L. STEVENS

Mr. PELL. Mr. President, Roger Stevens was named Chairman of the National Council on the Arts on March 11, 1965, and Chairman of the National Endowment for the Arts on September 29, 1965. Many are the complaints today that he has not been renamed.

To say his original appointment to these posts was a wise decision is an understatement. Roger Stevens has devoted enormous effort to the development of the Federal arts program. And more importantly, he has achieved remarkable results despite the fact that the funds needed to launch the kind of program many of us envisaged when the legislation was passed, have not been forthcoming. Those of us who worked closely with Roger Stevens in developing these programs, in the words of Robert E. Lee, bid him an affectionate farewell, but only as a full-time Federal administrator. For, I have no doubt that his creativity and force will continue to be felt, perhaps even more strongly, by those engaged in artistic activity in this

country now that he is a private citizen and not bound by administrative and bureaucratic considerations.

Many outstanding programs were administered by the National Council on the Arts and the National Endowment for the Arts under the chairmanship of Roger Stevens. His track record is an enviable one. I would like to note some of it:

First. During fiscal years 1966, 1967, and 1968, the Endowment made approximately 800 grants for a total Federal investment of \$13.3 million; moreover, this \$13.3 million in Endowment moneys directly encouraged the investment of over \$32 million from other sources for support of the arts.

Second. As a result of the Endowment's activities, the first major national artists' housing center in the United States and the largest in the world will open next year.

Third. Forty-nine States and four territories have now established arts councils with the assistance of Federal funds provided on a matching basis. These State councils are now engaged in support of projects and productions which bring the arts to all sections of the country. This program, which was provided for in the basic legislation establishing the National Endowment for the Arts, has proved to be one of the most valuable partnerships that could be imagined. The degree of interest it has engendered has been remarkable and for the first time the arts are being supported in States and communities on a fully cooperative basis with the Federal Government. To my mind, no current program of the Federal Government has achieved such widespread results at such a minimal Federal investment.

Fourth. There has been established an American Film Institute. This organization was proposed by President Lyndon B. Johnson when he signed the Arts and Humanities Act of 1965. Until its creation, the United States was the only "civilized" nation without such a film organization. As the result of \$2.6 million provided by the Ford Foundation and the Endowment, an additional \$2.6 million was raised from film companies, distributors, and other corporations allied with the film industry. The institute is actively engaged in: Film preservation activities; the development of the film audience; improving the quality of professional training opportunities for filmmakers in the United States; the production of short films which provide an outlet for experimentation and change by film artists; the publication of additional film literature; and the production of feature motion pictures whereby new filmmakers can create motion pictures that might not ordinarily be made.

Fifth. Readings in poetry have been brought to students and teachers throughout the country. This program has been received with extraordinary enthusiasm. The response on the part of students has been little short of remarkable. Poets visiting the high schools have been mobbed by students who want more of the readings and resultant discussions.

Sixth. The Endowment has entered into a partnership with the American

National Theater and Academy—ANTA—which has made available to the Federal Government a first-class fully operational Broadway theater which will be used by nonprofit theatrical organizations throughout the country. Before this facility became available, such groups did not have an opportunity to meet the severe tests of critics and audiences to be found only in New York City.

Seventh. Laboratory theaters have been established in Providence, New Orleans, and Los Angeles. This project, conceived in cooperation with the U.S. Office of Education has enabled professional theater companies to perform classics of dramatic literature in productions of the highest quality for secondary school students; at the same time the plays are being studied in the classrooms. Over a 3-year period, approximately 302,500 high school students in Providence, Los Angeles, and New Orleans have been brought to the theaters—more than 90 percent of the students in one of these cities had never seen live theater—and the impact of the stage productions had brought to life the plays which, without the excitement provided by live theater, might have remained nothing more than words on a page. Enthusiastic reactions of both the teenagers and their teachers to the productions have led to altered attitudes and unprecedented enthusiasm toward dramatic literature among these “exposed” individuals.

Eighth. In the summer of 1968, the Endowment made grants to 16 cities for inner city arts programs with matching funds being provided by the cities themselves. Two hundred thousand dollars in private contributions generated a Federal investment of a like amount which in turn resulted in a \$1.2 million program in those cities. The Endowment, in cooperation with the President's Council on Youth Opportunity, played a part in drawing into active participation thousands of America's inner-city residents who were involved in numerous arts activities and workshops, many for the first time in their lives. This Endowment program, when mentioned together with another pilot project which is stimulating arts activities in five small rural communities with populations ranging from 1,150 to 8,800, illustrates the Council's and the Endowment's determination that the arts not be the province of the urban wealthy alone, but that they reach into and enrich the lives of all Americans.

Ninth. The individual grants program of the Endowment has been truly outstanding. Hundreds of visual artists, writers, choreographers, and other young artists of high potential have received financial assistance to encourage them to keep working in their areas of interest. The Nation's artistic future depends on the encouragement and assistance of such individuals. If they are forced to find financial support outside the area of their artistic interests, they will be lost to us forever. One fact has become clear, without the assistance provided by the WPA during the depression to our artists this country today would be far, far poorer culturally than it is.

Tenth. Another exciting new partnership on the part of the arts has been entered into by the Endowment and the AFL-CIO's Council for Scientific, Professional, and Cultural Employees. Funds are used to establish arts demonstration projects in four major American cities in cooperation with union locals and community arts organizations. Whole new segments of the population will be involved. Another project along these lines will enable Oakland University in Rochester, Mich., to cooperate with the United Automobile Workers and the Amalgamated Clothing Workers of America in an experimental audience development program.

The foregoing was a short recitation of some of the activities and programs sponsored by the National Endowment for the Arts, under the chairmanship of Roger Stevens. His work has been truly outstanding. I am sorry that its value has not been really recognized in his own country. Abroad, the name of Roger Stevens is equated with farseeing vision in aesthetic endeavors. However, on Capitol Hill he has been vilified as well as praised. Our Nation gained a dedicated and wise public servant and a debt has accrued which has been neither acknowledged and can never be repaid.

On a more personal note, Roger Stevens has been and is an honored counselor and trusted friend. I hope some day his fellow citizens again may enjoy and benefit from his services. On the occasion of his departure from public service, I say a heartfelt thank you and all best wishes for the future.

THE APPOINTMENT OF LEON PANETTA AS HEW CIVIL RIGHTS CHIEF

Mr. NELSON. Mr. President, I was pleased to read, over the weekend, that Mr. Leon Panetta, formerly a legislative assistant on the staff of our distinguished former colleague from the State of California, Senator Tom Kuchel, had been appointed Director of the Office for Civil Rights of the Department of Health, Education, and Welfare.

The Office for Civil Rights is the agency within the Department of Health, Education, and Welfare which is responsible for the administration of the compliance program authorized by title VI of the Civil Rights Act of 1964. Title VI, of course, is the section of the Civil Rights Act prohibiting the use of Federal funds to support programs or activities which discriminate on the basis of race, color, or national origin.

The HEW title VI compliance activities—particularly the school desegregation program—have been the center of considerable controversy in recent weeks. I think much of the controversy might well have been avoided if the new administration had been clear at the outset about its commitment to carry out the title VI compliance program in the area of elementary and secondary education. There remains today a great deal of confusion among Members of Congress and others interested in this program about the intentions of this administration.

I hope I am correct in interpreting the

appointment of Mr. Panetta, who worked as a member of Senator Kuchel's staff on civil rights legislation, as an affirmative sign that the administration does intend to carry out an effective title VI school desegregation program. It is good to know that the Director of this program will be a man with the background of Mr. Panetta.

Mr. President, I ask unanimous consent that a New York Times article on Mr. Panetta's appointment be printed in the RECORD.

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

LIBERAL IS GIVEN CIVIL RIGHTS POST—FINCH AIDE NEGOTIATES PLAN FOR MISSISSIPPI INTEGRATION

(By Roy Reed)

WASHINGTON, March 29.—Leon E. Panetta, a California liberal, has been named director of the Office for Civil Rights in the Department of Health, Education, and Welfare.

Mr. Panetta, who is white, will replace Dr. Lloyd R. Henderson, who has been acting director since the resignation of Mrs. Ruby Martin, a Negro, March 10.

The new director has been special assistant for civil rights to Robert H. Finch, Secretary of Health, Education and Welfare.

In that role, he has been involved in negotiations with Southern school officials on knotty desegregation problems.

His first action as director was to negotiate a desegregation plan for the South Panola School District at Batesville, Miss.

South Panola was one of five Southern districts that won 60 extra days from Mr. Finch to produce an acceptable plan before finally losing Federal funds for noncompliance with the 1964 civil rights law.

Only one other district, Martin County, N.C., among the five have developed an acceptable plan. It was accepted Feb. 27, over the objection of some department officials that it was of questionable educational value.

South Panola, in intense last-minute negotiations with Mr. Panetta, agreed to integrate all its schools beginning with 1970-71 school year.

SINGLE HIGH SCHOOL

All high school students are to attend a single school, elementary and junior high schools are to be zoned to require students go to the schools nearest their homes, and faculties are to be desegregated.

For the 1969-70 school year, the school board agreed to assign at least 20 per cent of the Negro students to formerly all-white schools.

The board agreed not to dismiss any Negro teachers because of the desegregation. It also agreed to “take steps” toward faculty desegregation next fall.

Mr. Panetta was pleased with the plan. He said the South Panola school board had a difficult problem because the district has a 56 per cent Negro enrollment. Southern whites have been particularly reluctant to integrate where they are outnumbered by Negroes.

Three other districts will apparently forfeit their funds either because of inadequate plans or because they have submitted no plans at all. They are Barnwell County District No. 45 in South Carolina, Abbeville, S.C., and Water Valley, Miss.

DEEP COMMITMENT

Mr. Finch said in announcing Mr. Panetta's appointment that the new director had “clearly demonstrated his deep commitment to strong, fair and rational enforcement of the 1964 Civil Rights Act.”

Mr. Finch has been under pressure from some liberals to make clear his own commitment to the enforcement of the civil

rights law, which prohibits discrimination in schools and other areas. His granting of a 60-day grace period to the five Southern districts—the first major civil rights action of the Nixon Administration—was denounced by liberals as a relaxation of the enforcement procedure.

Mr. Panetta, 30 years old, was legal counsel and legislative aide to former Senator Thomas H. Kuchel, the liberal California Republican, until this year.

He worked in the civil rights area in Mr. Kuchel's office, and he helped draft the 1968 open housing bill.

He grew up in southern California. He was graduated with honors in 1963 from the University of Santa Clara Law School, where he was editor of *The Law Review*.

CAROLINA PLAN IN TROUBLE

In North Carolina, the Martin County desegregation plan seems to be in trouble. Negroes are complaining that all the integration is one-way, with Negro students going to predominantly white schools and no white students going to predominantly Negro schools.

Whites are unhappy with it, too. Martin County has an active Ku Klux Klan. A white private school is being formed.

A proposed bond issue designed to build two new public schools is under attack from segregationists and antitax elements.

Desegregation can continue without the two new buildings, but the process would be simplified with them.

IZAAK WALTON LEAGUE ENDORSES BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, the Izaak Walton League of America is a well-known and highly respected organization that is deeply concerned with the preservation of our natural resources. In July 1968, at its national convention in Denver, Colo., the Izaak Walton League adopted a resolution supporting the "establishment of a Big Thicket National Reserve of approximately 100,000 acres." This prestigious organization has seen the significance of the unique and beautiful Big Thicket area in southeast Texas, and has lent its support to S. 4, my bill to establish a Big Thicket National Park of not less than 100,000 acres.

I ask unanimous consent that the resolution entitled "Big Thicket National Reserve," adopted by the Izaak Walton League of America on July 12, 1968, be printed in the RECORD.

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

BIG THICKET NATIONAL PRESERVE

Whereas, the Big Thicket region of southeast Texas contains a number of outstanding natural areas of great scientific value, including rare and endangered species such as the ivory-billed woodpecker, and great recreational potential, if established in a comprehensive and contiguous environmental system; and

Whereas, separate tracts and interconnecting land and water systems are now proposed as a national preserve, but are threatened by logging operations, housing developments and drainage projects which would spoil highly desirable recreational resources and irreplaceable natural areas, and which would create problems of siltation in the waterways of the area; and

Whereas, a number of private interests have expressed favor for supplementing the several preserve areas in the Big Thicket with recreational waterways and forested corridors

connecting those areas, thereby setting aside a more complete land and water system than isolated and vulnerable parcels could provide: Now, therefore, be it

Resolved, by the Izaak Walton League of America in convention assembled at Denver, Colorado, this 12th day of July, 1968, That support is hereby expressed for establishment of a Big Thicket national preserve of approximately 100,000 acres, based upon a plan which will preserve the most ecologically significant natural areas; create public riverway and recreational interconnecting corridors between the nature preserves along the Neches River, Village Creek and Pine Island Bay, and which would establish a national wildlife refuge in a selected area of the Big Thicket now operated by the Army Corps of Engineers.

DWIGHT DAVID EISENHOWER

Mr. HARRIS. Mr. President, in the past few days I think all of us have come to realize more fully just how much our 34th President, Dwight David Eisenhower, was respected and revered by the people of this Nation, and for that matter, the peoples of all nations. America is mourning the death of one of its most distinguished citizens and one of its best loved Presidents. Thousands came to pay their last respects—to join in a final salute—to this gallant soldier whose leadership in time of war and later in quest of a lasting peace has had great impact on our Democracy. The tragedy of President Eisenhower's death has touched many nations, for he was really a citizen of the world.

Born in Texas and reared in Kansas, he was a neighbor in a very real sense to the State of Oklahoma and to Oklahomans. He visited with us a number of times, always friendly, courteous, and helpful, and we shared the pride in his achievements.

The bravery and unfailing good humor that he displayed in his last days was a reflection of the great courage and dedication that marked his entire life.

Dwight Eisenhower was trusted and respected by his fellow men because he was decent and upright and honorable, and because he trusted and respected his fellow men. We will miss him deeply.

THE NEED FOR A STRONG COAL MINE SAFETY LAW

Mr. JAVITS. Mr. President, the Subcommittee on Labor has almost completed its hearings on various bills which have been introduced to strengthen the Coal Mine Safety Act. I am proud to be the sponsor of S. 1300, the administration bill. I hope and believe that within a very short time the subcommittee will complete its deliberations on this important legislation, so necessary to protect the lives and health of thousands of coal miners throughout the Nation. For my part, I shall certainly do all I can to see that the committee reports out a bill which will, at long last, give the Government the tools it needs to remedy a century of neglect, neglect which has caused death to thousands upon thousands of coal miners and injury and crippling disability from coal workers' pneumoconiosis, commonly called black lung, to thousands more.

Mr. President, the New York Times Sunday magazine of March 31, 1969, contains an article written by Ben A. Franklin, the Appalachian regional correspondent of the Times, which states the case, in the strongest possible terms, for an effective Federal coal mine safety law. I ask unanimous consent that the text of the article be printed in the RECORD.

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

MORE THAN 120,000 MINERS HAVE DIED VIOLENTLY—THE SCANDAL OF DEATH AND INJURY IN THE MINES

(By Ben A. Franklin)

"Of the 54 men in the mine, only two who happened to be in some crevices near the mouth of the shaft escaped with life. Nearly all the internal works of the mine were blown to atoms. Such was the force of the explosion that a basket then descending, containing three men, was blown nearly 100 feet into the air. Two fell out and were crushed to death, and a third remained in, and, with the basket, was thrown some 70 to 80 feet from the shaft, breaking both his legs and arms."

These sentences matter-of-factly describing the pulverization of a shift of coal miners, including the three men grotesquely orbited out of the mine shaft as if launched from a missile rilo, are from the first detailed record of an American mine disaster. Antiquity probably explains the nursery rhyme quality—"two fell down and broke their crowns . . ." For this earliest remembered mine catastrophe, in the Black Heath pit near Richmond, Va., occurred March 18, 1839.

A primitive time, no doubt. The nation was then so new that Martin Van Buren, warming his feet at the coal-burning grates in the White House, was the first President to have been born a United States citizen. The daguerreotype was introduced here that year by Samuel F. B. Morse, while awaiting the issuance of a patent on his telegraph. Half the coal-producing states were not yet in the Union.

The coal mines, on the threshold of fueling a manufacturing explosion that was to make this country an unmatched industrial power, produced barely one million tons in 1839, less than 1/500th of the output today. In the absence of all but the crudest technology, men relying on the death flutterings of caged canaries to warn them of imminent suffocation obviously would die in the mines. Some mines employed suicidal specialists known as "cannoneers," whose mission was to crawl along the tunnel floors under a wet canvas before a shift, igniting "puffs" of mine gas near the roof with an upraised candle. Dead miners were not even counted. Their enormous casualty rate was not archived until less than 100 years ago.

A glimpse into this dim crevice of American industrial history is necessary to put into perspective the myths and realities of the men who work in the mines today. For the real story of coal is not its multiplying inanimate statistics—tons and carloadings and days lost in strikes. It is the agony of those men—a tale as old as Black Heath and one that is so full of extravagantly evil personalities and atrocious acts that Charles Dickens would have loved to tell it. For behind and beneath the mountains of the Appalachian coalfield, miners have remained since Black Heath the most systematically exploited and expendable class of citizens (with the possible exception of the American Indian and the Negro) in this country.

The story at last may have an un-Dickensian ending. For now, coal miners can see light at the end of the tunnel. In this 1969 spring, 130 years after the Black Heath disaster, the mining industry may finally agree to

pay the modest cost of keeping its work force alive, of abandoning the embedded idea that men are cheaper than coal. And—small pitance—we may all be involved in helping pay what it costs to write this long delayed postscript to the industrial revolution; the price of bringing miners into the 20th century probably will appear, as we shall see, as pennies on our electric bills.

In the context of technological advancement in nearly every other area of human enterprise, very little has changed for men who go down to the mines in shafts. Only four months ago, 78 coal miners were trapped and killed below ground in West Virginia in one of the most volcanic eruptions of explosion and fire in the memory of Federal mine inspectors. As at Black Heath, the explosion at the Consolidation Coal Company's 27-square-mile No. 9 mine at Farmington, W. Va., almost certainly was caused by an ignition of methane gas, a volatile, highly flammable, usually odorless and invisible hydrocarbon gas liberated from virgin coal.

At Consol No. 9, a modern, "safe" mine operated by one of the wealthy giants of the industry, the daily methane emission was 8 million cubic feet, enough to supply the heating and cooking needs of a small city if it were captured and sold. The explosion hazard was dealt with there as it is generally in mining today, by only modestly more sophisticated methods than those at Black Heath.

Fresh air is drawn into the mines by giant fans and circulated and directed constantly through the honeycomb of tunnels by means of doors, ducts or sometimes by curtains called brattices (miners call them "brad-dishes"). The intake air is supposed to dilute and, by law, "render harmless or carry away" the methane and hold the mine atmosphere to less than the legal limit of 1 per cent gas. Unless coal dust is mixed with it—in which case the explosion threshold drops significantly—methane will not ignite or explode in concentrations of less than 5 per cent. Miners live and die today on a margin of 4 percentage points—or less if coal dust is suspended in the air.¹

It is known that the giant electric mining machines in use for the last 20 years—machines that chew up and claw coal from the face with rotary bits the size of railroad wheels—churn up an immense amount of dust. The machines have water sprays to settle the dust. But the machines' rapid rate of advance through the seam also liberates much methane.

The first explosion at Consol No. 9 came at 5:25 A.M., Nov. 20, during the catyey shift. It was a day after the passage over northern West Virginia of a cold front accompanied by an abrupt drop in barometric pressure. In the primitive mythology of mine safety, these natural events—the arrival of cold, dry air and a barometric low, which increases the methane liberation in a mine—have been associated for years with disasters. The legendary great mine explosions from Monongah and Darr in 1907, Rachel & Agnes in 1908 and on up to Orient No. 2 in 1951, have occurred in November and December and in cold, dry weather. The dry air dehumidifies a mine and sets coal dust in motion.

Every fall through 1967, the United Mine Workers Journal had published a fraternal warning to union brothers to observe special precautions in "the explosion season." But, no research having been done in a century of such meteorological coincidences, the in-

dustrial can and does take no account of what it, therefore, regards as a folklore factor—which might interfere with production. The U.M.W. Journal had not got around to running the 1968 warning when Consol No. 9 blew up. "We figured afterward it would be no use," a Journal editor said later.

No one yet knows what death befell the 78 men in No. 9. Miners who survive the shock wave, heat and afterdamp (carbon monoxide) of an underground explosion are instructed to barricade themselves in good air, if any, and await rescue. But during the nine days and nights that rescue teams stood by helplessly on the surface at Farmington, there were at least 16 further explosions in the mine. The first blast had burst up 600 feet through the portals and ventilation shafts, blowing the internal works of the mine to atoms and knocking out ventilation circuits. At the top, the main shaft became the muzzle of a mammoth subterranean cannon. The massive headframe, a trestled structure of bridge-size steel I-beams that supported the main hoist, was blown apart. For days, a boiling plume of poisonous black smoke alternately belched from the shaft and then unaccountably reversed its flow and inhaled, bursting forth again with renewed detonations below.

Finally, on Nov. 29, all five shafts and portals at the mine were sealed—capped and made airtight with tons of rock, steel and concrete. Not for months, until engineers are certain that restoring ventilation will not reignite coked embers and trigger the millions of cubic feet of methane collecting in the primordial atmosphere below, will Farmington's dead be disinterred from their gassy grave. The same mine was sealed for more than a year following a less violent explosion in 1954 that killed 16 men (including one, Black Heath-style, topside near the mine mouth), the fires continued to burn in sealed sections of the mine even after production was resumed.

If entombing a mine fire to control it seems primitive in this day of chemical fire fighting agents and automatic deluge sprinkler systems, it is futuristic, compared with the industry's performance in disaster prevention. There have been profitable technological advances in the extraction of coal from the seam, and today the industry is on the brink of such a long, secure production boom that big oil companies, with some of the sharpest eyes for markets and profits in the business world, are buying up and merging with coal companies at a rapid rate. But production economies in the past have more often than not been at the expense of human economies, and Big Oil may be surprised to find itself saddled with coal's amazing insensitivity to mayhem and death. It was the fatalistic acceptance of Farmington more than the disaster itself (President Nixon has since criticized this acceptance of death as "as much a part of the job as the tools and the tunnels") that finally started the mine-safety revolution.

At first, at the daily post-explosion news conferences in Consol's cinderblock company store near Farmington (many miners are still today in debt to their employers' merchandising subsidiaries for nearly a full paycheck before they are paid), William Poundstone, Consol's executive vice president for mining operations, insisted that the mine was "only technically gassy." W. R. Park, a senior Federal mine inspector familiar for years with the mine, insisted it was "extremely gassy," and John Roberts, a Consol public relations man, called it "excessively gassy." Roberts, a master of malapropism who greeted the news corps before one vigil news conference by asking cheerily, "Are all the bodies here?" also described the No. 9 explosion hazard as "something that we have to live with."

Then came the parade of V.I.P.'s. U.M.W. president W. A. (Tony) Boyle came to the mine head not only to congratulate Consol

on being "one of the better companies as far as cooperation and safety are concerned," but to add that if this "safe" mine blew up, "you can imagine what the rest are like." "As long as we mine coal," said Boyle, the philosophical miners' ombudsman, "there is always this inherent danger of explosion." The then assistant Secretary of the Interior J. Cordell Moore, the department's top minerals man, flew up from Washington to add that "unfortunately—we don't understand why these things happen—but they do happen," and to venture that "the company here has done all in its power to make this a safe mine." (In fact, Moore's own Bureau of Mines had reported substandard rock dusting at Consol No. 9—the most basic of explosion-prevention measures involves rendering coal dust inert with 65 per cent crushed limestone—in all 24 of its inspections there since 1963. The bureau had cited No. 9 for 25 other safety violations since December, 1966. Moore probably saw nothing unusual in that because violations are the norm in most mines.)

Hulett C. Smith, then the Governor of West Virginia, also stood before the television cameras and observed more in sadness than in anger that "we must recognize that this is a hazardous business and what has occurred here is one of the hazards of being a miner."

With that, the fuse, delayed so long, finally blew in Washington. The then Secretary of the Interior, Stewart L. Udall, after eight years of more concern for California redwoods than for miners, denounced the whole system of coal mining—the technological and moral systems—as "unacceptable." As an astonished layman, Udall noted that Consol was mining "in an area that really is a low-grade gas field" and that "obviously it is not a solution that is completely adequate to dilute the gas by pumping in air." Within three weeks, Udall summoned a national coal-safety conference which turned out to be one of the most amazing gatherings in bureaucratic history. In a Soviet-style mood of confession, Udall publicly admitted that "we have accepted, even condoned, an attitude of fatalism that belongs to an age darker than the deepest recess of any coal mine. At every level of responsibility, from the individual miner to the highest councils of Government, we have looked with horror on the specters of death and disease that haunt our mines. Then we have shrugged our shoulders and said to ourselves, 'Well, coal mining is an inherently hazardous business' or 'It's too bad, of course, but as long as coal is mined men inevitably will die underground.' These easy rationalizations are no longer acceptable in this time in history."

The stubborn Black Heath syndrome—so costly in human life and so profitable to the industry—finally was broken. Within a week, Bureau of Mines Director John F. O'Leary, on the job one month, issued orders to his inspectors. They were to cease immediately giving prior notification of impending inspections to the operators, a practice known for years to encourage a sudden, temporary kind of mine housecleaning for the benefit of the inspector—"baking a cake," one inspector called it. They were to cease reviewing mine violation reports with owners. Where violations occurred involving imminent danger of explosion, they were no longer merely to write them down as before, they were to close the mine. The list was startling for what it said about past practices.

It is hard to tell which is more gripping—the penny-pinching, corner-cutting and profiteering waste of human life in mines still operated today—Black Heath-style—with bland abandon of what the U.S. Bureau of Mines calls "ordinary regard for safety," or the callous result, the history of human carnage in the mines. The record to date, even the most contemporary chapters of it, is appalling. In the 100 years that partial records of fatal mine accidents have been kept

¹One example of the retarded technology of mine safety is that miners testing for gas still rely today on the Glame safety lamp of Sir Humphrey Davy, perfected more than 150 years ago. The safety lamp is rugged and safe if used properly, but it requires highly skilled operators to read it accurately, and then its accuracy is no more than half a percentage point—or 10 per cent of the margin between survival and explosion.

(the early figures are incomplete) more than 120,000 men have died violently in coal mines, an average of 100 every month for a century. The total does not include those who died of what passes for "natural causes" in work that is as notoriously hazardous to health as it is to life and limb. Today, among men aged 60 to 64, the "natural" death rate of miners is eight times that of workers in any other industrial occupation.

Chronic lung disease may, in fact, turn out to be a far worse killer of miners than accidents. The U.S. Public Health Service, in unfinished research that is 25 years behind completed medical findings in British mines, has recently documented that coal dust—not the rock dust associated for decades with miners' silicosis—has become perhaps the pre-eminent threat to survival in the mines.

A prevalence study completed in 1965 found that, conservatively, 100,000 active and retired American coal miners suffered from the progressive, gasping breathlessness associated with prolonged inhalation of fine coal dust, a condition known (from autopsy observation) as "black lung" or pneumoconiosis. The U.M.W. estimates that in the 20 years that electric mining machines have been churning up greater and greater clouds of dust at least one million men have been exposed to an occupational disease whose ravages do not stop with removal to a dust-free environment.

The black-lung hazard—as the coal industry and physicians in its employ constantly point out—is as yet a qualitatively and quantitatively uncertain threat to life. It is real enough however to have caused more than 30,000 West Virginia miners, normally among the last in the industry to engage in wildcat strikes, to walk off their jobs for three weeks in February of this year to demand that the State Legislature include black lung in the list of injuries and diseases for which disabled miners are eligible to collect workmen's compensation benefits. Until then, only three coal-producing states—Alabama, Virginia and Pennsylvania—authorized workmen's compensation payments (generally financed by the industry) to black-lung victims, and only Pennsylvania has paid any claims. (In Pennsylvania, the benefits are paid for by the taxpayers, not the industry, which may explain how the legislation survived there. Coal has a history of very aggressive lobbying to protect its economic interest.)

In West Virginia's Statehouse last month, a doctor testifying in support of the industry's proposal of further medical studies of black lung before changing the compensation law "in haste," charged that Drs. I. E. Buff, Donald L. Rasmussen and Hawey Wells, the three crusading physicians in that state who had galvanized the miners to strike for health reform, had done more damage as "alarmists" than the disease itself. There was nothing more pathetic, the lachrymose industry witness testified, than a coal miner told to quit the only work he knows just because he is a little breathless. It was a Dickensian performance.

The coal operators, or some of them, have taken the position that pneumoconiosis does not exist. But sudden violence in the mines has been documented monotonously since Black Heath. Last year, alone, 309 miners died in accidents—"needlessly," according to O'Leary, the new and aggressively safety-conscious director of the Bureau of Mines—and the miners' death and injury rates, already the highest of any industry, are on the rise this year.

The injury severity rate in mines, also the highest, is two and a half times that of lumbering, nearly four times that of trucking. Since records of nonfatal accidents began to be archived in 1930, the number of men temporarily or permanently disabled digging coal has risen to 1.5 million. Today, a miner surviving a lifetime in coal (and

there is one chance in 12 that he will not) can expect three or four lost-time injuries, not counting one chance in 5 or 10 serious and eventually fatal lung disease.

Mining, like prostitution, is one of the oldest occupations in the world and is probably as impossible to stop. From the beginning, coal has been a curse on the land from whence it came, blighting the landscape with strip mines and culm banks and polluted streams, extracting for absentee owners vast fortunes from Appalachian states that are today synonymous with poverty, and plunging generations into despair.

But the scandal of gratuitous death and injury in the mines—almost all of it recognized, as the Interior Department report put it recently, as the result of the operators' "tendency to cut safety corners when profits are low and ignore good safety practices when profits are high"—has finally reached the point at which a Republican Administration in Washington is talking about limiting coal production to save lives.

In testimony this month supporting the sudden rush of mine-safety bills in Congress following the explosion at Farmington, this radical notion was put forth by none other than Secretary of the Interior Walter J. Hickel. "It is clear that our society can no longer tolerate the cost in human life and human misery that is exacted in the mining of this essential fuel," Hickel said. "Unless we find ways to eliminate that intolerable cost, we must inevitably limit our mining of coal, which has an almost inexhaustible potential for industrial, economic and social good."

Republican coal barons must have rolled in their graves. Even from Democratic Administrations, this most destructive of industries had never received such a radical warning. In fact, Democrats in Congress have been the protectors of the industry's economic interests over the survival interests of its workers.

In 1941, at the end of three decades during which miners died at an average rate of better than 2,000 a year, a series of terrible disasters which had killed 276 men during the closing months of 1940 finally forced passage of the so-called Coal Mine Inspection and Investigation Act. It was conceded, as the Bureau of Mines timidly put it then, that "speed of operation and demand for maximum tonnage at a minimum cost resulted in a neglect of ordinary safety measures."

In 1941, when technology in the United States had advanced to the threshold of the atomic era, the gross and calculated neglect of ordinary prudence in the powder-house atmosphere of coal mines was evidenced by the fact that barely half the underground coal miners had been equipped with battery-powered electric cap lamps, approved by the Bureau of Mines for the absence of spark hazards. Incredibly, the rest still wore carbide lamps, which gave their light by generating acetylene gas and emitting an open, two-inch jet of flame.

In 1941, half the mines still used unstable black powder for blasting rather than the safer "permissible" explosives recommended for 30 years by the bureau. The carbide lamps were handy for lighting fuses. Some mines had advanced to the employment of "shot firers," solitary men whose job was to shoot down the drilled coal after everyone else had left the mine. It was a concession to modernity. If the mine blew up, only one man was lost.

Everyone knew that disasters could be stopped. "In view of the present knowledge of preventing explosions, disasters are inexcusable and discredit the mining industry," the Bureau of Mines said in 1940. Everyone knew that more improvements in the feeble state mining laws were being blocked than passed. But Congress heeded the industry's states' rights argument. The 1941 act gave the Bureau of Mines for the first time authority

to enter and inspect mines and write reports containing noncompulsory safety recommendations, but no powers of enforcement. The states would take care of that.

Since 1910, when the Bureau of Mines was established, its engineers have been testing and recommending to the industry as approved or disapproved—as "permissible" or "nonpermissible" (words that convey more authority than the bureau had then or has today to require their use)—a whole range of mining equipment, including explosives and electric wiring, lights, drills, cutting machines and haulage devices. Such safety-designed machinery is obviously the key to disaster prevention in mines full of a mixture of inflammable methane gas and explosive coal dust.

Yet, nearly half the explosions—835 miners dead—between May, 1941, when the bureau got its authority to inspect and recommend, and July, 1952, when Congress next amended the mine-safety law, were caused by electric arcs from nonpermissible mine machinery. Most of the rest involved nonpermissible—but still not illegal—use of explosives.

Unbelievably, when the misnamed Federal Coal Mine Safety Act of 1952 finally emerged from the coal lobby's permissible cutting machine, it contained a "grandfather clause" which allowed the indefinitely continued use of knowingly dangerous nonpermissible electrical machinery "if, before the effective date of this section . . . the operator of such mine owned such equipment . . . or had ordered such equipment." The law also set up two classes of mines—gassy and nongassy—and it stretched the loophole for nonpermissible equipment even further for the 85 per cent of mine owners lucky enough to meet the nongassy standard.

In effect, Congress told the mine operators that "if you were creating an avoidable explosion hazard before we passed this law, it's all right to go on doing so until the dangerous machinery wears out." Today, this means that spark-hazard machines—some of them rebuilt twice and three times over under the same serial numbers—are still in use in some mines 17 years after the law was passed. A count by the Bureau of Mines in 1967, when the law had been on the books 15 years, showed 1,117 pieces of nonpermissible electrical equipment in use in 159 mines.

The 1952 mine-safety act may have been one of the great legislative mirages of all time. It specifically exempted small mines, those with fewer than 15 employees. Although the small mines were depicted in the industry's testimony as too inefficient and limited in capital resources to bear the cost of retooling for the most basic disaster prevention, their number immediately doubled after the law was passed. Large mines were simply separated into smaller units to evade the law. (In 1966, the small mines were finally brought in—with all "grandfather clauses" still intact.)

Moreover, the law was deliberately written to apply to, and to give Federal mine inspectors jurisdiction over, only certain kinds of "major disasters"—defined by Congress as those killing five or more miners in one stroke. More than 90 per cent of mine deaths then occurred in lonely ones, twos and threes. Far more than half were caused by rock falls from the mine roof, largely at the working face. The 1952 law established roof-control standards, but only for established tunnels used as haulageways where such accidents were least common.

Having extended Federal safety jurisdiction to the kinds of "major disasters" that made the news wires and brought discrediting publicity, Congress emphasized that the new law was *not* to protect the miners from "the lack of, or inadequacy of, guards or protective devices." It was totally silent on hazards to health.

In signing the act into law, former President Truman obviously did not overstate the

facts in observing that "I consider it my duty to point out its defects so that the public will not be misled into believing that this is a broad-gauge accident-prevention measure . . . I am advised that loopholes in the law were provided to avoid any economic impact on the coal-mining industry."

Congress has considered mine-safety legislation only three times in the last three decades. But in the years between enactments, there was activity. In 1962, after explosions in the Robena and Compass mines had killed 59 men, President Kennedy commissioned a task force to review the situation. Its report concluded that the industry's continuing disregard of the most basic hazards to life and limb deserved Congressional attention. For one thing, the task force proposed to put a deadline—one year after enactment of an implementing amendment by Congress—on the nonpermissible machinery "grandfather clause." It also noted that Britain, producing only a fraction of the coal output of the United States, was spending more than twice as much on mine health research.

But then in a series of private conferences with Bureau of Mines and Interior Department officials, the Bituminous Coal Operators Association, the union-negotiating arm of the coal industry, persuaded them to recommend to Congress a "grandfather clause" deadline of five years. Since Congress took no action on it, the B.C.O.A. had another opportunity last year to persuade the Bureau of Mines to propose an even further extension to ten years. The capitulation was so flagrant that the White House, overseeing the draftsmanship of the 1968 mine-safety bill, demanded its exclusion from the bill, which went up to Congress in September. It died without hearings.

Other capitulations to the industry have perpetuated the Bureau of Mines' reputation as the submissive captive of the industry it is supposed to police. As recently as a year ago, a long-proposed revision of the 1952 law specifically requiring diversion of a minimum flow of dust- and gas-diluting forced air ventilation to the working face of coal mines—a point beyond the last moving air current in the established workings—was dropped by the bureau upon the B.C.O.A.'s complaint that it would be too costly.

It has been known for years that progressive contamination of mine ventilation air—a pickup of dangerous amounts of methane or coal dust, or both—results from coursing air from one working section of a mine to another before routing it to the surface. The practice is known to have caused explosions and deaths. Yet a year ago the B.C.O.A. was still dickering privately with the bureau, demanding language in the bureau's proposals for tougher mine ventilation standards which would say that if it cost too much to provide a separate "split" of air to each active working place it would not be required until after "a reasonable time"—not, of course, defined.

It is not that any of these proposals were new. The industry could claim no element of surprise—except at the idea of being compelled to adopt them after so long a history of lethal *laissez-faire*. Mine technology has been equal to all of these proposed measures for at least all of this century—for 101,000 mine deaths.

The inclusive almanac of mine disasters published by the Bureau of Mines in 1960 (it is now out of print) says that the violently explosive and unpredictable characteristics of suspended coal dust in mines were known as long ago as 1886. A team of mining engineers which visited all the major coalfields in 1908, a year after the worst mine explosion in American history had killed 362 men at Monongah, W. Va., published a detailed report identifying every source of all the subsequent mine disasters (72,501 deaths—1909

through 1968) and recommending disaster-prevention standards which are still not observed.

While lobbying privily against safety, the industry has publicly promoted the idea that the death and mutilation of its workers was a cost of doing business. It got a depletion allowance on its taxes. Its workers got none for their depletion. The industry reaction to disaster was in the brave tradition of "what can you expect in an inherently risky business"—and with some of the most effective lobbying in legislative history to perpetuate the trade-off of cheap life for cheap coal. And it has not been alone.

Even on the left in this medieval atmosphere, the miners' union, the United Mine Workers of America, has been so concerned with helping the industry survive its post-war slump and with preserving coal's low-cost competitive advantage over other basic fuels—oil, natural gas and nuclear energy—that it long ago sacrificed what could have been the leadership of a mine-safety crusade for high wages, mechanized high production, and the highest accident rate of any industry.

Some of the accidents were no accident. In 1947, the U.M.W. in Illinois was found to have voluntarily signed a labor contract with coal operators in that state whose terms forbade the union from seeking improvements in Illinois' mine-safety law, upon which the industry placed such store in opposing greater Federal control. The Federal law of 1941, then in effect, was no threat to the cheapest production economies; the 1941 act had been so considerate of the industry's faith in state regulation that Federal mine inspectors were denied enforcement powers.

Since 1946, moreover, the U.M.W. had become locked in an embrace with the operators nationally. Through the 1946 coal labor contract, which set up the U.M.W. Welfare and Retirement Fund and financed it by an industry royalty—now 40 cents a ton for all coal taken out of union mines—the U.M.W. also acquired an immense interest in production. The Welfare and Retirement Fund collects income from operating mines, not from those harried by mine inspectors or closed down for safety violations.

The U.M.W.'s obvious conflicts of interest are a legacy of John L. Lewis, the 89-year-old former president. Lewis' postwar decision to help the coal industry survive by sacrificing 400,000 miners' jobs to mechanization in return for the company royalties was regarded then as a modernizing act of industrial statesmanship. But it established alliances that obviously are not in the best interests—on mine safety, if nothing else—of the rank-and-file membership. For example, under Lewis the U.M.W. bought control of the National Bank of Washington, a profitable sideline that has furthered the appearance, if not the fact, of shared interests by making loans to coal companies.

Since Congress was no help, in 1946 the Interior Department, which was then operating the mines under President Truman's strike-induced Federal seizure order, negotiated with the unions (as a condition in the contract) safety standards unobtainable by other means. Compliance with the contract's so-called Mine Safety Code, which incorporates many of the reforms talked about since the early nineteen-hundreds, is monitored by Federal mine inspectors. But its enforcement depends on the union, through its contractual right to withdraw men from mines in violation of the code.

Compliance, according to Bureau of Mines Director O'Leary, "leaves much to be desired." The compliance average in 20 of the largest mines is 65 per cent, O'Leary has told Congressional committees, but in some states (depending on coal operator attitudes and union militance) it is as low as 30 per cent

and in one state as low as 7 per cent. The U.M.W.'s "safety division" at its headquarters in Washington consists of one man.

The Welfare and Retirement Fund is not the only loser when the men walk out of an unsafe mine. The miners lose wages. When I asked him several months ago whether the U.M.W. had considered negotiating with the companies a requirement that they pay regular wages to men who left a shift while demonstrable code violations were corrected, the U.M.W.'s Boyle, a slight, normally combative Irishman from Montana, told me that that would be impossible because even among miners there were "lazy men"; there would be abuses to get pay for no work. Later, in a safety proposal prepared by the U.M.W., the union finally supported the idea that miners should be paid for time off the job if a Federal inspector closed a mine.

But more than any other witnesses on this year's crop of catch-up mine-safety bills, Boyle has agreed with the industry's position. On the proposed revision that Secretary Hickel and O'Leary have called the reform of "paramount importance," Boyle's stand is significantly less reformist than the industry's. In view of the miserable record of Congressional inaction and protection of the industry, the Administration this year is asking Congress to give the Secretary of the Interior the flexibility of administrative rule-making authority. After hearings, he would establish the safety standards. There would be the right of appeal. It is the system in use since 1938 in nearly every other area of Federal regulatory activity, and the coal industry now says it will go along with it if the Secretary's authority is suitably circumscribed to prevent "arbitrary" decisions. Boyle, however, has said he "would rather take our chances with Congress."

Those chances this year are very good indeed, partly because Boyle himself has underlined the unequal forces working for mine safety in the private sector. The U.M.W. is clearly embarrassed by the reformist zeal of what it calls "Johnny-come-lately experts" since Farmington, like Udall, Ralph Nader and Representative Ken Hechler of West Virginia. For suggesting that the union bears some responsibility and that it has compromised and "snuggled up to" management on safety issues, the U.M.W. Journal recently labeled Nader and Hechler as "finks" in a front-page editorial. And the union magazine has engaged in such a Mao Tse-tung glorification of Boyle and his record as a safety crusader—it refers to him as a "union chieftain"—that the U.M.W. has become an embarrassment to its friends in Congress. While fulminating at the charges of collaboration with the industry, The Journal has not reported that weeks before the Consol disaster, the U.M.W. was convicted along with the Consolidation Coal Company in a Federal court in Lexington, Ky., of conspiring to create a monopoly in the soft coal industry. With the conviction, which is being appealed, went a \$7,300,000 damage award, to be paid half by the union and half by the company that Boyle has praised for "cooperation." The case involved Consol's alleged withdrawal of coal marketing services from South-East Coal Company after the company went non-union.

Moreover the coal industry can hardly cry poor this year. Because of its secure grip on a growing share—now more than half—of the fuel market in the surging electric utility business, even the National Coal Association is calling the future "glittering." It turns out that local boosters who, through depression upon depression, have been calling the state of West Virginia "The Billion Dollar Coal Field" were not far from wrong.

As Senator Harrison A. Williams Jr. of New Jersey noted in starting mine-safety hearings, coal has become so profitable that since 1966 the three largest coal producers

have been taken over by other giant mineral corporations—Peabody Coal Company by Knecott Copper, Consolidation by Continental Oil Company, and Island Creek Coal Company by Occidental Oil. According to the National Coal Association, the list of oil corporations that have acquired coal-mining companies now includes at least 20 of the major petroleum producers—Gulf, Shell, Humble, Standard of Ohio, Atlantic-Richfield, Sun, Ashland and Kerr-McGee among them. It was a relief to know, Senator Williams noted, that the safety hearings would not be "complicated" by the usual coal claims of imminent bankruptcy. To the oil owners of coal, Williams pointedly observed that the spectacle of oil-well pollution of the Pacific Ocean off Santa Barbara, Calif., and new evidence of "lung pollution" in the mines "may be trying to tell us something." "In both cases," he said "we find at the top of the ownership structure big oil companies."

Whether or not to incorporate edict from these powerful new coal owners, the fact is that the National Coal Association, the largest industry group, is taking a remarkably calm and even welcoming view of the strenuous safety legislation before Congress this year. By enacting the Nixon Administration bill, which is among the strongest of the lot, Congress could close all the old loopholes at once and take—for coal—a daring new step into industrial human ecology. The Nixon bill would require mine operators to attack the black-lung epidemic among miners by reducing coal dust contamination in mine air to 4.5 milligrams of respirable dust per cubic meter of air, as a starter. The standard is a compromise of the U.S. Public Health Service's 1968 recommendation—3 milligrams. It would become effective six months after passage of the law and could be lowered later by decision of the Secretary of the Interior. The dust-control problem is publicly pictured as a cost nightmare by the industry. The Bureau of Mines estimates that the cost will be only pennies per ton.

The economics of mine safety are the one great unknown in this year's reform spree. No one knows what the cost of a century of neglect has been. Lee White, the chairman of the Federal Power Commission, which regulates wholesale electric power rates, opened the door a crack during Secretary Udall's post-Farmington *mea culpa* last December by observing that, as as nation, we have lost money as well as life in the mines, "and we must pay." The F.P.C. is anxious to pass on to consumers "all savings in costs that are properly made," White said. But if it takes an increase in the cost of electricity to indemnify the miners who dig the coal for steam-electric power, "I believe the American people are willing and should be willing to pay that extra cost . . . For all I know, we are not talking about increased rates but only a smaller decrease in rates."

Some but not all of coal's new 20-year and 30-year contracts to supply the huge fuel demands of electric power contain escalator clauses, which would permit certain price increases to pay for safety. But a share-the-cost program may not be as easy to work out as White made it seem; one reason that the coal industry is so mercilessly cost-conscious has been the strong downward pressure on prices exerted by the electric utilities, including the Government's own Tennessee Valley Authority, the biggest of all coal consumers. The average value per ton of coal at the mine has dropped from \$4.99 in 1948 to \$4.62 last year.

It may be significant that John Corcoran, the president of Consol—a moderate man to start with, by coal industry standards, and one who has been deeply affected by the Farmington disaster—also is chairman of the National Coal Association and a director of the American Mining Association and the Bituminous Coal Association. The industry does

seem to be speaking with a new voice. But the coal industry is still a very loose coalition of new humanists and old buccaneers. And as one of its publicists put it recently, "We are like any association—we reflect the lowest common denominator. We have a few members who think the world is flat, so we have not publicly endorsed the use of globes."

PRESIDENT DWIGHT D. EISENHOWER, FIRST PRESIDENT BORN IN TEXAS

Mr. YARBOROUGH. Mr. President, yesterday we heard many fine tributes by Members of the Senate to Dwight David Eisenhower. Today, I would like to add to those tributes with the words of the editorial writers of some of the newspapers in Texas.

President Eisenhower was born in Texas, at Denison, Tex., on October 14, 1890. He was the first person born in Texas ever to be President of this Nation. It was in Texas that President Eisenhower met Mamie Geneva Doud, who was later to become Mrs. Dwight Eisenhower, First Lady of America.

Texas has felt especially close to the Eisenhowers through the years. Because of the close ties of Texas with Dwight Eisenhower, I think it appropriate that the tributes to that great general of peace include these remarks from newspapers in Texas. I add these in addition to my personal tribute to President Eisenhower on the floor of the Senate yesterday.

I ask unanimous consent that the following editorials be printed at this point in the RECORD: "Ike Was a Leader Who Inspired Trust," Fort Worth Star Telegram of March 29; "General Ike One of Best Loved and Most Selfless of Americans," San Antonio Express and News of March 29; "Dwight D. Eisenhower," Dallas Morning News of March 29; "Dwight David Eisenhower," Beaumont Enterprise of March 29; "Eisenhower," San Antonio Light of March 29; "Dwight D. Eisenhower," Houston Chronicle of March 29, and "He Served Our Nation Aply in War and Peace," the Houston Post, March 29.

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

[From the Fort Worth (Tex.) Star-Telegram, Mar. 29, 1969]

IKE WAS A LEADER WHO INSPIRED TRUST

Dwight D. Eisenhower was the kind of man who inspired America's trust, whether at peace or at war. This was because Ike carried with him, into the White House as upon the Normandy beachhead, the sort of personal integrity and character that built confidence into those whom he led.

It was this force of character that brought him out of the ranks—for 25 years he failed to rise above lieutenant colonel—to lead the great World War II Crusade in Europe. At West Point, where his first love was athletics, he ranked 61st in grades and 95th in conduct among 163 fellow classmen. Never mind that; when the free world needed a leader, he was there.

Mr. Eisenhower viewed war with the abhorrence of a man who had seen it firsthand, yet he thought it could be avoided only if the United States remained mighty both militarily and economically. When he became President in 1953, he said in his first inaugural address that the nation's goal must

be peace with honor. There must be no appeasement, he warned, for a "soldier's pack is not so heavy a burden as a prisoner's chain."

As we look back now upon those presidential years, they might appear to be extraordinarily tranquil, almost an idyllic interlude between the great conflagrations of world war and those of society's crises of the 1960s. Yet the Eisenhower years were beset with issues that stirred the nation: The alarms during his first administration over Communist infiltration into government and, later, the historic beginnings of true racial integration, Sputnik's smashing psychological and propaganda victory for the Soviets, the paralyzing U-2 spy plane incident, crises at the Suez Canal, in Lebanon, Matsu and Quemoy, the severing of diplomatic relations with Castro's Cuba.

Problems enough for any President, they were, and not even Ike's famous grin or his spirit of optimism could hide his deep concern over America's future and that of the world.

Although Mr. Eisenhower came very close to being a consensus President, he had his detractors. There were those who differed with his concepts of security in a nuclear age. Others complained about his aloofness from the rough-and-tumble of politics, or his sometimes rambling syntax, or even his brave efforts to break 80 on the golf course.

Yet few figures in American public life have commanded the love and respect that were showered upon Mr. Eisenhower. It was almost impossible to dislike him as a man, or to question his unyielding desire to do what was right. He gave of himself unstintingly to build a more peaceful and decent world, and for his own country he nurtured a love that will remain a model through the years.

"There is nothing wrong with America that faith, love of freedom, intelligence and the energy of her citizens cannot cure," Mr. Eisenhower declared.

There could be no more fitting an epitaph.

[From the San Antonio (Tex.) Express and News, Mar. 29, 1969]

GENERAL IKE ONE OF BEST LOVED AND MOST SELFLESS OF AMERICANS

The remarkable career of Dwight D. Eisenhower, Texas-born, Kansas-reared farm boy who became supreme commander of allied armies in World War II and president of the United States, ended with courage and that fairly typified his life.

The general survived the dangers of modern war, the pressures of the presidency, the attacks of disease when it seemed probable that he couldn't. History will record him as a candid and unusual citizen. His candor brought professional diplomats down in scorn upon him at times. Some critics say he was an inept president. Jokes about his hours on the golf courses were legion.

The truth is that he presided over the nation at a time when the country was sick of war, afraid of aggressive communism and riding a tidal wave of prosperity. He tried to reverse the trend toward more-powerful central government and he tried to make the staff system of the Army work in the White House. Whatever failures there were in each effort were due to historical and traditional momentum in society and government that greater politicians than he failed to master.

Gen. Eisenhower was held in special regard in San Antonio. He began his career here and he met Mamie here. He also started his rapid rise to the top of his military service here, as chief of staff of Gen. Walter Krueger's Third Army.

He had the happy warrior look but he never acquired the reputation for being a willing warrior. He was a civilized man, one of the most-loved of his era and a gallant soldier-citizen.

[From the Dallas (Tex.) Morning News, Mar. 29, 1969]

DWIGHT D. EISENHOWER

Of all his virtues, the word stability best describes the nature and contribution of Dwight David Eisenhower, military leader and 34th president of the United States. He died as he had lived, tenacious but firm and calm in time of crisis.

Few in our history have stepped forward even once as the man of the hour. But twice the time and the circumstances converged upon this native son of Texas.

A grim, resolute but troubled free world, engulfed in the uncertainties of global conflict, turned to Gen. Eisenhower for leadership. That overwide mouth pulled to one side in determination, he led the crusade that was to salvage from bombed-out rubble a Europe with new leases on freedom and self-confidence.

In 1952 a nation reeling from "corruption, communism and Korea" sought him out once again. America did more than just like Ike, it loved him as an older brother. The broad grin promised that things would turn out all right despite the mistakes of the moment. His lack of polish, by professional political standards, marked him as a man of the people.

Most of all, the nation in that worrisome hour longed for the stability born of battlefield judgment and command decision. It craved a leader who would station himself at the front gate and defend the family against one and all—a counselor whose unembroidered advice was steeped in experience.

Not long ago Eisenhower gazed back into what for him was the recent past and told his old running mate, Richard Nixon, that 1968 resembled 1952. "The people of this country genuinely want a change. They're tired of the way the Democrats have been running the government. I think they want the Republicans to have a chance at things now."

When Eisenhower, the military victor, was called upon to be Eisenhower, the political savior, the nation was dizzy from the New Deal, the Fair Deal and their legislative binges. The voters wanted a breather—a time to sit down and assess what had come to pass.

The activists, who see legislation as the one and only cure-all, impatiently labeled Eisenhower a do-nothing president. The label is patently ridiculous.

Eisenhower's service as president is best symbolized by the painting which hangs in many a doctor's office. The dim light is casting long shadows. The young patient lies gravely ill, and the doctor sits at bedside, ostensibly doing nothing.

But to view this picture is to believe instinctively that the patient will recover. The strong hand extended in comfort can be all-conquering therapy.

Eisenhower sat up with America, and when morning dawned health had prevailed over sickness. Inner strength had triumphed over fatigue.

Stability is strength. Stability was Eisenhower.

[From the Beaumont (Tex.) Enterprise, Mar. 29, 1969]

DWIGHT DAVID EISENHOWER

Soldier, statesman, president, paragon of homely virtues . . .

Above all, Dwight David Eisenhower was a designer and defender of freedom: For all the people in his own broad and beloved land and for human souls everywhere who seek self-determination and vow vengeance upon the despot's heel.

No man in modern times has been a greater scourge of political systems and military machines that ravage the God-given rights of others.

As supreme commander of the Allied invasion forces in Europe in World War II, he met and licked the Nazi legions on many a bloody battlefield. As supreme commander of the Atlantic pact forces after the war, he became a symbol of worldwide resistance to the expansion of communism, Hitler's successor in infamy and oppression.

Then as president of the United States for eight years, he held firm, in policies and practices, to the conviction that national weakness is an invitation to enslavement, that eternal vigilance is only an exercise in common sense, that freedom is insured only for a people willing to defend it with their lives.

The good general's last advice for his country came in the form of an address to last year's Republican National Convention in which he warned that communism hasn't changed its spots, that at this very moment its technicians of totalitarianism are mapping new assaults on American ideals and influence around the globe.

In his last days, the old warrior harbored the fear that his country would become party to a Vietnam agreement amounting, in his words, to "camouflaged surrender." He reminded that many of the years of his life had been spent in resisting such scoundrels as those we now oppose in Southeast Asia.

Eisenhower sought with equal passion paths of peace and understanding between nations. He was an internationalist in the fullest sense, gave strong support to the United Nations, and recognized the urgency of measures aimed at easing the awesome threat to civilization inherent in the nuclear arms race.

But to the general's way of thinking, appeasement became, in the final analysis, an instrument of war and further oppression, not independence and understanding and mutual respect.

Eisenhower was not without loyalty to the Republican Party. Still, he never was quite comfortable in the role of the partisan. He found especially irritating the pettiness, piddling personality clashes, and favor seeking that are built-in party patterns.

The same nonpartisan feeling was reflected by the American people. From the beginning of his political venture, he was looked upon as a leader peculiarly above partisanship.

The image of elder statesman was bestowed naturally and affectionately soon after he left the White House.

His love of country—and countrymen—was uninhibited and uncomplicated. To him, there never could be as much wrong with this nation as was right with it. He was an old-fashioned patriot in an age of almost traumatic change.

But the deep divisions in our society sorely wounded the general's spirit, especially the growing disrespect for law and order. Living hard by the Gettysburg battlefield, he had a constant reminder of the most tragic fruit of division in American history.

Texans' affection for Eisenhower was mixed with deep pride, for he was a native of this state. It will be recalled that in both his races for the presidency he carried Texas handily.

This newspaper joins the nation and the Free World in a fond farewell to a great man and a great friend.

It won't be the same without Ike.

[From the San Antonio (Tex.) Light, Mar. 29, 1969]

EISENHOWER

It can truly be said that he gave his life to his beloved country—and was beloved in return. His death is a personal thing, bringing sadness into every home.

Few thought of him as "Gen." Eisenhower, or "President" Eisenhower, or "Mr." Eisenhower. To his shining credit as a human being, the people thought of him simply as

"Ike," a nickname in which he took satisfaction.

Only a few of the greatest men are ever genuinely humble, but it glowed in the warmth of his unaffected and infectious smile as it glowed in these revealing words he once spoke:

"Humility must always be the portion of any man who receives acclaim earned in the blood of his followers and the sacrifices of his friends."

Those words were uttered in 1945 at the glorious climax of a long career as a professional warrior. The former West Point cadet had just achieved victory as commander of the greatest amalgamation of military forces ever mustered in the world.

Thus it was never the role of hero or leader which gave satisfaction to Dwight David Eisenhower. To him the most important thing in life was to do one's duty in accordance with one's principles and to the best of one's abilities.

The people sensed and responded to this, electing him to a second term in the White House although he would have preferred to retire to the Gettysburg farm which he and Mrs. Eisenhower had lovingly established as their first permanent home.

As President he labored unceasingly for the peace and world stability he had sought to assure on the battlefields of Europe. His disappointments were profound, thanks to Communist hostility, but steady and patient persistence in his chosen course avoided open conflict for eight years while shoring up the strength and unity of the free world.

At home, meanwhile, he gave his devotion and energies to further the constitutional system in which he so passionately believed. A whole new era of justice for the underprivileged was opened when he sent troops to Little Rock, Ark., to enforce court-ordered school integration.

But this is not the place to enumerate the manifold achievements of a man who, even in retirement and plagued by repeated heart attacks, continued to serve his country and his political party with the valued and trusted advice of an elder statesman.

Instead this is the place to give thanks for the towering example set by the devotion of Dwight David Eisenhower, a great American and a great human being—and to mourn his loss.

It would be wrong to call his death a tragedy. He had a long and richly useful life and he lived it with grace. Our sorrow is in having to say goodbye to such a good, true friend.

[From the Houston (Tex.) Chronicle, Mar. 29, 1969]

DWIGHT D. EISENHOWER

Soldier, educator, author, President, peacemaker, great American. These are the roles that Dwight D. Eisenhower lived with honor and distinction.

Almost a decade has passed since he left the White House and moved out of the world spotlight. It was 24 years ago that he retired as a five-star general from the Army. Inevitably, his moments of crisis and triumph have dimmed in the public mind. But one thing stands out as clear as ever: Gen. Eisenhower was one of the most beloved and trusted men of his time.

Had he not been elevated to the presidency, he still would have left his mark on history. As supreme commander of the World War II Allied Expeditionary Forces, he commanded the greatest land-air-naval invasion force the world has ever known.

First in North Africa, then in Sicily and Italy, and finally in Europe he displayed the planning ability and the strategic daring which ultimately destroyed a powerful German Army.

Friend and foe alike hailed his military genius. He was a stern commander, but even

the enemy respected him. To his own troops he was Ike, perhaps the most civilian-minded professional soldier this nation has ever produced.

He was trained as a military man, but he hated war, and as President he dedicated himself to the promotion of world peace and friendship under freedom.

Both political parties sought him as a presidential candidate. At first he wasn't interested. He had a soldier's disdain for politics. As a soldier he didn't vote and he did not affiliate with any political organization.

In the White House he remained aloof from partisan politics as best he could. Party affairs bored him, to the dismay of his fellow Republicans and to the delight of the American people who tend to share that view.

As President, he declined to assume the strong presidential role of his predecessors. He relegated much of the foreign responsibilities to John Foster Dulles, his trusted secretary of state. On the domestic side, leaders of the Democratically controlled Congress—such as Senate Majority Leader Lyndon Johnson—assumed important leadership responsibilities.

Critics said Ike abdicated too much responsibility. Yet he remained true to his own idea of the presidency. He declined to project himself into many public issues because he felt the federal government was assuming too large a share of national decision-making.

Arguments over that aspect of his leadership will continue for years to come. In retrospect, he perhaps was a product of the nation's needs. His White House years followed a great war and all the turbulence and agony that goes with war; before that a great depression which produced the New Deal reforms of Franklin Roosevelt.

The nation needed a man like Eisenhower in the 50s. His was not a time of dynamic leadership but rather of surcease and stability. The whole free world looked to Eisenhower for confidence, for he was a man the whole world respected and trusted.

Perhaps his greatest political achievement was in bringing the Republican Party up to date. He was a moderate Republican himself, and he forced a stubborn GOP to accept the achievements of the New Deal, then he pulled the party toward the broad middle ground where it remains today.

Here in the South, it will be remembered that President Eisenhower in 1957 ordered federal troops into Little Rock, Ark., to enforce a court-ordered plan of school integration. It was the first such use of federal power since the days of Reconstruction. "Mob rule," he said, "cannot be allowed to override the decisions of the courts."

It was Eisenhower, the soldier-statesman, who brought peace in Korea after three harsh years of war.

It was Eisenhower, the peacemaker, who used his farewell address to warn of the potentially dangerous influence on the nation of the burgeoning industrial-military complex. That farewell warning rivals in wisdom the farewell address of the first President, George Washington, to whom President Eisenhower has often and aptly been compared.

Gen. Eisenhower will not go down in history as the greatest among Presidents. Rather, he will be remembered as the greatest among Americans: A man beloved by first his troops and then his countrymen, whose honesty, integrity, dedication and good will were never questioned.

[From the Houston (Tex.) Post,
Mar. 29, 1969]

HE SERVED OUR NATION ABLY IN WAR AND PEACE

They called him Ike.

American war hero, 34th President of the United States, historian, private citizen whose retirement from public life was never quite complete, all these things he was, but to the man on the street he was Ike.

And of all the accomplishments of this remarkable man, his greatest was probably the place he won in the hearts of the American people.

A man trained in war, he dedicated his public life to the pursuit of reason. Frequently under intense criticism, he always sought to find a way to talk, to discuss, to reason. He believed intensely that the strength of America was in its historic refusal to go the easy way of extreme measures. And the people understood this, and so responded in great numbers to the man Dwight David Eisenhower.

His life was like a blueprint for an American success story.

He was born on Oct. 14, 1890 in Denison, Texas, the first President to be born in Texas. He was about a year old when his parents moved to Abilene, Kansas. His boyhood was typical of the youth of his time and place. He tended garden, took care of the chickens, sold eggs, milked the cow, delivered chickens and vegetables, did odd jobs, helped his father.

He became a soldier almost by chance. His first choice was Annapolis, but he discovered he would be past the age limit of 20 when the term started.

Instead, he went to West Point, and the course of American history was changed.

Graduating 61st in a class of 164 in 1915, he began a historic military career. It would be years, however, before the focus of world attention would turn toward the soldier named Ike.

In the Louisiana maneuvers of 1941, Ike was singled out for his tactical brilliance. Thus began a series of Army assignments that would lead a heretofore obscure officer to a five-star generalcy and supreme command of the great "Crusade in Europe."

The story of that crusade is well known. Ike's personality helped forge the victory. He possessed unexampled powers to weld diverse forces, and at times, in the handling of individualistic and temperamental commanders, he needed them to their fullest.

The Germans regarded his ability as a fighting commander highly. One German general was later to say that the German general staff regarded him as the greatest general of the war, because of his able planning, his daring and the extent of his authority.

"He took great gambles, as in Africa and later on the French beaches, but he won and that justified his daring," the former enemy said.

With the war won, Ike hoped to retire to the peace of a quiet life. Presidential offers were dangled before him, but they were spurned.

After the war, he served as president of Columbia University, and then was called back into the service of his country by President Truman to become commander of the North Atlantic Treaty Organization forces.

In 1952, he yielded to the constant calls that he turn to politics. In a dramatic return to the United States, he campaigned and won the Republican presidential nomination. He went on to serve two terms as President, both times winning by overwhelming majorities.

On Jan. 20, 1953, at the age of 62, he became the 34th President of the United States, the first Republican to occupy the White House in 20 years.

If there is any single way to describe the Eisenhower presidency it is in the phrase "peace with honor." (He was later to name the second part of the history of his presidential years "Waging Peace.")

Ike served in tense times, with the threat of nuclear disaster ever present. The Korean War ended in his term. Josef Stalin died, and a new regime emerged in Moscow. The Geneva summit of 1955 eased world tensions, but later they were heightened in the U-2 affair.

On the home front, Ike was deeply committed to governmental fiscal responsibility.

The two themes—peace and prosperity—brought reelection in 1956 by the greatest popular vote ever recorded, despite recurring worries about his health.

He worked hard at molding a united GOP around his philosophy of "Modern Republicanism." He was, however, disappointed when Richard Nixon failed in his bid to succeed him. He continued to urge unity within the party. In retirement, his advice was constantly sought by his two Democratic successors, Presidents Kennedy and Johnson.

Unity and its strength meant much to Ike.

Later, reminiscing on his term as President, he was to say, "When I came to the presidency, the country was rather in an unhappy state. There was bitterness and there was quarreling and so on . . . I tried to create an atmosphere of greater serenity and mutual confidence, and I think that it . . . was noticeable over those eight years that that was brought about . . ."

His legacy to the American people was his life of service and his realization of the importance of peace, justice and mutual confidence.

REDUCTION IN COST OF MEDICINE

Mr. MCINTYRE. Mr. President, some critics of American labor unions have stated from time to time that these institutions are devoted exclusively to matters directly pertaining to such collective bargaining issues as wages, hours, and working conditions. Those of us who are more familiar with labor organizations have long been aware that their interests are far broader, and we have one more indication of that fact at hand.

The Communications Workers of America, AFL-CIO, which represents nearly a half a million men and women in the telephone and other industries, describes itself as a "community-minded union." Its president, Joseph A. Beirne, has distinguished himself as a civic-minded man with a broad range of interests.

Thus, it was not at all surprising to learn that the international executive board of the CWA, meeting this week in Washington, had once again spoken out on behalf of the consumers' interest. In endorsing two bills—S. 950 and S. 1612—introduced by the distinguished Senator from Wisconsin, the chairman of the Monopoly Subcommittee of the Select Committee on Small Business, the members of the CWA leadership panel have shown a significant understanding of what is needed to reduce the cost of medicine for the working men and women of this country.

The CWA statement points out that these two bills give the American people "another chance," first, to get a single course of information on the drugs which a doctor prescribes for his patients, thus bringing the doctor greater opportunity to prescribe by generic rather than brand names, at a saving to the patient; and, second, to make mandatory that all labels on containers of prescriptions bear the generic names of the drugs being dispensed, so that the consumer himself can identify these generic names.

I invite particular attention to that part of the Communications Workers statement which declares:

We recognize the great savings that could be made by the American public if the filler of the prescriptions was aware of the equivalent substitute or generic name of any and

all prescribed brand name drugs. This would enable the druggist to fill the prescription for a consumer under the cheaper generic name.

As the CWA points out, under present procedures—and because of the lack of broadly dispensed knowledge—"advertisements all too often are the only source of information quickly available to the doctor," and as a result he is "likely to prescribe a highly advertised drug when a 'generic' drug is available at four, five or even 10 times less cost."

These are sound observations. The CWA leadership people serve their members well in adopting this statement. Those of us who have a keen interest in protecting the consumers of medicine in this country are most grateful that a lively and forward-looking organization like the Communications Workers of America has lent the strength of its brains and voice to this effort.

I ask unanimous consent that the full text of CWA's statement be printed in the RECORD.

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

PRESCRIPTION DRUGS—BRAND AND GENERIC NAMES

A healthy step forward in the control of rising drug prices is at last possible, thanks to the introduction of two important new bills into Congress by Senator Gaylord Nelson. Support from broad areas of the American public, however, is a critical part of the needed treatment for what now ails the pharmaceutical industry's unique pricing practices.

For years, Dr. James L. Goddard, as Commissioner of the Food and Drug Administration, recommended a drug compendium providing doctors, on a reliable and ready basis, the "generic" names for drugs which the manufacturers too often package and sell at nearly prohibitive prices under highly-advertised brand names.

Advertisements, all too often, are the only source of information quickly available to the doctor—and doctors, like the rest of us, can be confused by advertising.

Hence, a doctor is likely to prescribe a highly advertised drug when a "generic" drug is available—at four, five or even ten times less cost.

Dr. Goddard's suggestion for a compendium on drugs would have set aside the problem of confusion—a problem that affects both doctor and patient. But, nothing happened.

Now we have another chance.

In January Senator Nelson introduced S. 950 calling for the publication of a single source of information on drugs which the doctor prescribes for his patients. This bill if enacted would protect both the health and pocketbook of the American public. It would make available to the doctor information that would give to him the names of the cheaper drugs under the generic names that would be equivalent to those that carry a brand name.

Senator Nelson's second bill, S-1612, is called a generic labeling bill. This bill would make it mandatory that all labels on containers of prescriptions bear the generic name of the drug or drugs being dispensed. *This would enable the consumer himself to identify the official generic name of the drug prescribed for him.*

We must expect, and be prepared for, a counterattack from the drug industry. It will argue that only those drugs produced by "research-oriented, quality-conscious" drug companies are "safe and effective." Anything else, particularly anything made by the

smaller drug companies, is "potentially dangerous."

The facts speak differently, however, because all drugs, whether sold under brand names or generic names, have to meet certain chemical standards set by two national agencies, the United States Pharmacopoeia and the National Formulary. These standards cannot guarantee equivalency, but they do insure that the drugs are pure and potent.

In addition, the cheaper "generics" appear to be good enough to pass the vigorous tests laid down by Federal agencies, such as the Department of Defense, which form the major part of the smaller firms' market, buying larger quantities of drugs on bid basis. Small companies with lower production and distribution costs and no advertising and research overhead, often outbid the big drug firms for such contracts.

Based on the facts, the Communications Workers of America recognizes the urgent need for the adoption of S-950 and S-1612 and adds its full support to the adoption of such measures.

Further, we recognize the great savings that could be made by the American public if the filler of the prescriptions was aware of the equivalent substitute or generic name of any and all prescribed brand name drugs. This would enable the druggist to fill the prescription for a consumer under the cheaper generic name.

Therefore, the Communications Workers of America goes a step further than bills S-950 and S-1612, by calling on Congress to enact legislation that would require a physician when writing a prescription for a patient, to write into the prescription along with the brand name, the official (generic) name of the drug or drugs that he is prescribing.

THE NEED FOR GREEN-CARD LEGISLATION

Mr. YARBOROUGH. Mr. President, this year, as last year, I was pleased to join as a cosponsor of the measure introduced by the Senator from Massachusetts (Mr. KENNEDY), S. 1694, which would require commuter aliens—the so-called green carders—to be regularly certified every 6 months by the Department of Labor. The certification is to indicate that the worker's presence in this country to seek work does not adversely affect the wages and working conditions of American workers.

Last year hearings were held on this problem by Senator KENNEDY and also by the Select Commission on Western Hemisphere Immigration. These hearings have disclosed a wide range of opinion regarding the benefits, or lack thereof, of the system of employing commuter aliens.

My State has faced a long history of poverty and disadvantage along the Texas-Mexico border. Unfortunately, my State has not enacted a minimum wage law and many of the jobs along the border are not covered by the Federal minimum wage law. Some of the wages paid in this area are astonishingly low and because of this fact the area is very poor in many instances.

The alien commuter system has aggravated this unfortunate situation by creating extensive unemployment among American workers who are displaced by commuters willing to work for lower wages because they do not live in this country.

This often causes bitter feelings along

the border—a bitterness which we cannot diplomatically afford. Great progress has been made in our relations with Mexico. I mention the Chamizal Treaty as one example. This progress should not be upset with bitterness among the local people because their jobs are taken away by alien commuters who live in Mexico and freely cross the river and get the jobs of American citizens with green cards.

Also, it should be emphasized that we are not ending the commuter system. We will still allow workers to come across the border. All the amendment seeks to do is prevent such commuters from causing unemployment in this country, because the commuters are taking American jobs. Furthermore, it is to give an accurate inventory of how many green cardholders there are and where they are.

BUREAUCRATIC DECEIT IN WEATHER STATION CLOSURES

Mr. BIBLE. Mr. President, the Department of Commerce, the Environmental Science Services Administration, and the U.S. Weather Bureau recently displayed the most unfortunate example of bureaucratic doubletalk, evasion, and outright deception that I have witnessed in many years.

I am referring to the mismanaged propaganda campaign last month that launched the Department's effort to close down 13 weather stations across the Nation. It has left me with the feeling that concerned Members of Congress and the people they represent have been betrayed.

One thing is clear to me: the Environmental Science Services Administration has deliberately misrepresented personnel cutbacks to Congress and to the public.

ESSA advised my office 2 months ago that it was forced to close down the 13 stations, including a two-man reporting station in Elko, Nev. The ESSA people told me they hated to do it but they just did not have any other choice under the personnel restrictions imposed by the Revenue and Expenditures Control Act of 1968. I ask unanimous consent that letters in point from the Deputy Administrator and then the Administrator be printed in the RECORD at this point in my remarks.

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

U.S. DEPARTMENT OF COMMERCE,
ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION,
Rockville, Md., March 12, 1969.

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

DEAR SENATOR BIBLE: Recently, Mr. Eberly of my office informed your staff of plans to close the two-man ESSA Weather Bureau Office located in the Post Office Building at Elko, Nevada, before June 30, 1969. This action is one of 13 similar actions being taken throughout the country to enable us to live within the personnel constraints imposed by P.L. 90-364, the Revenue and Expenditures Control Act of 1968. Both employees will be offered positions elsewhere within the Weather Bureau without loss of grade.

Our present office is open eight hours per day and in addition to making three direct

radio broadcasts, disseminates public weather forecasts for Elko and vicinity. Meteorological support to aviation interests is provided by the Federal Aviation Administration office at the airport. In the future the forecasts and warnings for Elko and eastern Nevada will be available to the local news media in Elko via the press wire service from our office at Salt Lake City. The direct radio broadcast will be discontinued.

Officials of our Regional Office in Salt Lake have discussed the pending closure with our personnel in Elko and will follow up with respect to appropriate assignments and provision of essential services to user groups. We shall be glad to provide any additional information you may desire.

Sincerely yours,

JOHN W. TOWNSEND, Jr.
Deputy Administrator.

U.S. DEPARTMENT OF COMMERCE,
ENVIRONMENTAL SCIENCE SERVICES
ADMINISTRATION, WASHINGTON
SCIENCE CENTER,
Rockville, Md., March 21, 1969.

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

DEAR SENATOR BIBLE: This is in response to your letter of March 10, 1969, and enclosed correspondence, concerning the Weather Bureau Office in Elko, Nevada.

We recognize the benefits which accrue to a community through the services of a local Weather Bureau office and we regret that we must proceed with plans to close the Elko facility.

Elko is one of 13 additional Weather Bureau installations which we plan to close before June 30, 1969, to enable us to live within the constraints imposed by Public Law 90-364, the Revenue and Expenditures Control Act of 1968, which requires reductions in both employment and expenditures. Four other offices were closed recently for this reason.

The offices which we have closed, and plan to close, were selected on the basis of their contribution in the Bureau's overall program. We felt that the services provided by these offices, although valuable, were of lower priority than those of other offices or installations.

The Elko office was selected for closure instead of the Wendover, Utah, office because of the existence of the Federal Aviation Administration Flight Service Station (FAA/FSS) at Elko. This facility has been taking weather observations and providing pilot weather briefing services for some time, so the closure of our Elko office will not affect these important services. There is no FSS at Wendover. Although we have automatic meteorological observing equipment at Wendover this equipment does not observe or measure certain weather elements or parameters, such as sky condition and visibility. This important information is added to the observations by our personnel. Thus, closure of the Wendover office would result in the further loss of important weather data in an area which is only sparsely covered at present.

While there is no complete substitute for a local office, the more important weather service needs in the Elko area can be met by other means. Severe weather warnings for Elko County will be issued by our Winnemucca facility which is open 24 hours a day, 7 days a week. Public and aviation weather forecasts for eastern Nevada are presently prepared by our Salt Lake City office and this procedure will continue. Public forecasts and warnings covering northeastern Nevada will be available to the Elko news media through the press wire services.

Sincerely yours,

ROBERT M. WHITE,
Administrator.

Mr. BIBLE. Mr. President, I told the ESSA officials at the outset that I would

have to object to closing the Elko station, but I promised to be fair about it since I could easily understand their problems under the congressional mandate. Obviously, we cannot cut Federal spending without some cutback in Federal services.

Now—without notice or explanation to me—it has suddenly been decided that four of the 13 offices with 16 of the 29 positions will remain open. I had to learn of this development through a news story published in the Salt Lake Tribune and circulated in Elko. I ask unanimous consent that the news item be printed at this point in the RECORD.

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

WEATHER BUREAU REPRIEVE MISSES CLOSED
ELKO OFFICE

WASHINGTON.—The Weather Bureau said Friday it is granting reprieve to 4 of 13 weather stations the bureau closed for economy reasons.

The stations escaping the shutdown order are at Houghton Lake, Mich., with six employees; Stockton, Calif., five; Mansfield, Ohio, three, and La Cross, Wis., two. They account for 16 of the 29 jobs that were to be trimmed from the Weather Bureau's payroll by the closing of the 13 stations.

Stations still facing elimination include the one at Elko, Nev. It has two employees.

Public and congressional response to the announcement that the bureau will have to snuff out some stations has been rather emphatic, a spokesman said.

Mr. BIBLE. Mr. President, it appears a magic solution to the Weather Bureau's personnel limitations was discovered, and I suggest it was a political one. I have been advised that the turnaround was ordered directly by the new Secretary of Commerce. I can only assume the Secretary had also ordered the closures, since ESSA and the Weather Bureau under it are both in his Department.

At any rate, the reversal on closing four offices completely discredits the statements supporting any closure elsewhere. If the Secretary can keep four offices open, I have no doubt that he could keep the remaining nine open as well since they contain less than half the personnel positions. I think now that the whole affair has been nothing more than a smokescreen, and I intend to fight the remaining closure all the way, from the floor of the Senate to the desks of the Committee on Appropriations, on which I serve.

The Department of Commerce and its agencies not only misrepresented the personnel situation, they broke faith with the people of Elko County who have depended on the Elko County weather reporting station services. For it was implied that essential services would be maintained by other means.

Exactly nothing is planned. The isolated Elko County region, a ranching area heavily dependent on weather forecasts, has been told to get its forecast from Salt Lake City, 200 miles away in Utah. And how will the people get them? Not by any Weather Bureau service. They will get them only as they are provided in occasional and abbreviated fashion by the press service wire to Elko's single radio station.

This whole affair has been nothing more than a mismanaged propaganda campaign and a string of broken promises. I am calling now on the Secretary of Commerce to order it all dropped and to direct ESSA and the Weather Bureau to begin again—on the right foot. I am certain the necessary personnel reductions can be accomplished without closing important weather stations since the capability has already been demonstrated in four instances.

Mr. President, when I stated the weather station serving northeastern Nevada was important, I spoke from my own experiences when traveling and visiting in the region. But I also reflected the views of many concerned citizens who wrote me to protest the announced closure of the station. I ask unanimous consent that a sampling of these letters be printed in the RECORD.

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

NEVADA LEGISLATURE,
March 3, 1969.

HON. ALAN BIBLE,
Senator From Nevada,
Washington, D.C.

DEAR ALAN: Those mean old Washington bureaucrats are trying to save money again and have given notice that the ESSA weather station in Elko will be closed effective in June.

With one of the biggest winters on record still in progress the services provided by the local weather station have been highlighted during the past several months and the dependency of the local populace upon the weather information provided by the station has never been more greatly appreciated or needed.

If the station is closed our entire area will be without accurate daily weather reports and the public will be greatly inconvenienced and, in the case of our livestock people, may even be subject to unnecessary damage through lack of weather information.

Information from the FAA station located in Elko is to the effect that the personnel there does not have the time nor facilities to disperse weather information to the general public.

The ESSA station is presently providing regular broadcasts by radio at stated intervals during the day and is also providing weather information for the newspapers, all of which is greatly followed by the public.

I would urge that you look into this matter for the people of northeastern Nevada and that you exert your every influence to put a halt to the plans of the federal people to close this important weather reporting station.

With sincere best regards, I remain,
Yours sincerely,

CITY OF ELKO,
Elko, Nev., March 5, 1969.

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

DEAR SENATOR BIBLE: I would like to voice as strong a protest as I possibly can to the Weather Bureau's announced intention of closing the Environmental Science Services Administration Weather Station in Elko, Nevada. I will try to be as objective as I can; however, you should know that I speak from a background of some knowledge of the operations of the FAA and the Weather Bureau, having worked with both for over fifteen years.

For your information the Elko ESSA office is operated by two technicians from 7 A.M. to 4 P.M., daily. During this time period these men, in addition to their regular functions, disseminate weather reports three times each day via our local radio station. The area encompassed by this service includes all of Elko County, the northern half of Eureka County, and the northeastern and eastern portion of Lander County. The Elko office is the only Weather Bureau service outlet in northeastern Nevada, the next closest offices being Winnemucca (125 miles west) and Ely (180 miles south). During the more severe weather season (October through May) about ten weather alerts are issued. These are warnings of heavy snow to stockmen and warnings of hazardous travel conditions for the traveling public. Direct calls are made to City and State Police, the State Highway Department, to some ranching interests, and the local offices of the Southern Pacific and Western Pacific Railroads. The Weather Bureau network of stations, both observing and service outlets, is extremely sparse in Nevada, Arizona, and New Mexico, with perhaps fewer stations in Nevada than in any other section of the United States.

The services rendered by the Elko ESSA station are of prime importance to our livestock industry. It may be argued that the Elko FAA Flight Service Station would be a suitable substitute for the ESSA station, but this is patently not true. If this argument had any merit, ergo we could do away with all ESSA stations and let the FAA stations take over this job. Being an old FAA man I know that the FAA is geared to the aviation industry primarily, and it does not have the manpower or the time to handle the personalized service required by the stockmen and the traveling public.

I have only one other point to argue. Back in 1959 the Weather Bureau determined there was insufficient activity at Wendover, Utah, to warrant the continued operation of the Weather Bureau Station at that site; and they actually closed that facility. Within a short time thereafter, and after the enactment of a "special appropriation", the Wendover, Utah, weather station was reopened and is open to this date. They, too, have two technicians; but in addition they have automatic weather reporting facilities which are "remoted" to Salt Lake City, and this automatic equipment reports directly to Salt Lake City sixteen hours a day. Now the question necessarily arises, "What sort of a workload does Wendover, Utah, have that justifies its retention as compared to Elko, Nevada?" Elko has an average high of 390 direct telephone calls in January to a low average of 210 calls in July and August. In addition the Elko automatic telephone answering system has been called on an average of 270 times in December to a low of 63 times in July.

The writer is in full sympathy with the new administration's desire to economize, but in my considered opinion this move would be false economy. The community of Elko is growing, and this growth warrants the retention of this facility. I would urge you, with whatever means you have available to you, to prevail upon the Weather Bureau to reconsider and rescind its order closing the Elko ESSA station or, at the very least, to substitute the Wendover, Utah, ESSA station in the stead of Elko, Nevada, for its so-called planned program of closures.

Kind personal regards.

Sincerely,

FRAN WEINRAUCH, Mayor.

CHILTON ENGINEERING,
Elko, Nev., March 6, 1968.

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

MY DEAR SENATOR BIBLE: It has been announced that the Weather Bureau has plans to close the Reporting Station here in Elko.

I wish to express our concern over this announcement and to state we are very much opposed to this proposed action.

We, as engineers, surveyors and aerial photographers, rely greatly upon weather forecasts and many times it could mean serious consequences were a weather report not available at Elko.

Please do what you can to keep our weather station operating.

Yours very truly,

MARK CHILTON.

ELKO, NEV.,
March 7, 1969.

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

DEAR SENATOR BIBLE: An announcement has been made to the effect that the Elko Weather Bureau office will be closed sometime prior to June 30, 1969.

The weather bureau office performs an essential service to this community and outlying areas. This service is used by ranchers, tourists, air travelers and local residents in all activities ranging from shearing, lambing and calving to planning a trip.

I would like to register a protest to the closing of this office and I hope that you will do all that you can to prevent this action.

Sincerely,

PHILIP M. BALDWIN.

GIL'S CHEVRON SERVICE,
Elko, Nev., March 10, 1969.

Senator ALAN BIBLE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BIBLE: I am writing to you not only for myself, but on behalf of other pilots of light planes, who depend on the Weather Bureau for planning personal and charter flights.

My plane is equipped for VFR (Visual Flight Rules) only; therefore, in order to fly to various places requiring several days flight it is necessary to obtain weather briefing from the Weather Bureau. Many of the flights are with passengers. True FAA has pilot weather briefing, but only for a 24 hour period. I have called on the Elko Weather Bureau office many times for the projected outlook covering up to and including a four day period. Not only have they given me the desired information but also the best time for making the trip. They have yet to fail in giving me the correct conditions.

I urge you to do everything in your power to rescind the order for closing the Elko ESSA Weather Bureau office. Not only would owners of VFR equipped plants suffer but it could be disastrous for the Ranchers of Elko, Eureka, and Lander Counties who depend on the service of the Elko Weather Bureau office.

Respectfully,

GIL STATES,
Secretary-Treasurer, Elko Pilots Association.

THE ELKO CHAMBER OF COMMERCE,
Elko, Nev., March 11, 1969.

Senator ALAN BIBLE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BIBLE: The Elko Chamber of Commerce wishes to strongly protest the proposed closing of the Environmental Science Services Administration weather station in Elko, Nevada.

A special committee of the chamber has met with Mr. Lloyd H. Magar, User Service Representative in the Weather Bureau Regional Office in Salt Lake City; Mr. Charles Inskip, Aviation Service Representative from the same office, and Mr. Omar Sinclair, Official-in-charge at the Elko Station, and has studied the effect the closing of this station would have on the economy of the area.

Although the Weather Bureau announcement stated that "the affected communities' most urgent weather service needs will be met by other means", we find that the only service to be provided is area-wide reports and predictions from Salt Lake City transmitted to Elko newspapers and radio station KELK by the wire press services. This information would be neither as complete nor current as that now being broadcast over KELK three times a day by the local Weather Station and furnished by telephone of personal inquiry.

As you know, Elko is the heart of the livestock industry in Nevada. It is one of the three largest producers of red meat protein in the United States. The vastness of this sparsely populated area and the hugeness of sprawling ranges requires that ranchers receive the latest possible information via radio.

While this information is vital to the ranching industry the year around, it is of critical importance during February and March when the cows are calving and mid-April and May when sheep are lambing. The local Weather Bureau issues an average of ten alerts a year, telephoning ranchers about forthcoming severe local storms, as well as alerting the local radio station. Since lambing and calving is done on the open range, lack of this information could be disastrous to the livestock growers. This advance warning of severe conditions, which would be eliminated if the local station is closed, can allow the livestock operators to move livestock to more sheltered areas. This results in thousands of lamb chops and T-bone steaks getting to market which otherwise would not have survived the first hours of life.

According to State Statistician R. M. Pallesen, Elko County accounts for 206,000 of the 591,000 head of cattle in Nevada, and 80,000 of the 231,000 sheep in the state. Elko County cattle are valued at over \$30,000,000 and sheep at over \$2,000,000. Elko County also accounts for \$13,500,000 in cattle, sheep and wool sales. This is 35% of the entire state's \$38,500,000 income from livestock products.

By continuing to serve this basic industry of producing food for a hungry world, which can only be done by continuing the operation of the Elko station, the United States Weather Bureau has the unique opportunity to continue service to a rural area and simultaneously benefit urban areas to a greater degree than would be possible if the present local service were discontinued. Almost everyone would agree that this would be a most gratifying turn of events in Federal Affairs.

If the local station is closed, it would no longer be possible to issue warnings to city and state police, the state highway department or the traveling public when weather changes create hazardous travel conditions. Due to the mountainous terrain, weather can change very rapidly, creating treacherous driving conditions in mountain passes and canyons.

Further importance of the station is shown by the local telephone and personal inquiries received, ranging from an average low of 210 in July and August to a high of 390 in December. In addition, an average of up to 270 telephone inquiries a month receive taped local forecasts during the hours the station is closed.

The Elko Weather Bureau serves all of Elko County, the northern half of Eureka County and the northeastern and eastern portion of Lander County, an area approximately 25% greater than the combined areas of Connecticut, Delaware, Rhode Island and New Jersey, with the District of Columbia thrown in for good measure. Connecticut, one-fourth the area served by the Elko station, has four Weather Bureau stations, each offering the same service as is offered by the Elko station. New Jersey, one-third the area served by the Elko station, also has four sta-

tions. Even Rhode Island, one-sixteenth the area of that served by the Elko station, has a station. It might be argued that the greater population warrants this number of stations. Such arguments are not valid, however, inasmuch as variations in weather take place not in relation to population, but rather, in relation to area.

Further, communication is much more difficult in an area as sparsely settled as that served by the Elko station than it is in the thickly populated centers of the eastern seaboard. If a station were closed in one of the above mentioned states, the area could be served by another station located within 10 to 20 miles. If the Weather Bureau office in Elko is closed, the closest service offices would be Winnemucca, 125 miles west, and Ely, 180 miles south.

The Elko Chamber of Commerce is in full agreement with the need for economy in government. We are also aware that communities are often inclined to want economy as long as it takes place somewhere else. For this reason we investigated the possibility that the Weather Bureau could provide these services in another manner. We have found that this is not possible. Therefore, we must protest the complete elimination of such a vital service to an area greater than Connecticut, Delaware, Rhode Island and New Jersey combined while those and other sections of the United States retain an overabundance of such services.

We respectfully urge you to prevail upon the Weather Bureau, by whatever means you have available to you, to reconsider and rescind its order closing the Elko ESSA station.

Respectfully,

ERVIN H. SCHULE,
Manager.

WEATHER BUREAU HAS NO PLANS FOR ELKO AREA

ELKO.—A regional Weather Bureau representative says the Weather Bureau does not have plans to provide for this area's weather service needs after closing the local station.

Lloyd H. Magar, user service representative of the Weather Bureau regional office in Salt Lake City, told this to members of a special committee of the Elko Chamber of Commerce.

He also said he didn't think there was much that the weather bureau could do to provide those services. He ruled out the possibility of direct telephone lines to another station, such as Salt Lake City, as no funds are available.

An announcement was recently made by the U.S. Weather Bureau that the Weather Bureau here would be closed before July 1 because of cutbacks in government employment.

The announcement stated that affected employes in the federal cutback would be placed in other positions within the organization as vacancies occur.

ELKO BOTTLING CO.,
Elko, Nev., March 12, 1969.

Senator ALAN BIBLE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BIBLE: As a citizen of the City of Elko, I wish to protest the proposed closing of the Environmental Science Weather Station in Elko, Nevada.

This facility has long been a vital asset to the livestock industry in northeastern Nevada, to the local law enforcement agencies and the State and County Highway Departments.

The apparent reason for the proposed discontinuance of the above is to curtail expenses. In view of this reasoning, it is my understanding that some areas in the eastern part of the country with a square mile area much less than the area served by the Elko station are served by as many as four weather

stations. My thinking is that area should have precedence over population density with a facility such as this.

I sincerely hope you will exert all possible effort to convince the Weather Bureau of the need to continue the operation of the Weather Station in Elko.

Respectfully,

C. B. HANDWRIGHT,
Manager.

ELKO, NEV.,
March 20, 1969.

Senator ALAN BIBLE,
Senate Office Building,
Washington, D.C.:

The Lamolille Soil Conservation District strongly opposed the planned closure of the Essa Weather Bureau in Elko.

DAVE SECRIST,
Chairman.

CITY OF WELLS,
Wells, Nev., March 20, 1969.

Senator ALAN BIBLE,
Senate Office Building,
Washington, D.C.

DEAR ALAN: It has been brought to my attention by numerous individuals that great harm will be done to Elko and vicinity by the closing of the U.S. Weather Bureau. It is critical for many persons in the Elko area, including ranchers, travelers, police, highway crews, pilots and others.

Not only will the removal of the Weather Bureau affect Elko, but surrounding communities such as Wells have depended greatly on the bureau to supply them with much needed information.

The City Council, the Wells Chamber of Commerce and the very interested citizens of Wells join with me in asking you to do all in your power to retain the weather station in Elko. We feel it poor economy to discontinue such a badly needed and much used service.

Sincerely,

JOHN DI GRAZIA,
Mayor.

LAMOILLE, NEV.,
March 21, 1969.

DEAR SENATOR BIBLE: We are very concerned about the planned closure of the ESSA Weather Bureau office in Elko and hope that you will be able to have the people who have directed the closing of this office to reverse their decision.

The livestock warnings and travelers warnings that we receive from this office are very vital to us and we fear a detrimental effect on the Northeastern Nevada area if these services are no longer available.

Yours truly,

ELDON WESTLUND.

ELKO, NEV.,
March 23, 1969.

Senator ALAN BIBLE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BIBLE: As a resident of Elko Co., Nev., I would like to protest the possible closing of the E.S.S.A. weather station here. As you are aware this station covers many square miles and gives us weather coverage that we will be deprived of otherwise.

I would appreciate any help you can give so that it can remain in operation.

Sincerely,

ERNEST E. WILSON.

ELKO, NEV.,
March 25, 1969.

DEAR SENATOR BIBLE: I am voicing a protest felt by many, against the closing of the Environmental Science Service Administration weather station in Elko, Nevada.

It seems a bit ridiculous to expect an accurate weather picture or forecast made in

Salt Lake City over 250 miles away. This is where the information would come from were Elko discontinued.

I would appreciate your support in this matter.

DON GRISWOLD.

ELKO CHAMBER OF COMMERCE,
Elko, Nev., March 26, 1969.

HON. ALAN BIBLE,
Washington, D.C.:

Understand Stockton, La Crosse, Houghton Lake, Mansfield weather stations reinstated by Secretary of Commerce. What is the outlook for Elko?

ERVIN H. SCHULTZ.

[From the Elko (Nev.) Daily Free Press
Mar. 12, 1969]

FORECAST FOR WEATHER BUREAU: "?"
(By Catherine Tate)

Forecast for the Elko Weather Bureau: deteriorating high pressure area with slight chance of recovery.

A terse announcement from the Environmental Science Services Administration (ESSA) noting that "13 Weather Bureau stations will be closed between now and June 30," apparently heralds the end of an 81-year-old tradition established locally by the Elko bureau.

That tradition has seen distribution of vital—and occasionally perhaps not so vital—information concerning anything from crops and from picnics to flying.

The bureau has provided a valued service for ranchers, farmers, pilots and builders whose livelihood depends in some part on an accurate forecast of coming weather conditions.

Precisely, in the words of the New Standard Encyclopedia, Weather Bureaus provide a more or less satisfactory service for forecasting weather conditions; and such service is maintained by all civilized nations.

The services of the bureau are supported by a national network of surface and upper-air observing stations, aircraft, satellite systems, communications and computers. Some 300 bureau field offices in cities across the nation maintain close contact with the general public, "to insure" prompt and useful dissemination of weather information," according to an ESSA publication.

The local office handles nearly 700 telephone and office inquiries during peak months, provides emergency weather warnings to state and local police, the sheriff's office, state highway department and the railroads and provides ranchers and farmers with critical warnings during lambing and calving seasons.

The largest portion handled by Elko's two weathermen—Omar Sinclair and George Bostic—is the gathering and maintaining of records useful in forecasting and used in painting a general picture of the Elko climate.

Sinclair and Bostic prepare three daily broadcasts for the local radio station, draw weather maps indicating pressure centers and fronts for use in forecasting, digest reams of material from teletype machines, cut tapes for the bureau's answering service and answer calls from tourists, ranchers, housewives, businessmen and a hundred other people who find weather information useful.

Elko has had a weather bureau of some sort since 1888, and talk of closing the bureau has been common for the last 15 years.

A reduction of the bureau's staff—from six to five—was the result of one such effort 13 years ago. A second reduction, assignment of observation duties to the Federal Aviation Administration, another reduction and a move from the airport to the Post Office have left the bureau at its present stage.

The first substantial threat of closure came in 1957, but a hue and cry from the Elko populace thwarted the move.

"The Weather Bureau here is relied on more than in other parts of the country because a large part of the economy is dependent on weather forecasts," Bostic noted.

The only weather services to be provided Elko after the bureau closes will be area-wide reports and predictions over the wire press services leased by the Free Press and radio station KELK.

The Chamber of Commerce is heading what may be an ill-fated effort to forestall closure of the Elko bureau by contacting the Nevada Congressional delegation and spearheading other local opposition.

The Department of Commerce, which operated ESSA and the U.S. Weather Bureau, has pointed out the closure order is in compliance with Public Law 903-364 which requires reduction in federal employment and expenditures.

"Having exhausted all practical alternatives, the agency is now reluctantly moving to close additional Weather Bureau offices so that other higher priority programs and services can be continued," a press release from the department notes.

In the meantime, the forecast for local weather watchers remains "cool, with definitely raging temperatures."

NEVADA CIVIC CLUB,
Elko, Nev., March 28, 1969.

Senator ALAN BIBLE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BIBLE: The Nevada Civic Club of Elko wishes to strongly protest the proposed closing of the Environmental Science Services Administration Weather Station in Elko, Nevada.

Elko County, the Nation's second largest county and the State's largest producer of livestock is serviced by the Elko weather station. Sudden changes in weather can be disastrous to cattlemen and woolgrowers unless warned by a local forecast.

Neither highway nor police radio networks would be able to receive local weather bureau reports. The nearest weather bureau forecast, which would come from Reno, Nevada or Salt Lake City, Utah, could not give our local conditions. The weather through this part of Nevada can change within a fifty mile radius from a fair to hazardous condition. This will leave almost three hundred miles of interstate 80 without adequate weather forecasts.

The Nevada Civic Club of Elko is in full agreement with the need for economy in government. We are also aware that communities are often inclined to want economy as long as it takes place elsewhere. For this reason, we investigated the possibility that the Weather Bureau could provide their service in another satisfactory manner. We have found this is not possible. Therefore, we must protest the complete elimination of such a vital service to such a large area when other smaller areas in the United States retain an over abundance of such service.

We request your aid and cooperation and ask that you do your utmost to prevent the complete closing of the Elko Weather Bureau.

Respectfully,

R. C. HARRINGTON,
President.

KELK,
Elko, Nev., March 27, 1969.

Senator ALAN BIBLE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BIBLE: I am writing to you, in my capacity of station manager of Radio Station KELK, to urge you to do everything you can to prevent the closing of the Elko ESSA Weather Bureau Office.

In support of this request I am enclosing some cards and letters that have been received here at the radio station protesting the closing of this vital and necessary service. Copies of these messages are also being forwarded to Senator Cannon and Congressman Baring.

As you are well aware, Senator, Elko County is one of the largest counties in the United States. Because of the size of our county, the farms and ranches are quite isolated. In the majority of cases there is no television to these remote areas, and radio station KELK is the only means these ranchers and farmers have of obtaining current news and, more importantly, weather. The owners and operators of the radio station have, for many years, felt that it was a duty to supply these people with factual, reliable, up-to-the-minute weather information. This will be impossible if the Elko ESSA Weather Bureau Office is closed and we are forced to rely on information from the Salt Lake City, Utah ESSA Weather Bureau office.

I can think of no other area in these United States where the rapidly changing, and often, severe weather conditions have more effect upon the lives and property of cattle ranchers and sheep raisers than in Elko County, Nevada.

I, therefore, urgently request that you use your office to urge reconsideration, of the Department of Commerce, to the planned closing of this office.

Respectfully,

D. RAY GARDNER,
Station Manager.

CARLIN, NEV.,
March 14, 1969.

MANAGER,
Elko Radio Station KELK,
Elko, Nev.

DEAR SIR: In compliance with your Radio request, we, the undersigned, who have been citizens and taxpayers in Carlin, Nev., since 1920, are most certainly opposed to the closing of the Elko weather station for the following reasons: It would appear to us that there are many things in Washington, that could be curtailed drastically instead of cutting out vital services to the community, state and nation, as is the case with the Elko weather station.

Fundamentally the City of Elko and the surrounding area of Elko County, is a ranching community and is absolutely vital that these ranchers know what the weather is going to be. I point out also that the two nearest stations on which we get any weather data, are Salt Lake City and Reno. Neither one are equipped to give us the local data on storms, water content, and especially the local conditions of highways and roads. For the above stated reasons, we like many other local citizens are opposed to the Government taking away a vital source of information from us. I am also addressing Senator Alan Bible and Senator Howard Cannon, and Representative Walter Baring.

Trusting that letters of this kind may bring pressure enough to bear on the matter in Washington, D.C., we remain.

Very truly yours,

Mr. and Mrs. C. T. HURD.

ROUNDS SERVICE STATION,
Battle Mountain, Nev., March 17, 1969.
RADIO STATION KELK,
Elko, Nev.

GENTLEMEN: I oppose the discontinuance of the ESSA weather bureau station in Elko. The station is a great benefit to this entire part of Nevada and should not be allowed to be closed.

If you could talk to everyone in and around this area, you would find the opposition to be unanimous.

Very truly yours,

S. S. ROUNDS.

ELKO INDEPENDENT,
Elko, Nev., March 4, 1969.

ELKO BROADCASTING CO.,
Radio Station KELK,
Elko, Nev.

GENTLEMEN: We are very anxious to have the U.S. ESSA station maintained as it is now in Elko, and to have Radio Station continue the daily merchant-sponsored weather reports.

Thank you for the opportunity to express an opinion.

Sincerely,

Mrs. WARREN L. MONROE.

OLIN INSURANCE &
REAL ESTATE AGENCY,
Elko, Nev., March 27, 1969.

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

MY DEAR MR. SENATOR: I am quite concerned with the announcement of the closing of the Weather Bureau Office here in Elko and of the great harm and inconvenience it will be to the ranchers, travelers, law-enforcement officials and the public.

As the Representative for northeastern Nevada for the Federal Land Bank Association of Reno, which is affiliated with the Federal Land Bank of Berkeley, who make real estate loans to the ranchers and I also represent the Nevada Livestock Production Credit Association, who lend funds for capital improvements and operating expenses on livestock to ranchers, I must visit the ranchers frequently and at all times of the year. I service approximately 65 accounts in this area. I have found that the services of the Weather Bureau are used and depended upon by all.

When making inspections, appraisals or cattle counts at these ranches they always insist upon having a radio in the automobile or not leaving until after they have heard the Weather Bureau report from KELK, the local radio station. The information is very beneficial to them in their operations.

It is also a must for travelers in this remote area to check on weather conditions, especially in the winter time, before making a trip. The reports that are given from Reno or Salt Lake City do not apply to the Elko area.

For your additional information I enclose a page from the Elko Daily Free Press which I hope will give you additional information.

Do hope that you will be able to prevent the closing of the Weather Bureau here in Elko as it is a very necessary service.

Very truly yours,

JIM OLIN.

CARLIN, NEV.,
March 21, 1969.

To Whom it May Concern:

I would like to protest the closing of the Elko Weather Bureau. It is the only one in this part of Nevada and many of the people especially ranchers depend on it. I'm sure that there is a Weather Bureau somewhere else that is a little less essential to the welfare of the people.

Mr. and Mr. J. W. WILKINS.

WELLS, NEV.,
March 7, 1969.

RADIO KELK:

A weather report to a rancher is a vital part of his day.

We hope that this service will not be discontinued.

The KNUDSEN RANCH.

WELLS, NEV.,
March 12, 1969.

KELK
Elko, Nev.

DEAR SIR: Hope the weather forecast can continue, as it would be a great disadvantage to cattle and sheep men and people living

April 1, 1969

in country, who depend on hearing weather forecast for working cattle, and road conditions for travel to town for supplies etc.

Yours truly,

The JOHN F. MURPHY'S.

MARCH 6, 1969.

RADIO STATION KELK,
Elko, Nev.

DEAR SIR: I would like to say that we really do look forward to the 12:15—SL Weather Bureau weather report daily. Some of our neighbors in the Independence Valley do not get KELK some days and they phone me to find out what the weather report is. I feel that it would be a real loss to the residents of Elko County to discontinue our local weather reports.

I do hope something can be done to keep the good service coming daily.

Sincerely,

Mrs. NELO MORI.

BATTLE MOUNTAIN, NEV.,
March 7, 1969.

KELK,
Elko, Nev.

SIR: I was shocked to hear the government was closing the S. O. Weather Station as we people here in Eastern Nev. need this service as the Reno station doesn't cover this part of the state.

I hope they will reconsider and hope this note will help in some small way.

Sincerely,

RUTH A. BENNETT.

ELKO, NEV.

We depend on the weather forecast and will be lost without it. We do not have T.V. and enjoy the radio so very much it really keeps us up with the news.

Thank you so much.

LAWRENCE AND CLARA REED.

FEBRUARY 5, 1969.

RADIO STATION KELK,
Elko, Nev.

DEAR SIR: This is to advise you that we live at the Bullion mine, and depend on your weather report nearly all year, in fact one of your reports saved us from being snowed in, in the month of December. It would be a shame to see a service so valuable as this taken off the air.

Very truly yours,

JACK SUTHERLAND.
JOHN BARNE.

ELKO, NEV.,
March 4, 1969.

KELK RADIO STATION,
Elko, Nev.

GENTLEMEN: I believe the local "Weather Bureau" office should not be closed in Elko. The daily weather forecast is a very important and valuable service to all of our citizens—local, all travelers, tourists and the ranchers in our area. Each one of us depends upon the weather forecast every day of the year.

Certainly the government should cut spending—everyone is for this—but let us not close our local weather bureau when it is giving such an essential service to all of us.

Very truly yours,

KATHLEEN L. ROMANS.

P.S.—You may use the comments in this letter any way you wish.

ELKO, NEV.,
March 25, 1969.

Please, let's keep the weather report here in Elko.

Mr. and Mrs. RICHARD A. BAKER.
Mrs. GLADYS JENSEN.

We would like to sign our names with those who protest the closing of Elko's weather bureau—it has made such a con-

tribution to the entire community we do want to keep it operating!

Yours truly,

Mr. and Mrs. WARD SWAIN.

MARCH 9, 1969.

DEAR SIR: I wish to protest the closing of the U.S. Weather Bureau at Elko.

As a rural area mail carrier, year a round, I depend on the W. B.'s Radio broadcasts each day. It helps to go prepared.

Anyone living here for any length of time, knows the weather can change from one extreme to another in a very short time. Thank you, I remain.

Mrs. BETTY L. TAYLOR.

MARCH 5, 1969.

I am opposed to closing the Elko Weather Station. There is no station between Salt Lake and Reno.

FLOYD NEWTON.

ELKO, NEV.

I wish to protest the closing of the U.S. Weather Bureau Station in Elko. We need this service in Elko County badly.

Mrs. B. M. FAIRCHILD.

ELKO, NEV.

We are greatly in favor of keeping the weather station open. It is a valuable asset to our community.

Mr. and Mrs. LAWRENCE DANIELS.

ELKO, NEV.,

March 14, 1969.

To Whom It May Concern:

It would be a serious mistake to close the Weather Bureau office at Elko. Agriculture, the traveling public, aviation and recreation are served and depend on the reports from this station which serves a large isolated area.

GRANT W. TURNER.

GENTLEMEN: This is to request that you continue to broadcast the weather through the facilities of the E.S.S.A. There is no other service like this in this area.

Also, please do everything in your power to prevent the closing down of the Weather Bureau here.

MAX WIGNALL.

GENTLEMEN: Will you please keep the weather broadcasts on the air. Also, do what you can to stop the government from closing the local weather station.

NORMAN L. BROWN.

MARCH 17, 1969.

We wish to protest the closing of the Elko Weather Bureau. We are ranchers in the Ruby Valley area and find the reports are beneficial in our business.

Sincerely yours,

Mr. and Mrs. BLAINE SHARP.

March 20, 1969.

I would like to protest the closing of the Weather Station here in Elko. The service provided by them is extremely important to our operation at the QU Ranch, Lee in calving, feeding-etc. Our losses could be much more severe without their weather forecasts.

GEORGE FAIRCHILD.

Box 525,
CARLIN, NEV.

If they take our weather reports away we will not be able to know what to expect weather wise.

We always listen to the weather report 3 times a day.

Mrs. MARY ROOSE.

ELKO, NEV.

Please don't let the U.S. Weather Bureau close in Elko, Nevada. We need it very badly.

T. T. FAIRCHILD, Jr.

MARCH 23, 1969.

DEAR SIR: Please add my name to the list asking that the Essel Weather Bureau remain in Elko.

It's been a ritual in our family to listen to the weather news . . . it's not only helped local families but is a necessity to our stockmen and out in the country ranchers.

Both Mr. Bostic and Omar Sinclair have been accommodating and a help to our community.

Thank you,

RUTH S. TORAL.

ELKO, NEV.
March 8, 1969.

KELK:

We hope and pray, Weather report will not be closed down.

Living on a ranch, we surely rely on daily reports. It's a wonderful service.

Respectfully,

Mr. and Mrs. W. E. MOORE.

PETITION

To: U.S. Department of Commerce, ESSA Weather Bureau.

GENTLEMEN: The undersigned directors of the Davis County, Utah, Horticultural Society, having been instructed by its membership to submit this petition, hereby respectfully urge the expansion, rather than reduction, of weather reporting stations and forecasting facilities at Elko, Nevada, and the general area feeding weather to west central Utah.

We have experienced severe, damaging winds and frosts which have escaped forecast by reason of the limited facilities in this front. Our efforts at fruit crop protection are wasted when we are surprised by such weather from our blind side.

Your early attention to this matter will be most helpful and appreciated.

Respectfully,

J. LLOYD MULLIS,
President.

CHESTER P. CALL,
ALDEN BURTON,
ELLIS R. WILSON,
GLENN B. MANNING.
Directors.

Dated March 24, 1969.

DR. MARTIN LUTHER KING

Mr. DODD. Mr. President, we commemorate this week, on April 4, the tragic death of a man who devoted his entire life to the cause of humanity.

The history of our Nation and of the world shall long mourn that day.

Dr. Martin Luther King, Jr., was a man of heroic dimensions. His every word and deed attested to a wholehearted faith in the dignity and equality of men.

His faith in these ideals was unshakable.

His courage in denouncing injustice was dauntless.

His efforts to bring about change were tireless.

His method of achieving change was nonviolence.

It is primarily in the field of human rights for black Americans that the late Dr. King is remembered. But his efforts were by no means confined by racial boundaries.

Martin Luther King's love and compassion were extended to all mankind. His struggle was carried on for the oppressed everywhere, espousing the philosophy of Frederick Douglass:

I know of no rights of race superior to the rights of humanity.

On the first anniversary of Dr. King's violent and untimely death, let us honor the memory of this great American with a firm resolve that his dream shall be a reality, and that his life's efforts shall not have been in vain.

A SYSTEMATIC LOOK AT COAL

Mr. BYRD of West Virginia. Mr. President, in the past two decades the U.S. Government has spent over \$2 billion of the taxpayers' money in a massive research and development program to enlarge the Nation's energy supply by creating a whole new industry—nuclear power. Today, however, that industry supplies only a fraction of a percent of the Nation's energy demand, and additional billions in public funds will have to be spent to increase its share.

Over this same 20-year period, Federal preoccupation with nuclear energy has resulted in relative official indifference toward the potential of our most abundant resource, coal. Losing its transportation market after the war the coal industry, in the shadow of this indifference, struggled almost alone through its own private depression. With practically no Government help, it captured an important share of a fast-growing market—electric power generation—solely by virtue of the low cost of its product. Today coal has regained a precarious economic security through its ability to meet over half the Nation's demand for cheap electricity, and one-fourth of the total energy demand.

And what of tomorrow? There is every indication that the Government will continue to lavish money on the golden calf of atomic power—money that could better be spent in developing the potential of coal. America's energy demands are swelling; consumption patterns are changing; only coal is capable of supplying unlimited energy in any form that the shifting market needs.

This capability rests on two factors. The first is coal's abundance. By the most conservative definition, America's coal reserves total three-quarters of a trillion tons—enough to last several centuries at present rates of consumption. Improved mining technology or higher prices could substantially increase the reserve figure. For all practical purposes, then, our coal resources are unlimited. By contrast, substantial new discoveries of oil, gas, and uranium will have to be made if the supply of these fuels is to last even through the next 30 years.

The second factor underlying coal's unique capability to supply any energy market is its versatility. Although most coal is today consumed in solid form, it can be converted to liquid and gaseous fuels as well. Consequently, whatever changes in energy consumption the future may bring—from the emergence of an all-electric economy to the development of individual fuel cells for private homes—coal can be relied on to supply the demand. True, coal-conversion processes are uneconomic at present. But diligent research could reduce the costs, and the research would be directed to-

ward the broader utilization of a virtually unlimited resource. Surely it makes sense to divert, to this cause, some of the millions now being spent on broadening the market for our limited resources of nuclear fuels.

Coal's potential versatility contrasts sharply with the narrow uses actually being made of this fuel. Over half of the coal mined today is consumed in a single application, power generation, by a single method, combustion, to create steam that spins turbines. It is not surprising that the use of coal is so restricted; the industry's return from the brink of economic extinction could only have been accomplished by securing a significant part of an extremely high tonnage market. Of coal's many possibilities, industry correctly chose the one for which demand was greatest and growing fastest.

The demand for energy, however, is constantly changing. Projections for energy consumption show an increase of 50 percent by 1980, and 300 percent by the end of this century. Changes in technology could drastically alter the form in which we consume energy—whether as electric power, liquid fuels, or gases. In anticipation of such changes—and history tells us that they must, indeed, be anticipated—let us examine the ability of our present fuel resources to meet tomorrow's demands.

Petroleum is the "high prestige" fuel source in today's markets. Its products are widely favored for their ease of transportation and convenience of use, and America is dependent on petroleum for a full third of its energy needs. There are clear signs, however, that this dependency may entail risks. The Nation's "proved reserves" of petroleum total only about one-third of the projected demand between now and 1980. This means that, to guarantee an adequate supply of petroleum for the next decade alone, the industry will have to insure the availability of nearly three times the crude oil now known to be available.

Two ways of attempting such a guarantee are being pursued. The first is to increase the percentage of petroleum recovered from known underground reservoirs; the second is to find new reservoirs. Both are expensive. Neither can give certainty of success. Nevertheless, outstanding successes in both areas will be required to eliminate the possibility of a petroleum shortage, based on today's consumption habits. Although it is true that the industry is increasing its recovery rate, and adds to its reserves yearly, it cannot guarantee that these activities will add the necessary quantity to America's petroleum reserves through the end of the century, or even in the next 10 years. For coal, however, with its unlimited reserves, no such efforts are required; no such guarantee is necessary. The recent acquisition of large coal deposits by several major oil firms is eloquent testimony to these facts.

For natural gas, the situation is much the same as for petroleum. The known supply of gas is adequate to meet the total expected demand for this fuel for approximately the next two decades. Like petroleum, however, gas accounts for a full third of the Nation's energy use, and

the gas industry's ability to continue supplying such a large share of the market rests on its ability to greatly increase proved reserves by the year 2000. Although gas reserves, like those of oil, can be expected to grow by a certain percentage yearly, the industry cannot give assurance that the growth will be great enough to meet the projected demand. This is not to say that very large increases in gas reserves are impossible; merely that they are not certain. The uncertainty could be eliminated by development of an economic process for making a substitute pipeline gas from coal.

The potential of atomic power, the "glamour fuel," to satisfy a significant share of America's growing energy demands is at present uncertain. The capital costs of installing reactors are high, and growing faster than the installation costs of other power sources. Increased reactor efficiency would help offset this trend, but recent experience has shown how difficult and expensive is the research needed to make reactors more efficient. Indeed, "the promise of the atom" has been broken more than once. For example, development of the highly touted breeder reactor, which is supposed to create more fuel than it consumes, has been long delayed by unforeseen technical problems. Solving them will cost many hundreds of millions of dollars beyond the sums already spent on nuclear power. A lesser amount spent on coal research would assure a much bigger and more versatile source of energy—and would assure it sooner.

The future of oil shale as an energy source is even more tenuous than that of atomic power. Although oil shale reserves are larger, in terms of energy content, than reserves of any other fuel except coal, no industry exists to exploit this resource. And none is likely to appear in the foreseeable future, judging by the negative industrial response to the Interior Department's recent offer of shale lands for production leases. At present, therefore, we cannot depend on oil shale as a resource—only as a resource potential.

And that brings us to coal: the most dependable, as well as the most abundant, energy resource of all. As we have seen, coal reserves are practically unlimited, and can supply energy in any form. Used in a rather primitive way, coal already supplies about one-fourth of the Nation's energy. Research could make it possible for coal to be used in many other ways, however, supplying markets now dependent on far less abundant fuels.

Now, I am not arguing that coal is an "ideal fuel," or that it should be used in place of all others. It is desirable that the Nation's energy consumers should be able to select among alternative fuels, if only to spur the competition between industries that plays such an important role in keeping prices down. This freedom of choice, however, is limited today by the failure of technology to make coal available in more than one form. Furthermore, coal alone can serve as a "backstop," or energy reserve, in the event that our soaring energy consumption depletes the reserves of one or more other fuels. Experts agree that a truly

serious shortage of oil, say, or natural gas, is unlikely in the foreseeable future; nevertheless, it could happen, particularly as the result of an unforeseen emergency. If it did happen, the consequences would be disastrous for the Nation. And our only present assurance that it will not happen is the industry's confidence that enormous supplies of oil and gas remain to be discovered and tapped. While the industry may stake its own future economic security on such assumptions, the Nation must be more conservative. Commercially feasible ways of converting coal to oil and gas must be developed as insurance against a long-term decline in oil and gas reserves. Likewise, more sophisticated and efficient methods of turning coal into electricity must be perfected, if only to be available while nuclear physicists and engineers attempt to justify their faith in atomic power.

Accepting coal's abundance, then, as an invitation to make better use of this resource in the national interest—what needs to be done? The answer is research. A broad and intensified research effort must be undertaken to propel the technology of mining, processing, and using coal into a position of equivalence with the advanced technologies of the other fuel resources. Oil, gas, and uranium have all benefited from research programs much more intensive than any ever devoted to coal; it is time to correct the imbalance.

The cost of correction will be high, but not as high as the cost of some less rewarding, more glamorous research programs now underway. For example, the Government spends at least \$150 million yearly on development of civilian nuclear reactors; no more than one-third to half of that amount would be required, over a 10- or 15-year period, to fully develop the energy potential of coal.

This expense, furthermore, should be borne by the Federal Government, on the same grounds that it now supports nuclear power research: that the Nation benefits from a wider choice of possible energy sources. This principle, though a good one, has never been pursued with consistency by the Federal research establishment, which has long scanted coal to spend more money on nuclear power and even oil and gas research. An exhaustive 1964 report on "Energy Research and Development and National Progress," submitted to Donald Hornig, then Presidential science adviser, revealed the extent of the imbalance. Although oil and gas are well-established and wealthy industries, the Government spent nearly four times as much on oil and gas research in 1963—the year under study—as on coal.

This pattern of mistaken priorities continues today. The coal industry cannot correct the balance; it is not prosperous enough to afford the research expenditures. This becomes clear when you consider the structure of today's coal industry. It is composed largely of relatively small companies that supply relatively minor portions of the total domestic output. Only a very few of our coal producing firms are large enough to support effective research efforts. So, if a research job that will benefit the entire

industry and the public is to be done, it will have to be done by the Federal Government.

In doing it, however, the Government will encounter a remarkable opportunity. An adequate coal research program will have to cover so many different areas—from mining through treatment to end use, and even waste disposal—that the modern concepts of "systems technology" can be applied for the first time on a broad industrial scale.

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 8 and 9 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 byproducts of an unsystematic technology.

Let me point out that the idea of a "coal system" does not imply the ultimate merger of all the industries concerned, in one way or another, with coal. It only means that all would accept, as common goals, the need to produce, transport and use coal at low cost, in high volume, and with minimal threats to the Nation's environment and the industry's own workers. From such acceptance can flow the cooperative adoption of new technology systems that actually cross industry lines to permit the more effective use of America's coal. Indeed, the need for such inter-industry cooperation has already been recognized, and has spurred such developments as the unit-train. The railroads have adapted their service more closely to the requirements of both coal producers and coal users, and as a result all three benefit.

Systems engineering would provide an effective way to deal with the major problems facing the coal industry today. In the field of coal mine health and safety, effective mining systems could be developed to minimize or eliminate most of the so-called "inherent hazards of coal mining." Systems technology could also provide methods of eliminating the environmental pollution problems now associated with coal, from acid mine water to fly ash and sulfur dioxide. Such problems are typical side-effects of tech-

nologies whose full implications have not been thought out by those who designed them. Finally, a full-fledged "coal utilization system" would be able to meet rapidly shifting demands for any kind of energy, from electric power to liquid fuels, with a flexibility unknown to industry today.

To realize all those benefits, however, work must begin now. I recommend that research toward an all-inclusive coal utilization system be undertaken in the Department of the Interior, where the Bureau of Mines has been working on research that will lead to development of new and improved mining systems for several years. The Bureau's mining and coal research facilities, together with Interior's Office of Coal Research, would serve as a nucleus for this advanced program.

The research would cover three broad areas. First, improvement of the methods by which coal is currently mined, transported, processed and used. Incorporating such existing programs as the Bureau of Mines' mine systems effort, this phase would concentrate on reducing the cost of coal for conventional applications, improving the industry's safety record, and dealing with environmental problems. The objective would be to introduce systems technology to the industry as it now exists.

The second area of research, directed toward the coal industry of tomorrow, would concentrate on unconventional methods of converting coal to electricity. One of the most promising—and formidably named—is magneto-hydrodynamic power, or MHD for short. This system burns coal at about 4,000 degrees Fahrenheit, creating a plasma which generates an electric current when passed through a magnetic field. A workable MHD generator would be able to extract much more electricity from a ton of coal than the best of today's steam turbines, which have reached the limits of their efficiency with current technology.

In addition, pollution from an MHD generator could be greatly reduced, compared to pollution levels associated with today's powerplants. The sulfur and nitrogen compounds that constitute the most common air pollutants from conventional coal-fired powerplants would be recoverable, in an MHD plant, as commercially valuable chemicals. Thus, when such generators are developed for industrial use, the coal consumption subsystem will incorporate a pollution control subsystem. MHD power is the subject of a modest Bureau of Mines research program which should be substantially and quickly enlarged.

The final broad area of research, under the coal utilization systems program, would cover conversion of coal to liquid and gaseous fuels. Coal conversion is not only theoretically possible; at one time or another it has provided liquid and gaseous fuels to nations cut off from conventional supplies. Although none of the known processes is economic in America today, some research is underway on reducing costs. Much of this research is being conducted by the Department of the Interior, and serious consideration

should be given to expansion of the work in this field.

In the Bureau of Mines, basic research is attacking the fundamental problem of coal conversion, adding hydrogen to the coal molecule. A Bureau-discovered process using electrochemical hydrogenation offers a possible breakthrough in coal conversion, and the project deserves all possible support. Also noteworthy are two Bureau efforts in the more conventional field of catalytic hydrogenation: one employing unusually low temperatures and pressures, and the other using catalysts in massive quantities.

In the Office of Coal Research, contracts are awarded to qualified organizations outside the Federal Government for work on coal. Several current awards involve conversion of coal to liquids and gases by methods considered promising enough to justify work on a pilot-plant, or even demonstration-plant, scale.

These are only a few examples of the farsighted coal conversion research efforts in the Department of the Interior. Such efforts do not in themselves, however, constitute a systems approach to coal utilization; they must be carefully coordinated with all other phases of the coal-utilization program. This means that the Department will have to exercise a more centralized control over its various coal projects, from mining research to the award of contracts for pilot plants. I would hope to see the Department submit, in the reasonably near future, an overall plan for conducting its coal utilization systems program, including clear assignments of responsibility for the coordination and conduct of the various subsystem projects.

Finally, in drawing up such a plan, I hope the Department will make adequate provision for employing the substantial resources of both industry and the academic community. Although the coal industry cannot fund the entire effort on its own, it can supply both talented manpower, and the field facilities needed to test new developments once they pass out of the laboratory stage. The intimate involvement of industry scientists and engineers will insure the speedier adoption of systems technology as it becomes available. Similarly, the academic community should be able to provide important help in the research and development stages through such mechanisms as grant and contract awards. The current functions of the Office of Coal Research provide a pattern on which the Department could base an expanded effort of this type.

We are talking about no small job—the development of a wholly new coal utilization system. All available capabilities, both Government and private, must be used to the fullest if this revolutionary idea is to become a reality. When it does, though—I say when, not if—the Nation will have, for the first time, a wholly dependable source of energy to meet whatever demands the future may bring. And perhaps even more important, we will have demonstrated effectively that the exploitation of natural resources is not incompatible with the preservation of a healthful, undamaged environment, or

the health and safety of workers in our vital resources industries.

I am glad to see, from testimony presented by Secretary Hickel recently, that he recognizes the potential inherent in a strong research effort on coal and that his Department is committed to such an effort to the extent of its resources. I urge that we here in the Congress do all in our power to see that those resources are adequate.

Cruikshank Succeeds Edelman as Leader of National Council of Senior Citizens

Mr. WILLIAMS of New Jersey. Mr. President, the National Council of Senior Citizens has been fortunate in its choice of men to serve as its president. Aime Forand, a distinguished Congressman and one of the pioneers in the fight for medicare, was its first leader. He was succeeded by John Edelman, one of the great spokesmen for labor and for other worthy causes of deep meaning for all Americans.

Mr. Edelman has now been advised by his physicians that he must retire from his duties as president, but he will remain as chairman of the NCSC National Advisory Committee. Even though the friends of NCSC will miss Mr. Edelman's day-to-day presence, they will still benefit from his wisdom and experience.

An announcement in today's issue of the Senior Citizens News—the monthly publication of NCSC—gives the welcome news that a worthy successor has been found for Mr. Edelman.

He is Nelson H. Cruikshank, former Director of the Social Security Department of the American Federation of Labor—Congress of Industrial Organizations, and a world-renowned expert on social insurance. Mr. Cruikshank comes to his new position with many qualifications and a multitude of honors. I ask unanimous consent to have the Senior Citizens News printed to provide information about the new acting president of NCSC, and I wish to extend my own personal welcome, as chairman of the Senate Special Committee on Aging, to an old friend who is taking on new and very important responsibilities.

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

[From the National Council of Senior Citizens, Inc., Washington, D.C., Senior Citizens News, April 1969]

Cruikshank Succeeds Edelman as National Council President

WASHINGTON, D.C., April 1.—A distinguished former American labor official who is a world expert on social insurance is the new leader of the National Council of Senior Citizens.

Nelson H. Cruikshank of Washington, D.C., former Director of the Social Security Department of the American Federation of Labor—Congress of Industrial Organizations, has accepted the invitation of retiring President J. W. Edelman and the officers of the National Council of Senior Citizens to serve immediately as Acting President of the 2,500,000-member organization until NCSC's Eighth Annual Convention June 5-6-7 when Cruikshank's name will be formally placed in nomination for convention approval.

Edelman told the members of the Na-

tional Council's Executive Board that his doctors had advised his immediate retirement from the heavy duties of National President. As a President Emeritus, he will continue to serve the National Council as chairman of its National Advisory Committee, though no longer able to devote full time to the day-to-day operations of the National Council. "At this moment when the National Council is needed more than ever before to stimulate nationwide effort to bring a better life for our older people, we are extremely fortunate that there is an outstanding national leader, a long time supporter of the National Council, to take the helm," said Edelman.

GIFTED SPEAKER

Cruikshank is one of the earliest supporters of the National Council of Senior Citizens and has served as chairman of its National Advisory Committee. He is well-known to NCSC convention delegates for he has not missed attending a NCSC convention since 1962. He is a gifted public speaker whose services have been sought after for conferences and conventions of many national organizations.

Cruikshank has been one of the principal architects of progressive social legislation supported by the organized labor movement over many years. His wise counsel in this area of legislation has been sought by the leadership of both political parties in the U.S. Congress and his testimony before the standing committees of the U.S. Senate and the House of Representatives has been much valued and widely circulated.

Cruikshank coordinated the AFL-CIO campaign for Medicare and was a key strategist in labor's successful campaign to add disability benefits to the Social Security system.

He was appointed a member of the Government's statutory advisory councils on social security in 1948-49, 1958-59 and 1964. He was a member of a special consultant's group to advise the Secretary of Health, Education, and Welfare on social security in 1954.

EXPERT ON MEDICARE

Cruikshank was the recipient of NCSC's Aime J. Forand Award in 1965—along with colleague Andy Biemiller, legislative representative of AFL-CIO—for his efforts in the Medicare fight.

The Social Security Amendments of 1965, which authorized the Medicare program, also established the Health Insurance Benefits Advisory Council (HIBAC) which was charged with advising the Secretary of Health, Education, and Welfare on matters of general policy in the formulation of regulations and the administration of the Medicare program.

Cruikshank has served on this committee since its inception as a spokesman for the general public and last Fall he was reappointed for a further four years. Since April, 1968, one of his colleagues on that committee has been National Council Executive Director William R. Hutton.

The new leader of the National Council of Senior Citizens was born in Bradner, Ohio, in 1902. He attended public schools at Fostoria, Ohio, and graduated from Ohio Wesleyan University in 1925. He attended Union Theological Seminary in New York City in 1929.

As a youth Cruikshank worked in automobile factories in and around the Toledo, Ohio, area and he was employed for three seasons on Great Lakes steamships.

From 1930 to 1933 he directed a relief program at Brooklyn, New York, for the Federation of Churches.

He directed a workers' educational program at Yale University for the Connecticut Central Labor Union and was organizer for the American Federation of Labor in Connecticut from 1933 to 1935.

The next year he directed a WPA Workers Education Program at New York University, New York City.

Between 1937 and 1942, Cruikshank was a labor relations expert for the Farm Security Administration, being director of the Administration's Migratory Labor Camp Program for the last two years of this period.

He was Executive Assistant to the Labor Members of the Management-Labor Advisory Committee, War Manpower Administration, and Deputy Vice Chairman of the Commission in charge of labor relations in 1943 and 1944.

In 1944, he served as Director of Social Insurance Activities of the American Federation of Labor.

INTERNATIONAL EXPERIENCE

Then, he moved to Paris, France, where he was Director of the Labor Division of the U.S. Economic Cooperation Administration in 1951 and 1952.

Returning to the U.S. in 1953, he was named Director of the AFL-CIO Social Security Department, the position he held until his retirement in 1965.

Cruikshank was a member of the U.S. Delegation to the First General Assembly of the United Nations Economic and Social Commission (UNESCO) in 1946 and a member of the U.S. Delegation of the First General Assembly of the World Health Organization (WHO) in 1948.

Since 1966 he has been a member of the Committee of Experts in Social Security, International Labor Organization, Geneva, Switzerland.

Cruikshank served three terms as a member of the Advisory Council on Employment Security, reporting to the Secretary of Labor.

He is a member of the Board of Visitors for Duke University's Divinity School.

During the 1969 Spring term, he is a Visiting Professor of Social Science at Pennsylvania State University. Since his retirement from AFL-CIO, he has also served as Visiting Professor, School of Labor and Industrial Relations, Michigan State University, and has been a lecturer at the School of Social Work, University of Michigan.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. Without objection, it is so ordered. Pursuant to the previous order, the Senator from Louisiana has the floor.

A REVIEW OF U.S. FOREIGN POLICY AND OPERATIONS

Mr. ELLENDER. Mr. President, today, our country stands at crossroads. The choices we make now and as we enter the 1970's will shape our policies for many years to come. They will affect the character of the world as well.

As we look about us, we see a world in turmoil, both within states and in rela-

tions between states. Transitions are all about us and it is clear that we are coming to the end of an era, if we are not already there. For that reason, I think it is absolutely mandatory that we review our present policies to bring them in line with current trends and the realities which are developing in the world at large. As I survey the scope of our foreign affairs and foreign involvements it is clear to me that too many policies, both domestic and foreign, are rooted in the Second World War, and in the years just following that mammoth conflict. The world is not the same as it was in the late 1940's and early 1950's. It has changed greatly and significantly. Our policies unfortunately seem not to reflect these changes. As I have said before, events have bypassed policy, and it is imperative in my judgment that we move to a new basis for the conduct of our foreign relations.

This is the import of Senate Document No. 13 of this Congress, which has been placed on the desks of all Senators. It is a report prepared by me for the Committee on Appropriations, of which I am a member, and after an 89-day tour I made of Russia and the Far East from September 27 to December 24, 1968.

Fifty-three days of that tour were spent inside the vast territory of the Union of Soviet Socialist Republics.

This tour represented my fifth visit to the U.S.S.R., and, for the first time, in one trip, I was able to visit the capitals of each of the 15 Soviet Republics, as well as 16 other major cities.

One cannot travel through and over the Russian domain without being impressed by the changes and growth that have taken place in that sprawling territory. Everywhere I went material progress was discernible. The people were living in a prosperity unknown to them, although still far behind the standards of America or even some of the Western democracies. The construction of vast housing complexes was proceeding apace in every city I visited. The development of natural resources, such as the oil and gas fields, mining of various minerals and the construction of tremendous hydroelectric facilities must be seen to be believed.

All over the country from the Ukraine to the reaches of Asia and Siberia, industrialization has been pushed at full speed. One cannot help being impressed by this progress. Although all of us abhor communism, it is plain that as an ideology it has been successful in marshaling forth unprecedented efforts by the people themselves in building a viable and mighty national economy. The fact that it has been so successful holds important implications for the foreign policy of our Nation. I shall return to this question in a moment.

But this very success also holds important implications for the internal operations and administration of the U.S.S.R. as well. It will be recalled that Stalin, who grew to power in the midst of ignorance and poverty, ruled Russia with an iron hand from the death of V. I. Lenin in 1924 until his own death in 1953. During that entire period, there was no place for dissent except among the highest bureaucratic circles within

the Communist Party headed by Joseph Stalin. As a matter of fact, after the Stalinist purges there was very little dissent at all and Stalin's word became law.

This was a period where the Russian leaders saw as their overriding concern the building of Russia into a mighty world power. Such a base of national power was needed, according to Russian lights, to protect the U.S.S.R. from external attack and give it a strong voice in world affairs. All national efforts were aimed at providing a heavy industrial base for the economy and Stalin saw this as the quickest and surest road to attain Russian national power. In this effort, he brooked no argument or dissent and the overriding need of his country acted to reinforce his hand among the people.

Under the impetus of the Stalinist ideology and its 5-year plans, Russia was turned from an agrarian, semi-industrial state into one of the major powers of the world. This brought severe stresses and changes within the Russian society; it brought to the surface, among other things on the part of the Russian people—the consumers, the workers, the farmers, in other words, the man in the street—a yearning for a better way of life. Without a doubt, this yearning had existed for many years, but for the first time, the resources with which to satisfy these desires became available to the leadership. The people began to exert pressure upon the leaders who were forced to seek ways and means of answering these demands. With the attainment of a great power status and industrial might, pressures for social and economic changes began to develop. Diversity of viewpoint began to make itself felt and the death of Stalin in 1953 signaled a change in domestic policy of far-reaching consequences.

I first visited Russia in 1955, 2 years after Stalin's death. I believe it was Tocqueville, while touring the United States in the mid-19th century, who first stated that the questions of the next century would be decided between the United States and Russia. This European saw that in terms of inherent national power, only Russia could match the United States. In 1955, it was clear to me that his point of reference had been reached.

Thirteen years ago, the cold war, as an extension of World War II, was very much in evidence. In spite of the so-called spirit of Geneva, which grew up for a time after the late President Eisenhower's meeting with Khrushchev in that year, only two states felt themselves locked in deadly conflict. Even at the time of my first visit, I was very much concerned with the implications this held for the future of the world. It seemed to me that there was a great deal of pettiness marking the relations on both sides of the Iron Curtain, and until the question of a basic approach could be solved, no progress could be made toward the construction of a peaceful world community. Although I had no desire to defend the Russians or Russian actions, it seemed to me that our policy planners were making a basic mistake in allowing Russian attitudes to control their own.

Fight communism with military might became the war cry and Congress followed through with more funds to meet the Communist threat. Our diplomatic channels were almost closed. We were engaging in a child's play of reacting to each Russian move in the cold war. I felt that it would be much better for our Nation to assume a magnanimous attitude in an effort to lay the groundwork for a more cooperative attitude in the future. To cite one example, I will recall the following instance which occurred while I was visiting in Moscow in 1955:

Mr. Bohlen was our Ambassador at that time. Prior to my visit, I had sent him a questionnaire to be answered, followed by a letter. In the letter I asked all the embassies which I visited that year to make appointments for me with ranking members of the government in their countries.

When I reached Moscow, I went to the American Embassy and Mr. Bohlen received me. In the course of our conversation I asked him whether he had made an appointment for me with any members of the Politburo. His answer was in the negative. I asked him had he received my letter asking that it be done, and he said yes, he had received the letter, but said he had strict instructions to make no appointments for me with any member of the Russian Government.

I was kind of amazed at that and asked him where did he get his orders. He said they came from the State Department. I told him that if I had known that earlier, I might have been able to arrange things before I left. I asked him would he send a cable to the State Department asking that I be allowed to make my own appointments. He replied that he would, but that it would serve no purpose. He said, "If you meet with any of them you might speak 5 minutes, but you will never get anything out of them."

"Well," I said, "Mr. Bohlen, let me be the judge of that."

Mr. Bohlen sent the cable to Washington and within approximately 3 hours he received a cable back consenting to my making my own appointments.

After receiving that information from Washington, I called on the secretary to Mr. Bohlen and asked her to get the telephone number of the Foreign Office in Moscow so that I could telephone there. In time, she gave me the telephone number. When I reached over to use a telephone in the Embassy which was on Mr. Bohlen's desk, he said, "Don't touch that. You cannot use a telephone in any part of this Embassy to telephone the Foreign Office. Those are orders of long standing."

I said, "What has become of us? What is the trouble here? I came here to get information and to speak to these people to see if we can get together."

"Well," he said, "you won't gain anything by doing that."

He reached down in his pocket and gave me two or three coins so that I could go downstairs and use a pay telephone. Why he did not want me to telephone from the Embassy to the Foreign Office I could never say, except that he had strict orders from the State Department.

I went downstairs to the pay telephone and called up the Foreign Office in Moscow. In a matter of less than 30 minutes I had made an appointment for the next day with none other than Mr. Mikoyan, who was then serving as the chief economist for the Soviet Union—a very capable man.

When I returned to Mr. Bohlen's office, I told him what I had done. He was very much disturbed, for some reason or other. He reiterated that I would be wasting my time by going to see Mr. Mikoyan. I repeated that I was going to be the judge of that.

In the meantime, I visited several cooperatives in the environs of Moscow, and in speaking to the heads of the collective farms, I found that there was much dissatisfaction on the collective farms because they were not allowed to own their own machinery to work the land assigned to them. They also had to sign a contract for the sale of whatever they produced before the planting of any commodity. Of course, they were very much disturbed about that. So, the next day, when I visited Mr. Mikoyan, I opened up the conversation with him on that subject.

Before I left the embassy, Mr. Bohlen had asked if I would object to having one of his men come with me. I told him that I would not object at all, if it would not disturb me in making my appointment with Mr. Mikoyan. I said, "If he agrees, it will be agreeable to me." I told Mr. Bohlen that what I could do was merely to let one of the Embassy staff come along with me. At the Kremlin, permission was granted for the Embassy representative to accompany me to the meeting.

So I began to discuss with Mr. Mikoyan the conditions I found on the collective farms. He was very interested. Mr. Mikoyan talked with me, not 4 or 5 minutes, but 2 hours. I actually ran out of questions.

I got up, and Mr. Mikoyan asked me, "Where are you going from here?" I said, "My itinerary calls for me to go from Moscow to Rumania. I would like to visit Russia, but I understand that I cannot." He asked, "Who told you that?" I said, "The State Department"—which was true. He said, "Name the places, and I will give you permission to go."

I told him that I was at the very end of my trip, and it was getting cold—it was in November—and I asked him if he would permit me to come the next year, which was 1956. He said, "Yes. All you need do is write me, tell me where you want to go, and I will give you permission to go wherever you want."

I asked him if I could carry a camera with me. He said I could.

I asked him if I could have my own interpreter. He said I could.

So when I went in 1956, those conditions were met.

After leaving Mr. Mikoyan, the State Department representative and I got into the car to go back to the Embassy. There were 2 or 3 minutes of absolute silence in the car. Finally, he said to me, "Senator, I have been here in Moscow for about a year. I learned more from the conversation that you had with Mr.

Mikoyan in 2 hours than I have in the last 12 months."

I said to him, "The trouble with you fellows is that whenever you want to discuss matters with these people, you have chips on your shoulders. He never hesitated to answer any questions; did he?"

Mr. Guthrie said, "No. He impressed me."

I said, "You could do the same thing, if only you acted as I did."

We reached the Embassy. Mr. Bohlen was very interested in what I had to say. He expected me back within 4 or 5 minutes after I reached there, and when I stayed over 2 hours, he became concerned. So when I went back to the Embassy, Mr. Bohlen was quite excited. He asked me what had taken place. I said, "I am not going to tell you. You ask your own man, and whatever he tells you I will vouch for."

So on leaving the Embassy, I jokingly told Mr. Bohlen—although I meant it—that, in his book, the only good Russian was a dead one. I left and continued my tour of Moscow and its environs.

When I returned from the Soviet Union, it appeared clearly to me that every possible step should be taken to break down the walls between the peoples of Russia and the peoples of America. I felt that more people-to-people contact would redound to our benefit many times over if the people of Russia could be brought into contact with the Western World to see what we had accomplished and how we had accomplished it. It would have an immense effect upon the domestic considerations of the Russian leadership. As I said, the trend toward social and political diversity was already developing and making itself felt among the Russian people. I felt this was a trend which we should make every effort to encourage. Instead, the State and Defense Departments were wedded to the idea that Russia could be isolated and that she could not develop her resources, prepare for war, and feed and clothe her people at one and the same time.

I do not believe it can ever or should ever be forgotten how greatly the history of Russia differs from our own. With our beginnings as an open democratic society, with the insulation that two great oceans and friendly neighbors have provided, and with the tradition of free speech and free political activity, it is always difficult for the American people to acknowledge that none of these factors have been present in Russian society. Since its inception under the czars and under the rule of a hierarchial church, Russian society has been marked by a suppression of all dissent. Personal freedom was virtually unknown, particularly among the serfs and peasants and the urban masses. When revolts occurred, as in the late 19th century and in 1905, they were put down ruthlessly. Political agitators were either driven underground, or to Siberia, or to the wall.

Russia is bordered by potential enemies; she has always lived in fear. Her present-day attitude must be viewed in the light of the Tatar invasion of the past and of the more recent invasions from the West. Western leaders from Napoleon to Hitler have sought to ex-

tend their power to Russian soil. The fact that American troops were among the western forces seeking to overturn the 1917 Revolution has not been forgotten. As a matter of fact, I doubt that the American people in general are aware that between 1918 and 1920, American soldiers were occupying Siberian soil. We can only imagine what a state our national consciousness would be in if a similar situation had prevailed within our borders only 50 years ago, or if our cities had been besieged by Hitler's hordes. I viewed areas of Russia where wanton carnage and willful destruction of homes led to much grief, sorrow, and suffering.

I have pointed out that communism, or at least the leaders of communism, has been successful in turning Russia from the stepchild of Europe into a mighty world power. Make no mistake about it, the Russian people themselves appreciate this change, for as I have said, they are living better today than they have ever lived before. This was true in 1955 and it is even more apparent today. Therefore, I recommended that in addition to establishing the widest possible personal contacts with the Russian people, all of our information and propaganda programs should aim at extolling the virtues of democracy and free enterprise and make no effort to attack the accomplishments of communism. These accomplishments were real, they were there for all to see and they were appreciated by the people; and such attacks would only make the people more suspicious of our intentions.

I again visited Russia in 1956 and 1957, as well as in 1961. By 1961, the changing tendencies obvious 6 years before were becoming more and more evident. Much decentralization of the economy had taken place. A form of local control in both agriculture and industry was making itself known.

More emphasis was being placed on the production of consumer goods as opposed to heavy industry. It should be emphasized that these changes were forced upon the Russian leadership. Although Khrushchev inaugurated many reforms, he was in fact doing little more than riding with the tide. The liberalizing trends which economic progress brings to any society were being acknowledged. Scholars have come to point out that economic progress means more liberalism in social and political spheres—a point which I made on my first visit to Russia in 1955.

This brings me to a second point, which I first sensed in 1957 but which I brought out forcibly in 1961; namely, that our policy of containment was working at cross purposes with our long-range interests vis-a-vis Russia. In my estimation, even at that time containment had served its purpose. The expansionist tendencies in the U.S.S.R. had been checked. On the other hand, the hopes of other exponents of containment had not been realized. Russia had not been isolated and weakened; the reverse was true. The U.S.S.R. was stronger than ever. The industrial base had been broadened, and its people were better off and more contented than be-

fore. It seemed to me at the time, and this view has become stronger in the last 8 years, that our proper course was to aim at removing the suspicions existing between the Russian people and the American people. Certainly containment did not do anything in this direction. The construction of a ring of steel around Russia from Japan, to the Philippines, to North Africa, to Western Europe, sponsored by the Defense Department, had the reverse effect. Under these conditions, there was no way to make the Russians believe they were not threatened by American military men and American military power. On my first visit, as well as subsequent ones, I was asked, "Why surround our country with such might." My answer was, for defense, which did not impress the people at all.

This was particularly true after the decision was made to rearm West Germany and admit it to NATO in 1955. The Russians looked upon this action as a fundamental threat to their security in light of past history. The inclusion of West Germany in the North Atlantic Treaty Organization led to the creation of the Warsaw Pact and the line between East and West is still drawn today. The rehabilitation of Japan by us did not help the situation. More fear of us was engendered. At the time, we were told, in effect, that all of this was necessary because of greater dangers lurking ahead—the spread of Russian communism.

At the conclusion of my 1968 tour of Russia, I became convinced more than ever that our policies needed drastic changes if we really intended to set the stage for world peace.

The Russian people plainly do not want war; their leaders must realize that the continued economic progress has been made and both light industry and the production of consumer goods has been pushed ahead full speed. The system of workers incentives based on quantity of production has been replaced. It was found, as I commented in 1957 and again in 1961, that the system led to the production of shoddy goods and brought forth much criticism from the people. A new system of incentives was adopted in 1963. It is based on the quality of the goods produced and their acceptance in the marketplace. Rates of pay are based on those two features and not on their quality alone. The views of the people who purchase these goods are being sought more and more by the managers of the various plants within the country.

With the adoption of the new economic system, workers and managers are in effect practicing a form of free enterprise. Their income is now based on meeting the needs of the people as well as the government. To this end both managers and workers have been given more authority at the local level. They can buy new machines, from profits made on goods produced beyond the norm set, without having to bow to Moscow. Without a doubt this will increase the trend toward diversity, that I noted earlier. To encourage this trend, we should go further than before to bring

about meaningful contacts with the people through commercial and cultural channels.

Similar changes are taking place in agriculture. The managers of cooperative farms are enjoying more authority in the operations. The structures that tied the cooperatives to state control have been, in large degree, dismantled, and the farmers can now sow and sell what they desire in a much freer market. Even communism cannot control prices when supply does not meet demand. Agricultural production is increasing. It is my belief that this is largely because of the emphasis on local control as opposed to the dictates of collectivism.

It now remains for us to devise ways and means of taking advantage of these domestic changes in our own foreign policies. For almost 20 years now, many of us in the Congress have more or less blindly followed our military spokesmen. Some have become captives of the military. We are on the verge of turning into a militaristic nation. Since the end of the Second World War we have been operating under a cold war psychology. The attention of the country has been turned abroad and the problems of our domestic life have been neglected. We have forgotten many of the traditions and values which made this country great, and we have flung men, arms, and material almost heedlessly about the world.

Mr. President, an article by Gen. David M. Shoup, entitled "The New American Militarism," in the latest edition of the Atlantic, bears out what I have been saying. General Shoup is a past Commandant of the U.S. Marine Corps. Speaking of the new American militarism, he points out:

The American people have also become more and more accustomed to militarism, to uniforms, to the cult of the gun, and to the violence of combat. Whole generations have been brought up on war news and wartime propaganda; the few years of peace since 1939 have seen a steady stream of war novels, war movies, comic strips, and television programs with war or military settings. To many Americans, military training, expeditionary service, and warfare are merely extensions of the entertainment and games of childhood. Even the weaponry and hardware they use at war are similar to the highly realistic toys of their youth. Soldering loses appeal for some of the relatively few who experience the blood, terror, and filth of battle; for many, however, including far too many senior professional officers, war and combat are an exciting adventure, a competitive game, and an escape from the dull routines of peacetime.

It is this influential nucleus of aggressive, ambitious professional military leaders who are the root of America's evolving militarism. There are over 410,000 commissioned officers on active duty in the four armed services. Of these, well over half are junior ranking reserve officers on temporary active duty. Of the 150,000 or so regular career officers, only a portion are senior ranking colonels, generals, and admirals, but it is they who constitute the elite core of the military establishment. It is these few thousand top-ranking professionals who command and manage the armed forces and plan and formulate military policy and opinion. How is it, then, that in spite of civilian controls and the national desire for peace, this small group of men exert so much martial influence upon the government and life of the American people?

The hard core of high-ranking professionals are, first of all, mostly service academy graduates: they had to be physically and intellectually above average among their peers just to gain entrance to an academy. Thereafter for the rest of their careers they are exposed to constant competition for selection and promotion. Attrition is high, and only the most capable survive to reach the elite senior ranks. Few other professions have such rigorous selection systems; as a result, the top military leaders are top-caliber men.

Not many industries, institutions, or civilian branches of government have the resources, techniques, or experience in training leaders such as are now employed by the armed forces in their excellent and elaborate school systems. Military leaders are taught to command large organizations and to plan big operations. They learn the techniques of influencing others. Their education is not, however, liberal or cultural. It stresses the tactics, doctrines, traditions, and codes of the military trade. It produces technicians and disciples, not philosophers.

The professional military leaders of the U.S. Armed Forces have some additional motivations which influence their readiness to involve their country in military ventures. Unlike some of the civilian policymakers, the military has not been obsessed with the threat of Communism *per se*. Most military people know very little about Communism either as a doctrine or as a form of government. But they have been given reason enough to presume that it is bad and represents the force of evil. When they can identify "Communist aggression," however, the matter then becomes of direct concern to the armed forces. Aggressors are the enemy in the war games, the "bad guys," the "Reds." Defeating aggression is a gigantic combat-area competition rather than a crusade to save the world from Communism. In the military view, all "Communist aggression" is certain to be interpreted as a threat to the United States.

The armed forces' role in performing its part of the national security policy—in addition to defense against actual direct attack on the United States and to maintaining the strategic atomic deterrent forces—is to be prepared to employ its *General Purpose Forces* in support of our collective security policy and the related treaties and alliances. To do this it deploys certain forces to forward zones in the Unified Commands, and maintains an up-to-date file of scores of detailed contingency plans which have been thrashed out and approved by the Joint Chiefs of Staff. Important features of these are the movement or deployment schedules of task forces assigned to each plan. The various details of these plans continue to create intense rivalries between the Navy-Marine sea-lift forces and the Army Air Force team of air-mobility proponents. At the senior command levels parochial pride in service, personal ambitions, and old Army-Navy game rivalry stemming back to academy loyalties can influence strategic planning far more than most civilians would care to believe. The game is to be ready for deployment sooner than the other elements of the joint task force and to be so disposed as to be the "first to fight." The danger presented by this practice is that readiness and deployment speed become ends in themselves. This was clearly revealed in the massive and rapid intervention in the Dominican Republic in 1965 when the contingency plans and interservice rivalry appeared to supersede diplomacy. Before the world realized what was happening, the momentum and velocity of the military plans propelled almost 20,000 U.S. soldiers and Marines into the small turbulent republic in an impressive race to test the respective mobility of the Army and the Marines, and to attain

overall command of "U.S. Forces Dominican Republic." Only a fraction of the force deployed was needed or justified. A small 1935-model Marine landing force could probably have handled the situation. But the Army airlifted much of the 82nd Airborne Division to the scene, included a lieutenant general, and took charge of the operation.

Simultaneously, in Vietnam during 1965 the four services were racing to build up combat strength in that hapless country. This effort was ostensibly to save South Vietnam from Viet Cong and North Vietnamese aggression. It should also be noted that it was motivated in part by the same old interservice rivalry to demonstrate respective importance and combat effectiveness.

The punitive air strikes immediately following the Tonkin Gulf incident in late 1964 revealed the readiness of naval air forces to bomb North Vietnam. (It now appears that the Navy actually had attack plans ready even before the alleged incident took place!) So by early 1965, the Navy carrier people and the Air Force initiated a contest of comparative strikes, sorties, tonnages dropped, "Killed by Air" claims, and target grabbing which continued up to the 1968 bombing pause. Much of the reporting on air action has consisted of misleading data or propaganda to serve Air Force and Navy purposes. In fact, it became increasingly apparent that the U.S. bombing effort in North and South Vietnam has been one of the most wasteful and expensive hoaxes ever to be put over on the American people. Tactical and close air support of ground operations is essential, but air power use in general has to a large degree been a contest for the operations planners, "fine experience" for young pilots, and opportunity for career officers.

The battle successes and heroic exploits of America's fine young fighting men have added to the military's traditions which extol service, bravery, and sacrifice, and so it has somehow become unpatriotic to question our military strategy and tactics or the motives of military leaders. Actually, however, the military commanders have directed the war in Vietnam, they have managed the details of its conduct; and more than most civilian officials, the top military planners were initially ready to become involved in Vietnam combat and have the opportunity to practice their trade. It has been popular to blame the civilian administration for the conduct and failures of the war rather than to question the motives of the military. But some of the generals and admirals are by no means without responsibility for the Vietnam miscalculations.

Our militaristic culture was born of the necessities of World War, nurtured by the Korean War, and became an accepted aspect of American life during the years of cold war emergencies and real or imagined threats from the Communist bloc. Both the philosophy and the institutions of militarism grew during these years because of the momentum of their own dynamism, the vigor of their ideas, their large size and scope, and because of the dedicated concentration of the emergent military leaders upon their doctrinal objectives. The dynamism of the defense establishment and its culture is also inspired and stimulated by vast amounts of money, by the new creations of military research and materiel development, and by the concepts of the Defense Department-supported "think factories." These latter are extravagantly funded civilian organizations of scientists, analysts, and retired military strategists who feed new militaristic philosophies into the Defense Department to help broaden the views of the single service doctrinaires to create fresh policies and new requirements for ever larger, more expensive defense forces.

Somewhat like a religion, the basic appeals of anti-Communism, national defense,

and patriotism provide the foundation for a powerful creed upon which the defense establishment can build, grow, and justify its cost. More so than many large bureaucratic organizations, the defense establishment now devotes a large share of its efforts to self-perpetuation, to justifying its organizations, to preaching its doctrines, and to self-maintenance and management. Warfare becomes an extension of war games and field tests. War justifies the existence of the establishment, provides experience for the military novice and challenges for the senior officer. Wars and emergencies put the military and their leaders on the front pages and give status and prestige to the professionals. Wars add to the military traditions, the self-nourishment of heroic deeds, and provide a new crop of military leaders who become the rededicated disciples of the code of service and military action. Being recognized public figures in a nation always seeking folk heroes, the military leaders have been largely exempt from the criticism experienced by the more plebeian politician.

Flag officers are considered "experts," and their views are often accepted by press and Congress as the gospel. In turn, the distinguished military leader feels obliged not only to perpetuate loyally the doctrine of his service but to comply with the stereotyped military characteristics by being tough, aggressive, and firm in his resistance to Communist aggression and his belief in the military solutions to world problems. Standing closely behind these leaders, encouraging and prompting them, are the rich and powerful defense industries. Standing in front, adorned with service caps, ribbons, and lapel emblems, is a nation of veterans—patriotic, belligerent, romantic, and well intentioned, finding a certain sublimation and excitement in their country's latest military venture. Militarism in America is in full bloom and promises a future of vigorous self-pollination—unless the blight of Viet Nam reveals that militarism is more a poisonous weed than a glorious blossom.

Mr. President, I feel that it is time to reexamine our national interest in the light of world conditions. I have long questioned the need for us to maintain large contingents of American men about the globe, particularly in Western Europe. We say that our posture is one of defense against Russia. Russia says that its posture is for defense against the United States. As a result, we have each other in the sights of our respective atomic missiles.

As in my stated report, our military assistance to other governments has amounted to \$31.4 billion from 1950 through 1968. A table in the document on each Senator's desk shows that we have 5,748 personnel still stationed throughout the world in a variety of military assistance missions. I do not think the continued maintenance of our military presence in almost every free nation of the world can be justified. It serves to increase the effect of Russian propaganda which aims at portraying the United States as a militaristic nation. I know that we are not such a nation, yet our defense expenditures since the end of World War II are not reassuring.

I ask unanimous consent to have printed in the RECORD a document entitled "New Obligational Authority in Department of Defense."

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

New obligational authority in Department of Defense

Year:	[In billions]	Amount
1948	-----	\$9.993
1949	-----	10.427
1950	-----	13.128
1951	-----	48.248
1952	-----	61.919
1953	-----	49.336
1954	-----	34.587
1955	-----	29.665
1956	-----	33.149
1957	-----	36.181
1958	-----	36.699
1959	-----	41.233
1960	-----	40.599
1961	-----	41.293
1962	-----	47.654
1963	-----	49.797
1964	-----	49.921
1965	-----	49.359
1966	-----	61.839
1967	-----	71.935
1968	-----	76.332
1969	-----	73.689

¹ Does not include \$2.871 proposed supplemental.

Mr. ELLENDER. Mr. President, as I point out in my report, NATO should not be extended. The ABM should not be constructed in the light of proposed talks with Russia for disarmament. We should not engage in efforts that will further broaden the suspicions and fears that now exist between us and the U.S.S.R. It is unrealistic for us to advocate peace and at the same time prepare for war.

Unless and until we can dispell the fear and suspicion between the United States and the U.S.S.R., no meaningful progress can be made in the search for world peace. I recognize that any effort on our part should be reciprocated by the Russian leaders. Certainly, the responsibility for peace does not and cannot rest on our shoulders alone. But I do believe that we can afford to make the first meaningful move. Because of the power we have as a nation, we can afford to be magnanimous. It will no doubt require the patience of Job, but we must learn to approach the Russians on a realistic diplomatic basis and extend to them the same recognition we extend to other states.

Mr. President, in my report, I have several pages devoted exclusively to conclusions and recommendations. At this point I wish to read several paragraphs from the report:

Looking back over the perspective of 13 years, to 1955, I cannot help feeling reinforced in my original thinking; namely, that we should make every effort to give the peoples of the U.S.S.R. objective knowledge of life in the West and the United States. Furthermore, we should begin to look for actions that our nation might take to reduce the tensions between our two countries and dissipate the suspicions between our governments. Many areas suggest themselves in this regard. Our structure of foreign bases should be reexamined, to decide if all are absolutely necessary to the national interest. Under the changing world conditions, and with the advent of nuclear missiles, many of them can be dispensed with. Last year alone, our foreign military installations cost us more than \$5.8 billion. (See table 1 below.) Our foreign bases are fast becoming more of an economic and political liability than military asset.

Our NATO posture should be reexamined. As a collective security mechanism has it any real value after the withdrawal of France's military cooperation? It serves to give propaganda advantages to the Soviet leaders and economic advantages to our erstwhile allies. Its military advantages face to face with the Soviet Union are more questionable.

We are maintaining 300,000 men in Western Europe at a cost of approximately \$2.6 billion per year. If it had been left to me, I would have pulled back a majority, if not all, of our American forces from the area when President de Gaulle made it plain that we were no longer welcome on French soil. We missed a golden opportunity at the time to take action fundamentally in our interest from an economic standpoint; from the standpoint of international politics, a withdrawal would remove what the Russians cannot help seeing as a threat to their security.

Directly related to the above is the fact that we are maintaining military assistance advisory groups or milgroups in 48 countries around the globe—from Belgium to Venezuela and from the Congo to Saudi Arabia. As of the end of 1968, we had 4,056 officers and men scattered among these various military groups throughout the world. These were supported by 1,692 U.S. and foreign civilians for a total military complement of 5,748. Table 2 shows the disposition of these MAAG missions and milgroups.

In my opinion, from what I have seen in foreign capitals, this program should be dispensed with entirely and as soon as possible. In my view, where a U.S. military presence is advisable and indeed in our interest and the interest of the host country, the representation should be made through the regular personnel attached to our Embassy and directly responsible to our Ambassador. Should situations arise requiring special assistance, it should be made available strictly for that purpose and then withdrawn. It is foolish for us to maintain these military personnel at great expense all over the world on a continuing basis.

I have two main objections to the continued overseas presence of large numbers of U.S. military personnel. First, to see officers and men moving about in foreign capitals in uniform cannot help emphasizing the military aspects of American life. In the minds of many, this presence marks us as warmongers.

Second, I am convinced that the personnel attached to these military missions are instrumental in influencing host governments to build up their armed forces and weaponry at our expense. From fiscal 1950 through fiscal 1968, we have spent \$31.4 billion on military assistance programs throughout the world. An expenditure of \$406.7 million for such programs has been projected for fiscal 1969. Not only should we cut back on this expenditure, but the first step should be the reduction and recall of the forces which generate them.

Provided that we could do so in a way which would positively demonstrate to the Russian people the advantages of the American system of agriculture, we might go so far as to extend Russia technological assistance with its agricultural problems. I would make every effort to have the Russians cooperate with us in the development of atomic energy for peaceful purposes, rather than war. Perhaps the offers would be rejected out of hand, but that would be up to the Russian leadership. The point is that, so long as a nation such as ours remains strong by keeping its internal affairs and economic house in order, we need fear no outside force from any quarter and can afford to be magnanimous.

The American people should know that we cannot win over communism by military attack, any more than we could destroy religion by force of arms, nor can we incite the

Russians to revolt against their Government. We can win out in the long run only by concentrating in our own society so that it can be held up as a banner for the rest of the world.

In pursuing this course, we must remember, as I believe it has been forgotten, that the military is only an instrument of our foreign policy. I believe that the distinction has been neglected in this country over the past 20 years. The Congress has been misled by the combination of our Defense and State Departments on many important policy questions, both domestic and foreign. I cannot escape the feeling that the military horse has been allowed to get ahead of the diplomatic cart.

To illustrate the influence of the military, we are now hearing fears expressed that because only a very few of the present Russian leadership have firsthand knowledge of the Western World, the chances are increased for miscalculation in its foreign affairs. I can personally recall hearing a member of the Joint Chiefs of Staff tell me that nothing had changed in the quality of Russian life, that no decentralization or loosening of any controls had taken place over the last two decades. The spokesman admitted that he had never been inside Russia. It seems to me that we have as much to fear from ignorance, prejudice, selfishness, and bias in our own Nation as we have from a similar condition on the part of the Russian leadership.

For the past 20 years, I have heard experts on both sides of the Iron Curtain refer to the cold war struggle as a "battle for men's minds." Although we have tried to adjust some aspects of our foreign policy to the demands of this kind of warfare and have paid lip service to the concept, we have in most instances tended to act as though this were not, in fact, the fundamental nature of the struggle. As a result, our policy has continued to place predominant emphasis on the military aspects rather than, broadly speaking, the psychological aspects of the competition between the United States and the U.S.S.R.

In our battle for men's minds, we ought to be concentrating on winning over the minds and the sentiments of the Russian people. However, not only are we falling at present to give proper emphasis to this factor, we seem, instead, to follow policies which tend to isolate and even alienate the Russian people from the influences of Western civilization. In this fashion, we play into the hands of the Communist apparatus whose principal source of power stems from the people's lack of contact with and lack of knowledge of the mainstream of history and of current events.

In short, I am not saying that we should embrace communism or any part of its concepts. I abhor that godless philosophy as much as any American citizen, but we cannot prevail over it by military action or military threat. We can only win by acting through the Russian people themselves. This is the only way anticommunism can prevail in the long run.

Mr. President, we must get the military out of the diplomatic picture and return it to its rightful place as the handmaiden of our foreign policy. I think that too often in the last 20 years we have allowed the military cart to get in front of the diplomatic horse. I am convinced that Russia's foreign policy is basically defensive, as we hold ours to be. If that is true, there is no inherent reason why we cannot get together and settle the differences between us. I believe firmly that if agreements and understandings between the United States and Russia

can be arrived at through realistic diplomatic measures, peace will come to the whole world. But I repeat, we must get the mailed fist of the military out of the diplomatic picture.

Turning now to areas other than Russia, I also toured Japan, Korea, Taiwan, Singapore, Hong Kong, Okinawa, the Philippines, Malaysia, Indonesia, Australia, and New Zealand. I discussed my findings in each of these areas in detail in my written report, and Senators may wish to turn to them for further information.

The primary problem facing us in Asia, besides Vietnam, is the future of Okinawa and the relationship between Okinawa and the United States and Japan. I point out this relationship is going to be a difficult one for the new administration to deal with. Frankly, I question the seriousness of those political leaders in Japan who are agitating for the return of the island to Japanese control. It is proving a rich source of foreign exchange for the Japanese. All in all, I think that in the future it will be in our best interest to come to an agreement with the Japanese over the status of Okinawa, allowing the withdrawal of some American control. Perhaps base rights could be maintained for some time in the future. In any event, I expect that if we make it known that we desire to be compensated for those improvements we have made on the island, it may dampen the ardor of some of those advocating its reversion. Concerning our other activities such as the operations of our Embassies, our information program, the Peace Corps, the Agency for International Development, and the various attachés, Senators will find all of these discussed in detail in my report.

It may be recalled that on January 18 of 1968, President Johnson issued a directive that employment overseas be cut back in an effort to improve our balance-of-payments position. I was particularly interested to note the results of this Executive order, and found that some reductions in overseas employment had been made. In my opinion, the cutback has not yet gone far enough and there is still room for improvement. I express the hope that the new administration will follow through with this effort to reduce the cost of our foreign operations.

All in all, however, I am most concerned with the importance that our future policies toward the Soviet Union hold for world peace throughout the world, and our own place in it. I have proposed a set of conclusions and recommendations as a part of my report, based on my 13 years of ground-level experience with the Russian people and leaders. I think these recommendations represent a realistic analysis of the problems confronting us, and I ask unanimous consent to have them printed in the RECORD at this point.

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

CONCLUSIONS AND RECOMMENDATIONS

I. PERSPECTIVES

It was more than 13 years ago, in 1955, that I made my first tour of the Soviet Union. Stalin had died in 1953, and the state of Russian leadership was still very much in flux.

Khrushchev was not to emerge until mid-1957 as the undisputed leader of the Union of Soviet Socialist Republics.

What was known as the cold war was very much in evidence. The North Atlantic Treaty Alliance Organization was in full swing, or at least we considered it to be. Vital and deep disagreement between the then great powers of the world—the United States, France, Great Britain, and Russia—had led to the creation of the Federal Republic of Germany as a free and independent state and to its inclusion as a member of the NATO alliance. This, in turn, led to the creation of the Warsaw Treaty organization with Russia and the Eastern European states it controlled as members. The lines of East-West conflict drawn by Stalin were still clearly evident.

I returned from my visit of 1955 deeply concerned at the state of relations existing between the two mightiest countries in the world. Even at that time, before the threat of intercontinental ballistic missiles tipped with atomic and hydrogen warheads was dangling over the world, it was obvious that our two governments were looking at each other in a manner that a later writer would describe as "two tarantulas trapped in a bottle."

From my observations of the progress being made in Russian fields and factories, it was plain to me that a base was being laid, supported by ample natural resources, for the development of a productive and industrial economy much like our own. It was also plain to me that no society or system could have a growth of economic prosperity without a corresponding increase in political and social development.

I was certain that as time progressed the Russian people would demand more freedom and that they would press these demands upon the leadership. It therefore appeared that the best interests of the United States and the Western World lay in providing a groundwork for more normal relations in the future. Accordingly, I recommended that we work out means to promote people-to-people contacts between the two systems. I felt that such contacts could not help but heighten the trends which were obvious inside Russia at that time.

Even so, certain developments during my visit caused me great concern for the future. I was aware, as I indicated, that the cold war was in full bloom, if that expression may be used, and that our Government and that of the Soviet Union were at loggerheads. I did not believe, however, that we had any good substantive or long-range reasons for retaining what I might describe as a chip-on-the-shoulder attitude. To cite only one example: when in Moscow for the first time, I asked whether arrangements had been made for me to meet with some of the members of the Russian leadership as I had requested. I was told by Mr. Bohlen, our Nation's chief representative in Moscow, that such a meeting was not arranged by him because of strict objections at the Washington level. I persisted with the request that an attempt be made, but was told that no help would be forthcoming from our Embassy.

I asked that a cable be sent to Washington asking that I be permitted to make my own appointments. Within a few hours, I was granted permission. I obtained the telephone number of the Foreign Office of the U.S.S.R., and reached over to use the telephone in our Ambassador's office. I was told that I could not use any telephone connected with our Embassy. I was given a few coins so that I could use a pay telephone station not far away. I placed a call with the Foreign Office and, within an hour, I was able to arrange a meeting with Mr. Anastas Mikoyan, the architect of Khrushchev's economic reforms and one of the rulers of the Russian hierarchy. Our Ambassador was not too happy and said to me that I was wasting my time and that I would be unable to obtain much

information. He said that I might be able to talk to Mr. Mikoyan for not more than 5 minutes. The next day, I came back to our Embassy to fulfill my appointment and Mr. Bohlen asked if I would object to taking one of his men with me. I replied that I would not object if it was agreeable to Mr. Mikoyan.

I met with Mr. Mikoyan and spent almost 2 hours with him. I was accompanied by a representative of our Embassy, after permission from the Kremlin was obtained. Before our conversation started I asked if it was agreeable for my companion to take notes as we spoke and permission was granted. To be frank, I ran out of questions. I got up to take my leave and I was asked where was I going from Moscow. I told Mr. Mikoyan that I was going to Rumania but that I would prefer to visit more within Russia. I told him that I was informed by the State Department that I could not visit Russia. He promised to give me permission to visit any part of Russia. I told him that, since I was more or less on the tailend of my trip, I could not accept his kind offer. I asked if I could come next year. He asked me to write to him when I desired to come and said that he would make the arrangements for me. I thanked him and returned to my car. Absolute silence prevailed for about 2 minutes and then my Embassy companion said to me, "Senator, I have been here almost 1 year now and I have learned more about Russia in 2 hours than during my stay." I replied by saying, "The trouble with you fellows is that when you talk to Russian leaders, you always have chips on your shoulders."

The point of this example is that here we were, at that time unquestionably the most powerful nation in the world, hardly able to speak to our chief adversary. I am not saying that all the fault was ours by any means; certainly, the Russians bear more than a fair share of the blame. The cooperation that President Roosevelt had hoped for with the Soviet Union had been dashed away by Stalin's actions in Eastern Europe, in the United Nations, by the invasion of North Korea and by numerous other instances not designed to reassure the Western World concerning Russia's intentions. Restrictions were no doubt placed on the American Embassy personnel so that they could not leave Moscow and travel freely about the country, even if they had so desired. We had and have similar restrictions on Russian diplomatic travel in this country. Nevertheless, the point is valid, for if the situation of the middle 1950's was a hangover from the Stalin era, the situation today in 1969 represents a hangover from the cold war era.

In 1956, pursuant to his (Mr. Mikoyan's) promise and with my own guide and camera in hand, I traveled more extensively throughout the U.S.S.R. I toured the agricultural areas and also visited many industrial centers. My report to the Senate of that year made it clear that serious difficulties were besetting Russian agriculture. It was plain to me that efforts aimed at collectivism and state control were not working. If production was to be increased in any meaningful terms, it would require efforts lying outside the most important and traditional tenets of Communist ideology. In short, I felt that real and personal incentives of one kind or another would have to be introduced in the agricultural areas. It would be necessary, I thought, to restore some of the principles of private ownership to the farm workers. The vital need of the Soviet leadership to show results would make them responsive to such changes. To some extent, this has come about over the last 12 years, but I am convinced that we can look for further progress in this field.

I also reported at the end of my tour that great changes were taking place in the Russian industrial base. In 1956, I wrote as follows:

"As to Russian industry, I saw some modern processes (such as a most unique shoe production line), along with great evidence of expansion, but for the most part, Russian industry seems to be crude and backward when compared to our own. I saw only five different models of passenger cars, two models of passenger buses, one for short and the other long haul, two models of refrigerators, one standard model of trucks. I do not desire to leave the impression that this status may long remain, for great efforts are being made to modernize Russian industry, and to expand production—particularly in the area of heavy industry. Dams both for navigation and power generation, are being constructed. More factories are rising. The industrial base is being widened, and within the next 5 to 10 years, Russia will undoubtedly become a mighty industrial power. That will come about by the increasing demand for more and more consumer goods."

Needless to say, those changes referred to 12 years ago have now come to pass and I am convinced the trend will continue. Again I repeat, increasing economic prosperity cannot help but bring about greater political and social development. As a matter of fact, the beginnings of that corresponding development were in evidence even then. I visited many Russian schools in that year, from the elementary level to institutions of higher learning. When I saw what was going on and the attention that was being turned to education, I wrote as follows:

"As more Russians become educated, they will become less and less prone to accept at face value the propaganda-loaded description of life in the United States which the Red propaganda system dings insistently into their ears. The Russian people are curious by nature; they are becoming increasingly more curious about Americans, about life in America, and about the freedoms we enjoy."

It seemed to me that the changes amongst the Russian people were of the utmost importance for the drafting of fundamental, long-term U.S. foreign policy. It appeared to me that the factors of increased education, natural curiosity, and a desire for self-improvement which were evident among the peoples of the U.S.S.R. should be capitalized upon. * * * more use of in our own approach to relations with the Russian Government and the problems of securing world peace. In light of this, I again recommended that every effort be made to broaden our exchange of persons program with the Soviet Union. I was convinced and I remain convinced today that widespread exchanges would have to redound to our benefit.

I am aware that the so-called cultural approach to international affairs which this represents is not the answer to international problems which are long and deep rooted, but we are dealing here with trends, not ultimate solutions. It is time for us to follow the paths which are available.

My third tour through Russian territory was made the next year, in 1957, by the invitation of Mr. Khrushchev who by then was firmly ensconced in power. Revolts and resistance to Russian ideological control had successfully brought a liberalization of Polish industry and agriculture. The Hungarian revolution, with somewhat similar beginnings, had gone out of control and led to the attempted withdrawal of Hungary from the Warsaw Pact. It had been brutally suppressed. These events seemed to have been accepted on the one hand, and forgotten on the other, by the Russian people. No doubt they had not been told the facts of either situation. In any event, I found their attention was elsewhere. At the conclusion of my tour, I wrote as follows concerning my general impressions:

"Perhaps the most significant aspect of my findings on this visit was change and, with respect to the various goods and services available to the Russian consumer, the change was invariably for the better. Also,

people are more talkative—they were more prone to assert themselves. Generally speaking, I found a much higher degree of contentment among the peoples of Russia than on my previous visits. In addition, I found considerable pride—a pride which was visibly increased when the people learned of the successful firing of the first space satellite. I was in Russia when the event occurred and the news was made public, and there was much jubilation among the Russian masses."

There was apparent domestic contentment, but a rising curiosity about America and an urge to forge ahead of us. I felt that this was all to the good, for competition means contact, and the economic progress this competitive spirit would necessarily produce would bring development in other spheres. I also wrote that:

"The Soviet Union today is undergoing a process of evolution—not revolution, but evolution. There is a great surge of decentralization taking place. The people are demanding more and more autonomy in the hope of attaining more voice in their local affairs. Sparked by increased emphasis upon universal education—an emphasis which carries with it a growing desire for individual leadership, an eagerness for information, and an abundant curiosity regarding events, developments, and peoples outside the Soviet borders—the present Russian leadership is taking a calculated, but evidently necessary, risk."

Looking back, history was to show that this calculated risk did not pay off for Mr. Khrushchev and his leadership. It is generally considered that he found himself unable to control the liberalizing processes and so was removed from power. His removal, however, did not mean that the processes would not continue and that they should not be used to our benefit.

At the conclusion of my 1957 tour I recommended that our policymakers reexamine our approach to the waging of the cold war. A new approach in light of changing conditions was necessary to dispel the fear which the Russian people felt toward Westerners and Western intentions. It was absolutely necessary, I thought, to begin building a base for mutual confidence. I pointed out that our Government's information program should not be directed into a frontal attack against either Russia or communism, but should aim toward a positive exposition of American life and accomplishments.

I again stated the belief that every effort should be made to bring in Russian delegations from all walks of life. We should have permitted as many as the Russians would allow to come and should have paid their expenses, if necessary, in the same manner as we did for visitors from other countries throughout the world. I felt it of utmost importance for the people of Russia to see at first hand the boundless advantages which a free enterprise system, based on representative government, had to offer. The necessary steps for military security could be taken and, in any event, we had little to hide that was not available to our press and the travelers of other nations.

I also felt that the leaders of our Government should meet with the leaders of the Russian Government as often as possible whenever there was a chance of agreement on any issue.

At the same time, I began to call into question the effectiveness of our so-called containment policy.

As part of this latter effort, we had established bases ringing the Soviet Union and were attempting to create full-fledged modern armies in small underdeveloped countries. The beginnings of the missile age were on us and I did not feel that these bases would be effective in relation to their cost and to the anti-American propaganda advantage they gave to the Russian leadership.

I felt that many of our military assistance programs were putting us in an untenable and illogical position. We were supporting governments of questionable legitimacy and giving the Communists within and without Russia ammunition against us.

In 1961, I again had the opportunity of making observations within the Soviet Union. I found that, again, liberalizing changes had been made in both the industrial and agricultural management techniques. Assembly lines were becoming widespread. Decentralization of production was occurring and local management in charge of actual production had been granted more power. Steps had been taken to make collective farming more autonomous, at least by Soviet standards. The farms could purchase their own equipment and their products were being sold on the open market. I found that prices fluctuated considerably, depending on supply and demand. More consumer goods were available and it was obvious that the changes in the making would have important implications. I wrote in 1961 as follows:

"I find that no effort is made to assist the individual worker by providing wage incentives, luxury items, and the like. He is helped in a collective way, as in the past, by providing for general benefits such as better schools, more hospitals, elaborate cultural centers, spacious parks, and the like. Few workers, I am informed, are enthusiastically or, really, interested in 10- and 20-year plans. As I pointed out in my diary, and as I have stated many times before, even though it is true that the lot of the average Russian has been greatly enhanced in a physical sense, still he desires more improvement in his standard of living and I doubt that he will continue to be satisfied with promises of a better life years hence. He has been hearing that tune for many years now, and I doubt that he will much longer be reconciled by it. In short, it is my belief that unless the Russian leadership takes steps now to provide higher pay for factory workers, or in the alternative to lower the price of consumer goods, including food and clothing, discontent will become more and more apparent."

Because of my findings and experiences, I again recommended a greatly expanded exchange program, together with elimination of unnecessary travel restrictions upon Russians stationed in the United States. What we were doing, I felt, was basing our diplomatic actions on what the Russians did. Actually, we were reacting and not acting at all. I repeated my view that such child's play had no place in the relations between the United States and the U.S.S.R., and that we should take the initiative in breaking down barriers wherever possible.

To cite another example of the cold war psychology that was in force, I can well remember that, in 1961, I had been scheduled to visit some of the high Russian dams which surpass our own in hydroelectric capacity. The inspections had been approved by the Russian authorities. Yet, when the time came, approval was withdrawn. Upon inquiring, I learned that, some time previously, a party of American experts in the field headed by Senator Moss, of Utah, had toured the facilities of the U.S.S.R. with the understanding that the visit would be made on a reciprocal basis. The similar Russian visit to America became bogged down in political bungling for one reason or another, with the result that it was not allowed. Thereafter, it was stated that it would be impossible for me to inspect the facilities. This is only one example among many where needless friction can develop, and I ask, if we could not get results in such small areas, how could we expect cooperation in the major and more important questions.

I also recommended, on my return to the United States, that some nonstrategic and commercial contacts be restored between our

two nations. I pointed out that the U.S.S.R. by 1961, was no longer in short supply of virtually any goods needed by the industrial economy and that all other countries of the free world were trading with her, including our erstwhile allies. It seemed to me that we were hurting ourselves as much as the Russians and aiding the development of friction in the meantime.

I also pointed out that, if we expected results in Russian dealings our diplomats would be required to exercise the "patience of Job." The Russian leadership from the czars to the Soviets have always been suspicious of foreigners and difficult to reach. Objective observers will agree that the Russians had almost as good reasons for fearing America and Western intentions as we did to fear theirs.

Finally, it seemed to me that our containment policy had been successful only insofar as it had halted any supposed Russian efforts to expand.

It was plain to me that we had not been successful in "isolating" Russia by trying to cut off her trade and contacts with the Western World. She was not suffering. She had become militarily, scientifically, and industrially stronger than ever, as was easily obvious to anyone traveling within her borders. Meanwhile the United States had gone deep into debt, had flung dollars, arms, and men about the world to support our anti-Communist posture. Our collective security alliances were proving hollow, and were beginning to fall apart.

Before leaving this area of discussion, I do not think it would be amiss to point out that I held and voiced these opinions in the mid-1950's when they represented distinct political liabilities. I was vociferously denounced in Louisiana and elsewhere for my views, by many spokesmen who would not admit that communism had brought relative prosperity to the Russian people, and that it had to be dealt with realistically if its goal was to be defeated by Western governments. Nevertheless, the last 13 years have shown that my comments and predictions of changes within the Russian society have come about.

II. THE PRESENT

At the conclusion of my latest tour, in 1968, I was able to view the changes in Russian society over a period of 13 years. In my five trips through it, I believe it is safe to say that I have traveled more miles through Russian-controlled territory than perhaps any other Western observer. I have talked with countless Russians and representatives of Russian minority groups—in English and French, as well as through interpreters. I have, by and large, been able to go where I wanted to go and was shown what I asked to see * * * the farms and factories * * * the high dams * * * the schools. I was accorded freedom of movement and was accompanied only by an interpreter provided by our American Embassy; and my visits and passages among the people were not interfered with. The restrictions and troubles that I experienced occasionally, I mark down as much to bureaucratic bungling as to ideological fervor.

In the past 13 years, I have seen Russia move from a war-torn economy and absolutely controlled society to a position of industrial and scientific leadership. The U.S.S.R. is today second only to the United States in manufacturing output. Its people, like our own, have become almost universally literate. In some areas, as in the construction and successful operation of massive hydroelectric facilities, Russia surpasses our own accomplishments by far.

In other areas, such as agriculture, light industry, and the production of consumer goods, the Soviet Union continues to lag far behind. Even here, I find great progress being made. More resources are being put into the

agriculture sector, new fertilizer plants are being brought into operation, and unwise policies such as the reckless plowing of Khrushchev's "virgin lands" have been slowed down. The agricultural techniques which we developed and proved so successful are being put more and more into practice. I was told that the leadership has plans to develop an extension service along the lines of our own. A system of local and regional agriculture research stations, such as we have in each State, is already in being. The effort that was carried on under Stalin to apply the principles of Communist philosophy to the biological improvement of plants and animals has been forgotten. The only real drawbacks now facing the development of Russian agriculture are the problems of collectivization and the rigors of the climate over much of the land area.

As I have mentioned earlier, the problem of increasing crop yields must yield sooner or later to the introduction of principles that contradict Communist ideology.

Even now, the farmers have been granted more freedom and a system of incentives has been developed to allow the collectivized farmers to feel a greater sense of ownership and responsibility for the land.

Industrial production has also seen the introduction of a new system of economic incentives designed to make the worker's reward more closely dependent on his output. It appears that working for the "common good" is not sufficient to motivate the Russian individual any more than anyone else—even after years of a controlled and propagandized society. The emphasis is no longer on the quantity of goods produced, but on the quality. Management has been allowed more control over the production of each plant. Bonuses are now paid, to both management and workers, based upon the salability of the goods in the marketplace—in other words, the profit motive is operating. If this form of incentives is not a keystone of private enterprise, I do not know what it is. The provision of economic incentives to the individual farmers and workers is tied more closely to Western ideals than it is to Communist thought and there are those who say that under the impact of trade and industrial technology, the U.S.S.R.'s European satellites will become more Western than Communist. After my experiences inside the U.S.S.R. last year, I wonder if the same thing could not be said of Russia itself, in the long run.

This is not to say by any means that I consider it likely that the Soviet citizens will turn upon their leadership. This is certainly not the case. Whatever the faults of present Russian society, its people are living incomparably better than at any time in their history. In every city, there are hundreds of apartment buildings being constructed, and industry is booming in all parts of the country. The people are flocking to the cities in Russia for the same reason that they are doing so all over the world—in search of a better life. By and large, they are finding it. I saw more consumer goods available than at any time in the past and it was easily apparent that the people were well fed and content. No one expressed any desire to turn against the Government.

It must not be forgotten that they are told only what the Government desires them to hear. They have no standards of comparison with the Western way of life. I am convinced, however, that the people themselves like and respect Americans, even if they have no knowledge of our form of government.

I did notice some signs of unrest in the population, particularly among the students and the younger groups. It seems to me that the present system of Russian education operates very inefficiently for a state of its size and considering the needs for industrial

manpower that must be met. It is a very stratified system and a great deal of time and effort is consumed in teaching students to operate machines in textile or metalworking plants. After a student chooses his field, he is more or less confined within it, even though he may be years away from realizing any benefits, and may decide that he would prefer pursuing some other course of study. After completion of training, I was told that the graduates possibly find themselves no better off economically than other workers, and I heard that many were wondering why the effort was necessary at all. I suggest that the entire system is in for a revamping in the years ahead.

III. THE FUTURE

It seems to me that a realistic analysis of our position in the world today and our hopes for tomorrow can be summed up as follows:

(1) For the foreseeable future, the Soviet Union is the only country which can threaten the territory and institutions of the United States. It follows from this that we must provide against any danger from this quarter and must keep our defense strong enough to protect our way of life.

(2) The problem of world peace boils down to the problem of overall relations between the United States and the U.S.S.R. If we cannot come to grips with this reality, there is no possibility of reducing the overall tension of the world. A pullback from those areas where we are confronting the Soviet Union without good reason is absolutely necessary if our negotiators are to have room to seek accommodations and long-range understandings with the other great power in the world.

(3) It follows from the first two points that we must be more concerned with the establishment of workable relations with our foremost adversary than with various other nations in the world. Under no condition should we allow our allies to tell us what to do. This is not to say that we should not cooperate with them in broad areas of international affairs, but we should recognize that all of Western Europe has increased its economic strength and can develop whatever military capabilities necessary for its own protection. The countries of Western Europe need rely no longer on Uncle Sam and they should not do so.

(4) Under the economic progress that has been made within Russia and the satellite states, a social and political liberalization is developing. The people are becoming more educated and will not be satisfied to hear only propaganda day in and day out. They will desire to exercise more control over their own affairs and the Government cannot remain deaf to these influences. It follows from this that we should do all possible to help this trend develop. We should encourage more open-trade relationships and all the person-to-person contacts and exchange programs that the Eastern bloc will allow.

(5) The efforts of Stalin and his successors in office to give their country a heavy industrial base and to turn it into a world power have been successful. Quite aside from the threat it poses to our position, that very success has had important implications within Russia. While it has provided more resources to the Government, it has also given rise to heated competition between science, agriculture, consumers, the military and other interest groups for priorities in the use of these resources. The Party, itself, and certainly the Government, is divided over the future use of national resources. As a result the Communist Party is finding it ever more difficult to exercise its monolithic control over the Russian economy. This to me is an indication that proper trade policies, increased economic contacts and Western influences in general might help create an ever stronger trend toward diversity within the U.S.S.R.—if we will only spend some effort and imagination in bring-

ing the Russian people back into contact with the world community.

(6) The monolithic control of the Communist Party of the Soviet Union over other parties and governments abroad has been shattered by the tides of change, some of which were noted above. Moscow no longer dominates the Communist movement. Indeed, Moscow cannot even control those Communist states along its borders, Czechoslovakia notwithstanding. This represents another advantage to the West. It means that our peoples and governments need not be so fearful of ideological plans for world domination, and can return to more traditional relationships between states.

From the above, it should be plain that it is time, indeed past time, for a reidentification of our national interests. Events of the last decade have bypassed policies still rooted in World War II. We may ask ourselves what practical purposes are served by the presence of hundreds of thousands of American men in Western Europe. The answer is always for defense against Russia. The Russian leaders will say that their military establishment is also for defense—against the United States. As a result, our two countries are at dagger point.

Looking back over the perspective of 13 years, to 1955, I cannot help feeling reinforced in my original thinking; namely, that we should make every effort to give the people of the U.S.S.R. objective knowledge of life in the West and the United States. Furthermore, we should begin to look for actions that our nation might take to reduce the tensions between our two countries and dissipate the suspicions between our governments. Many areas suggest themselves in this regard. Our structure of foreign bases should be reexamined, to decide if all are absolutely necessary to the national interest. Under the changing world conditions, and with the advent of nuclear missiles, many of them can be dispensed with. Last year alone, our foreign military installations cost us more than \$5.8 billion. (See table 1 below.) Our foreign bases are fast becoming more of an economic and political liability than military asset.

Our NATO posture should be reexamined. As a collective security mechanism has it any real value after the withdrawal of France's military cooperation? It serves to give propaganda advantages to the Soviet leaders and economic advantages to our erstwhile allies. Its military advantages face to face with the Soviet Union are more questionable.

We are maintaining 300,000 men in Western Europe at a cost of approximately \$2.6 billion per year. If it had been left to me, I would have pulled back a majority, if not all, of our American forces from the area when President de Gaulle made it plain that we were no longer welcome on French soil. We missed a golden opportunity at the time to take action fundamentally in our interest, from an economic standpoint; from the standpoint of international politics, a withdrawal would remove what the Russians cannot help seeing as a threat to their security.

Directly related to the above is the fact that we are maintaining military assistance advisory groups or milgroups in 48 countries around the globe—from Belgium to Venezuela and from the Congo to Saudi Arabia. As of the end of 1968, we had 4,056 officers and men scattered among these various military groups throughout the world. These were supported by 1,692 U.S. and foreign civilians for a total military complement of 5,748. Table 2 shows the disposition of these MAAG missions and milgroups.

In my opinion, from what I have seen in foreign capitals, this program should be dispensed with entirely and as soon as possible. In my view, where a U.S. military presence is advisable and indeed in our interest and the interest of the host country, the rep-

resentation should be made through the regular personnel attached to our Embassy and directly responsible to our Ambassador. Should situations arise requiring special assistance, it should be made available strictly for that purpose and then withdrawn. It is foolish for us to maintain these military personnel at great expense all over the world on a continuing basis.

I have two main objections to the continued overseas presence of large numbers of U.S. military personnel. First, to see officers and men moving about in foreign capitals in uniform cannot help emphasizing the military aspects of American life. In the minds of many, this presence marks us as warmongers.

Second, I am convinced that the personnel attached to these military missions are instrumental in influencing host governments to build up their armed forces and weaponry at our expense. From fiscal 1950 through fiscal 1968, we have spent \$31.4 billion on military assistance programs throughout the world. An expenditure of \$406.7 million for such programs has been projected for fiscal 1969. Not only should we cut back on this expenditure, but the first step should be the reduction and recall of the forces which generate them.

Provided that we could do so in a way which would positively demonstrate to the Russian people the advantages of the American system of agriculture, we might go so far as to extend Russia technological assistance with its agricultural problems. I would make every effort to have the Russians cooperate with us in the development of atomic energy for peaceful purposes, rather than war. Perhaps the offers would be rejected out of hand, but that would be up to the Russian leadership. The point is that, so long as a nation such as ours remains strong by keeping its internal affairs and economic house in order, we need fear no outside force from any quarter and can afford to be magnanimous.

The American people should know that we cannot win over communism by military attack, any more than we could destroy religion by force of arms, nor can we incite the Russians to revolt against their Government. We can win out in the long run only by concentrating on our own society so that it can be held up as a banner for the rest of the world.

In pursuing this course, we must remember, as I believe it has been forgotten, that the military is only an instrument of our foreign policy. I believe that the distinction has been neglected in this country over the

past 20 years. The Congress has been misled by the combination of our Defense and State Departments on many important policy questions, both domestic and foreign. I cannot escape the feeling that the military horse has been allowed to get ahead of the diplomatic cart.

To illustrate the influence of the military, we are now hearing fears expressed that because only a very few of the present Russian leadership have firsthand knowledge of the Western World, the chances are increased for miscalculation in its foreign affairs. I can personally recall hearing a member of the Joint Chiefs of Staff tell me that nothing had changed in the quality of Russian life, that no decentralization or loosening of any controls had taken place over the last two decades. The spokesman admitted that he had never been inside Russia. It seems to me that we have as much to fear from ignorance, prejudice, selfishness, and bias in our own Nation as we have from a similar condition on the part of the Russian leadership.

For the past 20 years, I have heard experts on both sides of the Iron Curtain refer to the cold war struggle as a "battle for men's minds." Although we have tried to adjust some aspects of our foreign policy to the demands of this kind of warfare and have paid lip service to the concept, we have in most instances tended to act as though this were not, in fact, the fundamental nature of the struggle. As a result, our policy has continued to place predominant emphasis on the military aspects rather than, broadly speaking, the psychological aspects of the competition between the United States and the U.S.S.R.

In our battle for men's minds, we ought to be concentrating on winning over the minds and the sentiments of the Russian people. However, not only are we falling at present to give proper emphasis to this factor, we seem, instead, to follow policies which tend to isolate and even alienate the Russian people from the influences of Western civilization. In this fashion, we play into the hands of the Communist apparatus whose principal source of power stems from the people's lack of contact with and lack of knowledge of the mainstream of history and of current events.

In short, I am not saying that we should embrace communism or any part of its concepts. I abhor that godless philosophy as much as any American citizen, but we cannot prevail over it by military action or military threat. We can only win by acting through the Russian people themselves. This is the only way anticommunism can prevail in the long run.

TABLE 1
[In millions of dollars]

Country or area	U.S. operating costs and military construction costs for bases	Military assistance			USIA	Grand total
		Government aid	Credit sales	Economic aid		
Western Europe ¹	12,600.0					
6th Fleet.....	1,300.0					
7th Fleet.....	1,700.0					
Greece.....	33.1	40.9		1.4		1.6
Turkey.....	108.9	99.1		87.1		1.2
Pakistan.....	16.0			361.9		4.0
India.....	7.6			690.4		7.6
Iran.....	7.2	21.9	100.0	43.9		1.5
Korea.....	740.5	259.5		188.5		1.3
Okinawa.....	467.2			17.5		.8
Japan.....	491.9			193.1		3.2
Indonesia.....	2	5.2		97.1		.8
Philippines.....	330.0	21.5		20.1		4.3
Libya.....	34.0	1.1		1.0		.6
Morocco.....	20.0	2.0		78.6		1.0
Tunisia.....	(*)	2.6		48.8		.7
Total.....	5,850.0	453.8	105.0	1,729.4	28.6	
Grand total.....						8,166.0

¹ Does not include military construction costs.

² Export-Import Bank loan.

³ Less than \$50,000.

TABLE 2.—PERSONNEL STRENGTHS—MAAGS, MISSIONS, AND MILITARY GROUPS

	Authorized, as of Jan. 1, 1968			Actual, as of Dec. 31, 1968				Authorized, as of Oct. 1, 1969			Authorized, as of July 1, 1970		
	United States	Foreign	Total	U.S. military	U.S. civilian	Foreign	Total	United States	Foreign	Total	United States	Foreign	Total
Eucom:													
Bellux.....	31	15	46	19	5	7	31	21	10	31	20	7	27
Denmark.....	24	7	31	19	3	6	28	20	6	26	20	6	26
France.....	10	10	20	8	1	9	18	10	7	17	10	7	17
Germany.....	110	22	132	61	16	16	93	54	12	66	54	12	66
Greece.....	99	56	155	71	10	46	127	80	43	123	80	37	117
Italy.....	40	6	46	27	7	4	38	29	4	33	26	4	30
Libya.....	34	12	46	23	1	7	31	28	7	35	28	7	35
Morocco.....	76	7	83	44	2	7	53	48	7	55	47	7	54
Netherlands.....	23	5	28	20	1	5	26	20	4	24	20	4	24
Norway.....	30	11	41	22	4	10	36	20	10	30	20	8	28
Portugal.....	21	9	30	18	4	9	31	20	9	29	14	7	21
Spain.....	101	31	132	71	20	28	119	78	24	102	56	21	77
Tunisia.....	4	0	4	8	0	2	10	4	0	4	16	2	18
Turkey.....	319	160	479	220	43	140	403	235	118	353	213	107	320
Total, Encom.....	922	351	1,273	631	117	296	1,044	667	261	928	624	236	860
Stricom:													
Congo.....	64	5	69	50	0	5	55	42	5	47	42	5	47
Ethiopia.....	178	62	240	117	3	61	181	119	44	163	113	39	152
India.....	12	7	19	8	1	7	16	9	6	15	9	6	15
Iran.....	447	262	709	337	27	184	548	377	201	578	335	157	492
Jordan.....	15	6	21	14	0	4	18	15	6	21	15	6	21
Liberia.....	31	9	40	22	0	5	27	20	5	25	20	5	25
Nepal.....	3	4	7	2	0	3	5	1	0	1	0	0	0
Nigeria.....	2	1	3	1	0	1	2	1	1	2	1	1	2
Pakistan.....	5	2	7	6	1	7	14	7	4	11	7	4	11
Saudi Arabia.....	206	5	211	135	0	4	139	137	4	141	137	4	141
Total, Stricom.....	963	363	1,326	692	32	281	1,005	728	276	1,004	679	227	906
Southcom:													
Argentina.....	65	9	74	45	2	7	54	37	7	44	33	6	39
Bolivia.....	51	10	61	39	2	9	50	45	10	55	40	7	47
Brazil.....	116	49	165	70	11	44	125	75	40	115	69	33	102
Chile.....	49	8	57	35	0	7	42	32	5	37	32	5	37
Colombia.....	62	6	68	55	1	6	62	51	6	57	48	5	53
Costa Rica.....	11	2	13	4	0	1	5	4	1	5	4	1	5
Dominican Republic.....	59	3	62	40	0	1	41	43	2	45	39	2	41
Ecuador.....	69	9	78	54	1	8	63	39	5	44	39	5	44
El Salvador.....	25	3	28	20	0	3	23	19	3	22	15	2	17
Guatemala.....	30	4	34	28	0	4	32	30	3	33	26	3	29
Honduras.....	21	3	24	19	0	3	22	16	3	19	14	2	16
Nicaragua.....	23	2	25	18	0	1	19	19	2	21	15	2	17
Panama.....	5	1	6	6	0	1	7	5	1	6	5	1	6
Paraguay.....	25	4	29	25	0	3	28	20	3	23	17	3	20
Peru.....	70	5	75	49	1	5	55	38	5	43	38	4	42
Uruguay.....	28	7	35	22	1	7	30	22	6	28	20	5	25
Venezuela.....	82	2	84	57	1	2	60	51	2	53	51	2	53
Total, Southcom.....	791	127	918	586	20	112	718	546	104	650	505	88	593
Pacom:													
Burma.....	20	49	69	17	0	46	63	18	46	64	16	22	38
China.....	633	94	727	452	47	79	578	429	58	487	393	55	448
Indonesia.....	14	0	14	12	0	14	26	13	11	24	13	11	24
Japan.....	45	75	120	23	16	0	39	10	75	85	10	6	16
Philippines.....	97	16	113	82	9	14	105	74	10	84	66	6	72
Korea.....	1,306	557	1,863	1,215	75	527	1,817	1,061	349	1,410	1,048	349	1,397
Thailand.....	421	3	424	346	4	3	353	436	58	494	379	3	382
Total, Pacom.....	2,536	794	3,330	2,147	151	683	2,981	2,041	607	2,648	1,925	452	2,377
Worldwide total.....	5,212	1,635	6,847	4,056	320	1,372	5,748	3,982	1,248	5,230	3,733	1,003	4,736

(The following colloquy, which occurred during the delivery of the address by Mr. ELLENDER, is printed at this point in the RECORD by unanimous consent.)

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. MURPHY. I am interested in the Senator's statement. Does the Senator feel that the position and policy of the United States vis-a-vis the suggested and announced policy of Russia are one and the same? Does the Senator believe this when the Soviet Government has said continuously for the last 30 years that they intend to bury us and destroy our system? Does the Senator believe we do not need protection against them?

Mr. ELLENDER. I wish to say to my good friend that I realize those statements have been made and they have been repeated from time to time by some of Stalin's successors.

However, as I have pointed out in my speech and in my report, things have changed in Russia. We are no longer

dealing with the dictatorship of Joseph Stalin and the monolithic control he exercised over the Communist Party inside and outside the U.S.S.R. The people are demanding more and more from their leaders. I know of my own personal knowledge that much of the change that took place did not come about because the leaders desired it, but it came about because the people demanded it. As I pointed out in my speech as well as in my report, we should encourage such a trend. The incentive system that has taken root in Russia is the cornerstone of our private enterprise system and we should use all means at our command to help strengthen it. Economic progress will work to bring about social and political progress.

In my opinion, today Russia is veering toward capitalism. We should try to reinforce that trend; that is, we should show the people how they could have a better living if only they would continue to demand more local authority.

Mr. MURPHY. I point out to my col-

league that this is not a new approach on the part of the United States. I recall many years ago that we sent entire factories to Russia to help them understand that we did not mean to be an aggressor but that we meant to be a friend. In some satellite nations we built factories. My brother was instrumental in building steel mills in Czechoslovakia some years ago. The people of Czechoslovakia thought and hoped they were going to gain some small measure of freedom, but they found out to their dismay that that was not permitted by Russia. We had an example of a Russian maneuver that was so quick, showing a capability of the military so far surpassing anything we imagined, that it surprised all NATO nations and all military experts.

Incidentally, I recall stating in this Chamber yesterday that I disagree on occasion with General Shoup in regard to the military. We had the sad experience of attending the funeral of a great military leader and commander of the largest army of the greatest power ever

assembled, former President Eisenhower, who urged the United States to build a just peace. When he became President we were at war. He was able to bring that war to negotiation. It was certainly not complete but at least we stopped the fighting in Korea. He gave us 8 years of peace.

I do not always accept the statement that the military people are perpetuating themselves for the purpose of making war. On the contrary the record would show that during the time when we had an outstanding and superior military power in this country we never used it in an imperialistic fashion or to impose our methods or desires or characteristics on other nations. On the contrary we have used our power to guarantee peace since the conclusion of World War II.

I have risen today to express my thoughts on this matter. I know my colleague will forgive me for disagreeing with such an expert as General Shoup. At the same time, I have studied these matters carefully. Because of my former position in the motion picture industry, I had to become acquainted with the political pressures of the Soviet Union and the use of Russian propaganda. I became familiar with Russian propaganda policies in America, laid down first by Lenin and then by Stalin. They thought control of the motion picture industry was the best method and means of propaganda that existed. I have been an interested student of these matters for a long time.

I wish I could enthusiastically agree there has been this great change in Russia. There is no question that there is a desire on the part of the people for freedom. There is no question that they need to go away from their socialistic system toward the capitalistic system to receive sufficient products at home, but as to how far this will be permitted by the leaders and the military we do not know. I would suggest that in Russia everything is politically motivated. I have just finished reading several of their latest military pamphlets and documents. There is no question about their designs.

Mr. ELLENDER. Their designs for what?

Mr. MURPHY. For world conquest.

Mr. ELLENDER. I disagree with the Senator. The Senator has a right to his own views. However, I have been in Russia five times since 1955, and I know what has taken place. I do not blame the Russians at all, the Russian people, for being fearful of America.

Mr. MURPHY. I agree, because they have been propagandized.

Mr. ELLENDER. Because of the fact that we embrace their former worst enemy, Germany, and that we embraced Japan, once their worst enemy in Asia.

When one goes through Russia and sees the carnage that was committed by Hitler's troops, the destruction of property, I do not blame the Russians for fearing us, because we embraced Germany, the country that was instrumental in doing all of this damage to the people.

What I am suggesting is that we recognize the changes that have taken place inside Russia and over the rest of the world. The great need now is for us to develop new approaches. We have spent in excess of \$150 billion to isolate Russia and that has not worked. The peoples of Russia, I am certain, are anxious to promote permanent peace and we should lean backwards in our efforts to accommodate them. I believe that if we can now show them that we are not desirous of taking their country over we can restore good relationships that will completely dispel such fears as they now entertain against us.

Mr. MURPHY. Would my colleague concede that never in history has one nation given as much in materiel and assistance as the United States of America gave to the Soviet Union during World War II?

Mr. ELLENDER. I agree with that. There is no doubt about that. But times have changed since the late 1940's and 1950's. Nuclear energy has imposed a peace, of sorts, and the Soviet Union realizes this as much as we do.

Mr. MURPHY. Now also would not my colleague concede that in the matter of Germany and Japan, I do not find any evidence that they had any intentions of forcibly changing our kind of government, which has been the threat and the promise of the Soviet Union for many years, particularly since we were the first nation to recognize the Soviet Union and actually put them in business?

Mr. ELLENDER. That may be true, but the fact that we assisted the two countries that did the most damage to Russia made the Russian leadership more fearful of our intentions. Would the Senator agree with my statement that unless and until we can dispel the suspicions that now exist between this country and Russia, there is no chance for us to agree on some method of promoting world peace?

Mr. MURPHY. I agree, as long as that kind of propaganda exists unchallenged.

Now, my distinguished colleague may remember that I stood in this Chamber a year ago in June, when the 6-day war between Egypt and Israel took place, and I said that the night before I had listened for 1 hour to the Russian Ambassador to the United Nations accusing the United States of America of being guilty of perpetrating practically every aggression of the past 30 years.

I said at that time that if what the Russian Ambassador said was true, then the United States should be expelled from the United Nations, and if what he said was not true, then he should be expelled from the United Nations.

Now, I think that both my colleague and I know the recitation the Russian Ambassador made had no basis in fact or in truth. I think that my colleague will agree that this is but a straw man, a bogeyman.

I recall, for instance, that we have heard about the necessity to take the first step in international relations. I said the other day, "Would it not be fine if the Soviet Union would take the first step and decide it would not supply any more

armaments to the North Vietnamese?" I feel certain that if they would do that, the fighting in Vietnam would be over within a week.

Mr. ELLENDER. That is my conclusion in my report. But that cannot come about unless and until the suspicions are dispelled as between the United States and Russia.

Mr. MURPHY. If my distinguished colleague will forgive me, I have dealt in negotiations with the Russians. For many years I dealt in cultural exchanges. I know the whole history of the cultural exchange matter. It seems to me to be characteristic of the Russians that if we put it on a 1-for-1 basis, they insist on getting it on a 3-to-1 basis.

Mr. ELLENDER. I would be for making it 1,000 to 1. Let them come over here and see what we have. That is the trouble. When I came back from Russia in 1955 I made suggestions for a realistic exchange program. I went to the late John Foster Dulles and asked him to promote a realistic exchange program. He said, "Oh, we cannot hope for more than one American for one Russian." I said, "Don't start it in that manner because it won't be effective. Let as many Russians come over here and visit us and see what we have here, even if we have to have them followed by FBI men. Let them see our productive capacity and let them become envious of what we have. In that way the Russian people will be tempted to force their leaders to work with us, and that would contribute much toward world peace."

Mr. MURPHY. Would my distinguished colleague be interested in knowing that some years ago, as a director of the Hollywood Bowl Association, I was instrumental in making the contract which brought the Bolshoi Ballet to this country for that very purpose? Some objected to the contract, but I arranged their schedule so that every day these young Russian artists, while they were in Los Angeles, would have lunch in a different area, they would be driven by different areas of Los Angeles and southern California, so that they would have opportunities to see our country and its people, with the hope that they would do exactly what my colleague has suggested; namely, return to Russia and tell their people what they had seen and heard.

The hope was that one day the people of Russia would say to their leaders, "Look here, we would like to accept the help of America. We would like to have a free society in Russia, an open society, such as they have in America."

As I said, Russian visitors to Hollywood were shown through our plants, our steel mills, and they were invited to see what we were doing. However, something seems to happen when they get home. The iron curtain drops down. There is a control over their minds and their freedoms.

We all remember the three outstanding Russian writers who were sent to Siberia, one sentenced to 5 years there, merely for suggesting a freedom which we take for granted in America that exists for all to see.

On the other hand, I would suggest to my distinguished colleague that in our

dealings, in the times when we have been successful in the negotiations, we have always dealt from a position of strength, such as when President Truman went to Potsdam, as President Eisenhower did in Lebanon, and as President Kennedy did in the Cuban crisis. So that I think, once again, we have the example of negotiating from a position of strength, which is something they recognize and respect. Weakness or friendship is something which sometimes they refuse to recognize in its true character.

I would hate very much to have our President going into new negotiations with the Soviet Union, without having some basis of strength from which to bargain.

I have said this often: As a young man, I remember Neville Chamberlain when he went to Munich, and folks were poking fun at him for going with his umbrella. The fact is that that umbrella was all the government of his country had. Britain had so weakened its military position at that time to the point it had nothing to talk with or to bargain with. He was in a weakened position when he talked with Hitler.

That is the only reason I rose to speak today, not to disagree with my distinguished colleague because I know that his urge for peace and understanding is certainly as great, if not greater than mine; but merely to let the record show that, in some instances, the military are not of one mind; nor do some of us always agree with the views of the military—which has been quite vocal lately, such as General Shoup and his approach. The record is replete with the kind of approach which has been unsuccessful.

Another fact remains, that our problem is greater today than it was 5 years ago, and greater 5 years ago than it was 40 years ago. That is why I sometimes worry and perhaps consider that we have been taking the soft approach, which is the wrong approach and that instead, we should have an equal meeting of the minds to get a quid pro quo, which seems to be normal. I am hopeful that eventually the leaders of the Russian Government will understand, and thereby the two most powerful nations on earth, the United States of America and the Soviet Union, can finally come to an agreement which will reflect itself in peace and economic prosperity for the whole world.

I thank my distinguished colleague for permitting me this interruption in order to make these remarks.

Mr. ELLENDER. I welcome the Senator's views. They are not a reflection of what I have in mind, as I have made a very close study of matters in Russia since 1955. I have gone right to the Russian people. There is no area in Russia that I have not visited. The Senator cannot name a large city which I have not visited there. I have talked to the people in all walks of life. I never visited any finer people anywhere in the world than I saw in Siberia. They remind me of the people who discovered the American West, who made our West what it is today. They are the same kind of people. They come from Latvia, the Ukraine, and from all over the Soviet Union.

I have no doubt in my mind that if we can dispel that fear which exists between our two countries, peace will not be too far off. Let me remind my friend that the Russian people are now speaking out. They have been successful in obtaining more and more decentralized authority from Moscow in favor of the local managers and workers. I invite my distinguished colleague to read my report.

Mr. MURPHY. Mr. President, if the Senator will yield a moment further, it may be of interest to the Senator to know that I have a proposal based upon my belief that this fear is a synthetic fear. It should not exist. I believe that we in the United States should set up a massive educational program in order to render to the people of Western Europe, the satellite nations, and the people of Russia, insofar as we are able, the true story of the people of America.

My colleague may be interested to know that a few years ago there was a great Trade Fair in New Delhi, India. At that time we had not provided very much money for the American exhibit at the Trade Fair. I was asked if I had a suggestion. I said I thought we could arrange to have shown at the Trade Fair in New Delhi the original motion picture, "Cinerama," which gave a true picture of the United States from the great port of New York, to New England in the Fall, to the great Ohio Valley with its great manufacturing complex, to the wheat fields of the great Northwest, to the Grand Canyon, to the great slopes of the Mississippi, and the great highways and superhighways. I am pleased to report exactly what my esteemed colleague has said—that everybody there was so interested in seeing this simple, true depiction of America—the America we take for granted—that actually, for long periods of time, the Russians could not be kept in their own exhibits, because the people who had been sent there from Russia to run the Russian exhibits were so interested in looking at pictures of America.

I hope my colleague will join me in the effort to get a massive educational program going to tell the true story of America and the characteristics of her people, the things we want to accomplish, and refute the propaganda which has been so falsely, but nevertheless so effectively, spread about us in the last 20 years.

I thank my colleague for permitting me to interrupt him.

Mr. ELLENDER. Mr. President, was the Senator from California present in the Chamber a while ago when I discussed the incident at which our Ambassador refused to make appointments for me?

Mr. MURPHY. No; I was not.

Mr. ELLENDER. Those are things I bring out in my remarks. I hope the Senator will read them.

Mr. MURPHY. I will read the speech very carefully.

Mr. ELLENDER. Such treatment as that is uncalled for. I had no trouble visiting Mr. Mikoyan. The second time I went there was by invitation. I spoke with Mr. Khrushchev for 4 hours. I obtained such information from him, which I brought to the Senate. There is no doubt in my own mind that during the

time Mr. Khrushchev was in power he laid the foundation of capitalism—believe it or not—in Russia.

Mr. MURPHY. I believe it.

Mr. ELLENDER. We did it by promoting a system of incentives, the cornerstone of capitalism. That is why the industries are producing more goods, the farms are yielding more food and fibers. What we ought to do, I repeat, is encourage the trend, instead of building up our military as has been proposed, and thereby further widen the gap of suspicion and fear that now exists between us and Russia.

(This marks the end of the colloquy that occurred during the delivery of Mr. ELLENDER's address which, by unanimous consent, was ordered to be printed in the RECORD at this point.)

Mr. ELLENDER. Mr. President, before I delivered my speech, I had placed on the desk of each Senator a copy of my printed report. I now ask unanimous consent that the pages be ordered to deliver those reports to the offices of all Senators.

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

DWIGHT D. EISENHOWER

Mr. BROOKE. Mr. President, nothing can be added to what has already been said and felt by the people of this Nation and the world on the death of our great President and wartime leader, Dwight David Eisenhower.

The world mourns his death, at the same time that it marvels at the fullness of his life. For President Eisenhower truly exemplified the best that is America, and was, in the eloquent words and drawing of the incomparable Herblock, a "50 star general." He will be sorely missed; but what is more, he will be remembered with the love and gratitude of all men.

THE LAWRENCE EAGLE-TRIBUNE: 100 YEARS OF SERVICE

Mr. BROOKE. Mr. President, this past weekend I was privileged to speak at the dedication of a new building for the Lawrence, Mass., Eagle-Tribune.

For 100 years this newspaper has served the community of Lawrence, Mass., and the surrounding area of Essex County. Now, as it moves into its next hundred years, the Eagle-Tribune will operate from the most modern plant, with the most modern equipment available to any newspaper in the country. I was truly impressed with the vast array of computers and textmasters which will handle the layout and type, with the phototypesetting machines for advertising duplication, with the automated six-unit press which can print a 96-page newspaper at a rate of 100,000 pages per minute.

These new facilities will truly help the Lawrence Eagle-Tribune to meet its goals for the community: "To provide our readers with accurate, comprehensive information and honest, intelligent interpretation, to foster the moral, material and cultural well-being of our

community and our State, to encourage honest and efficient government, to fight injustice and wrong doing, and continually to strive to illuminate our country's noblest ideals of human freedom." I congratulate Irving E. Rogers, Sr., publisher of the Lawrence Eagle-Tribune, and Irving E. Rogers, Jr., general manager of the paper and extend to them and their staff my very deepest best wishes for continued and fruitful years of service.

MAINE ACTION ON ELECTORAL REFORM IMPORTANT STEP IN RIGHT DIRECTION

Mr. MUNDT. Mr. President, there is an old political saying, fairly reliable, which says, "As Maine goes, so goes the Nation."

Once again Maine has taken the lead, this time in electoral college reform. The Maine Legislature has adopted the so-called district plan. Under the law now in effect in Maine, one elector would be chosen from each of the two congressional districts and the remaining two electoral votes will be chosen from the State at large. The electors representing the congressional districts would be required to vote for the party ticket which carried the district, and at-large electors would cast their ballots for the ticket winning the State's popular vote.

Mr. President, this is the basic plan encompassed in Senate Joint Resolution 12 which I have introduced along with 18 cosponsors.

It is possible under the present wording of the Constitution for the individual States to change the method of choosing electors. The courageous members of the Maine Legislature have done so, just last week, in an effort to break up the present winner-take-all method that prevails. Should the other 49 States take similar action, adoption of Senate Joint Resolution 12 would not be necessary. A basic electoral college reform would have been achieved.

While I salute the farsighted members of the legislature, I am somewhat puzzled at statements attributed to the Governor of that State who allowed the bill to become law without his signature. In the press reports, he is quoted as saying he opposes the new system because it will require candidates to "tailor their arguments to many regional and local interests."

Mr. President, I would hope so. This is one of the reasons the district plan should be adopted. Any national candidate for President should be forced to give equal weight to the interests of all regions, rather than concentrating his appeal and his programs on one segment of our society, for example, the great masses of votes in our large cities, as is presently the case.

The action taken by the State of Maine illustrates a second reason why Congress should now adopt Senate Joint Resolution 12. The district plan can be adopted. The States will ratify such a plan. This independent action of the State of Maine proves that point beyond any doubt.

Mr. President, as one who has labored in this area of reform for well over 15 years, I want to have electoral college reform, and I want it to work. I am not interested in continuing theoretical debates or in great forensic fireworks about the preferential points of one plan or another.

I want a plan approved by Congress which will be adopted by the States, because it takes only 13 State legislatures to defeat any plan we adopt. So, I hope that Members of Congress will give the proper weight to what they have now seen happen in the State of Maine, where a State legislature, acting on its own, has taken action to approve the district plan for itself, regardless of what is done in the other 49 States. It is much easier, of course, to win approval for a plan for all States than it is to approve it for one.

Mr. President, there are many additional reasons why the district plan as proposed in Senate Joint Resolution 12 is the proper answer to our electoral college problems. In addition to the two already mentioned, let me now discuss some of these additional reasons.

Reason number three is that Senate Joint Resolution 12 breaks up the general ticket, winner-take-all system which is the primary fault in the existing method.

Someone has said that that system of the winner take all in terms of electoral college voting is the taproot of most of the social, economic, and political problems which have plagued our country during the past three or four decades. Under the electoral college as it now operates, it is possible for a President to be elected with the support of only 12 States, and in effect the support of only those voters inhabiting the main city or cities of those States.

In fact, some 15 major American cities in only 12 States, voting with a predominance for one candidate or another, can now control and determine the election of a President. This would be put to an end permanently by Senate Joint Resolution 12, the so-called district plan.

Fourth, the district plan brings the electoral vote more into line with the popular vote. Under the existing system a candidate receives the entire electoral vote of a State no matter how narrow his margin of popular votes may have been, producing a final electoral vote entirely out of proportion to his popular vote.

In fact, a single voter in New York State breaking a tie vote among the popular votes cast for President puts 43 electoral votes into the hopper in favor of the candidate winning his individual, tie-breaking vote.

He gets not only the votes of all of those who voted in favor of the successful candidate for President, but he also gets all of the votes of the people who voted against him, wrapped up in one ball of wax and delivered to the one who received that tie-breaking vote. That vote alone would more than offset the unanimous vote cast for another candidate by the people of some 10 or 12 or more other States of the Union, depending upon which States are selected. Obviously, something is wrong with a sys-

tem that makes such a mockery of majority rule.

Fifth. It binds the elector so we no longer have the problem of the "faithless elector." Under Senate Joint Resolution 12, each elector must sign an oath before the election, swearing to support the candidate that carried his district. Should he later attempt to vote otherwise his vote would, nevertheless, be counted in accordance with his oath. So, he is bound and has no alternative except to have his vote counted as he pledged it would be when he placed his name as an elector before his constituents.

The sixth reason is that the district plan is a preferential plan, a workable plan, a plan tested in three early national elections in the history of this Republic, and a plan that can be adopted. It equalizes the power of the respective States in the event of a contingent election. The present method is undemocratic and unfair to the large States, because each State, no matter how large, can cast but a single vote in the contingent election in Congress. Senate Joint Resolution 12 provides for a joint session of Congress, with each Member voting individually instead of having the issue decided in the House of Representatives, with each State voting individually—New York, for example, would have its 43 votes, while Maine and South Dakota would have only the four to which they are entitled, rather than the one-State, one-vote formula now prevailing should a presidential choice now be made in the House of Representatives.

The seventh reason why those of us who have supported Senate Joint Resolution 12 for many, many years support it now with greater confidence and greater enthusiasm is that it requires the minimum of change in constitutional language to achieve the maximum degree of required reform. Our system, after all, has functioned well—we have had 41 presidential elections since the 12th amendment was added—and any change proposed or made should be the absolute minimum required to bring about the desired or necessary results.

Eighth. It makes the presidential election a national election in fact as well as in name. Because each voter has the same voting power, the authority to vote for three electors, the President will be elected nationally, rather than the choice of just some isolated area or segment of our society or that of some special pressure group.

Ninth. The district plan deserves the support of Congress because it retains the Federal Republic concept. Under this system, each State is allocated two electors corresponding to its Senators. It is the allocation of these two "bonus" electoral votes that preserves our Federal system and at the same time keeps faith with our Founding Fathers.

Tenth. It preserves for the States the right to establish their own election laws, as they presently do, thus avoiding the specter of Federal control of our election process and machinery. It does not require the nationalization of all the elec-

tion laws of this country, as would inevitably have to be done if the direct election or popular vote were being adopted. It allows States to lower the voting age if they wish, but places no pressure on their neighboring States to do likewise, in self-protection.

Eleventh. It maintains the principle of majority rule. The candidate who receives a majority of the electoral vote wins; if not, the contingent election process is utilized, in which again a majority vote is required in the joint session of Congress. None of this business of electing a President with a 35-percent or a 40-percent minority vote. None of the prospects of having a runoff election during the Christmas holiday season to determine who the President might be. It provides the basic requirements and machinery for making a majority decision on the basis of the way the votes are cast for President and for Congress on the first Tuesday after the first Monday of November.

Twelfth. It, more than any other plan, tends to encourage retention of our two-party system. A splinter, or third party, to have any effect, would have to be truly national in scope. Isolated pockets of strength are recognized, and a third party candidate might pick up a district or two—three or four electoral votes—but these power centers cannot be combined with minuscule minorities in other districts whose cumulative power in the final vote tally would be out of proportion to their actual strength.

Thirteenth. It opens up the office of President to all men and women in America, no matter how small their home constituency may be. Under the present system, the general ticket system virtually excludes from office all candidates, no matter how able and outstanding they may be, unless they come from a State with a large bloc of electoral votes.

Fourteenth. It reduces the impact of fraud and therefore the likelihood and the temptation of fraud in a presidential election. With the present system, fraudulent votes can affect the outcome in the entire State. By utilizing the district system, if fraud would still prevail, it could influence simply the electors coming from that specific electoral district—to wit, three electors and no more.

Fifteenth. It is fast and sure. When the votes are counted, in all probability we will have a decision and will not have to wait out the long process of recounts in close States. If the general election does not provide a victor, the contingent congressional process goes into effect and we do not have to wind up our cumbersome, expensive election machinery again to enter a new era of acrimony and uncertainty while the whole presidential campaign is operated all over again for a second time.

Sixteenth. It appeals to both big and small States because it gives the smaller States a more equal vote in the general election but restores the rightful vote of the larger States in the contingent election should the decision be referred to Congress.

Seventeenth. It corrects every serious problem in the present system both in the

general election and, when necessary, in the contingent election.

Eighteenth. It clears up gaps in our election process should either the President-elect or the Vice-President-elect die before they actually assume office.

Mr. President, once again, I salute the State of Maine, and I sincerely hope that "as Maine goes so goes—or should go—the Nation."

Mr. President, I ask unanimous consent that the newspaper article I referred to be printed in the RECORD at this time along with the statement that I delivered before the Subcommittee on Constitutional Amendments of the Committee on the Judiciary last week on the subject of electoral college reform and in support of Senate Joint Resolution 12.

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

MAINE ALTERS RULES ON ELECTOR FUNCTIONS

AUGUSTA, MAINE, March 26.—Maine adopted a new method of choosing and binding presidential electors yesterday.

The new law, which Gov. Kenneth M. Curtis opposed and allowed to pass without his signature, provides that one of the states four presidential electors shall be chosen from each of Maine's two congressional districts and the other two from the state at large.

District electors would be required to vote for the Party ticket which carried the district, and at-large electors would cast their ballots for the ticket winning the states popular vote. Current law requires all electors to vote for the statewide winner.

Curtis, who believes the President should be chosen by Nationwide popular vote, said the new system will require candidates to "tailor their arguments to many regional and local interests."

STATEMENT BY SENATOR KARL MUNDT, IN BEHALF OF SENATE JOINT RESOLUTION 12—PROPOSING THE "DISTRICT SYSTEM" ELECTORAL PLAN

Mr. Chairman, I welcome once again this opportunity to appear before this subcommittee. It is the third time in a little over three years that I have done so. In fact, for fifteen years I have been urging a reform of the Electoral College to make it constitutionally representative of our people in electing our chief executive and this is the 7th or 8th time in all that I have testified before the Judiciary Committee of the House or the Senate on this proposed reform.

During all these years the principles of the Constitutional Amendment I have urged have remained the same, although the language has varied somewhat. What it all boils down to, in non-constitutional language, is to provide within the context of what is possible, the most fair, accurate, certain, and democratic method of electing our President, while maintaining the deep moral, if indeed not legal commitment, we have to our Constitutional forefathers and those who hold to their basic concepts.

There is in such a situation a temptation to shrug our collective shoulders and quote the famous saying that "the more things change, the more they remain the same" and yet we all know deep in our heart that things are not the same. This is the year of change because things are not the same. We have a country heavily united behind an alteration in the present system. We have a country acutely aware of what could happen should the present method of electing the president remain in effect in future years.

In essence, Mr. Chairman, the fruit is ripe—if we pluck it we will have our prize. If

we rudely shake the tree, we face two alternatives. One, it will fall unattainable over the neighbor's fence, or, two, it will be bruised and not worthy of our victory.

To take it out of this allegorical concept, we are faced with these alternatives, given the present propensity for change: we could achieve our objectives—a more realistic and democratic method of electing our president; or, we could (1) see a proposed constitutional amendment, approved by the Congress of the United States, fail to achieve the necessary ratification by state legislatures or (2) we could experience a "victory" in which we approved a constitutional amendment, attained ratification of it, and then had to deal with the unhappy consequence of it.

I am neither willing nor ready to accept either of the latter alternatives. I quite frankly want meaningful reform now, not in the remote future. I have fought this battle for almost two decades, sometimes with many allies, sometimes almost alone. I do not set myself as an expert in this field but I have been on this battlefield before, both before the committee and on the floor of the Senate. We have, in my estimation, a golden opportunity to obtain reform—let us not, so to speak "blow it".

Mr. Chairman, what I speak for is reason not rationalization, reform not refutation, sense not sensationalism, decentralization destruction, improvement not impediment and probability not possibility. In short, I support the so-called District Plan.

I would be the first to admit that the perfect plan of today is the modified plan of tomorrow. One must accept basic and political facts of life even when you are pursuing a principle. What we must never overlook is the principle. The principle here is Federalism and we cannot, nor should not, forget or forsake it. We can, however, bring principle and political practicality together. That union can produce a constitutional amendment.

As an example, let me cite the progress of what has become to be known as Senate Joint Resolution 12, the District Plan. What, as some might say, started as an exercise in principle, has evolved into a politically possible plan simply because we were able to adapt to present-day requirements while retaining its basic thrust.

Before the debate on the Senate floor in March 1956, the language of our Amendment was for the election of Electors of President and Vice President "in the same manner" as Senators and Representatives in Congress are elected. The main thrust of the opponents in that Senate debate was that Congressional Districts were unequal and gerrymandered and would continue to be unequal and gerrymandered because the State Legislatures were unequal and gerrymandered. Although the Congressional Districts did differ substantially in population, and that is an important element in gerrymandering, gerrymandering by districts is in miniature, as compared with no districts at all. Even so gerrymandered, the minority in a closely divided state could elect some members of the Electoral College, as against none under the present general ticket system. No districts at all—our present electoral system—is gerrymandering at its worst—perpetuated and glorified.

Nevertheless, to counteract this objection we replaced this language with the description of our districts in words such as these:

The districts should be composed of "compact and contiguous territory, containing as nearly as practicable the number of persons which entitled the states to one Representative in Congress."

This, in my estimation, accomplished all of our basic purposes. It placed in the Constitution the objectives of Districts being compact, contiguous, and equal.

The question was raised, however, as to

whether the court would accept a case in which inequality of population was the main complaint. If this were in the Constitution, there would be no question as to its decision but as it turned out, we did not need the protection of written words. In a series of decisions, the Court not only decided it would accept such cases, but it ruled on the equality of the districts.

Next, and this has come to a head since my last appearance, was the continued nagging doubt on the part of those who have reservations as to the court enforcing the "non-gerrymandering" provisions. I still maintain that once it is in the Constitution, it has no choice but it appears the Court may be moving without this backstop. In a little noted case, the Supreme Court on January 13th of this year heard arguments on *Wells v. Rockefeller*. This case alleges that gerrymandering of legislative districts is unconstitutional.

Mr. Chairman, I do not want to belabor this point and the legal background of the judicial enforceability of the so-called "district plan" is well-documented in my testimony on February 28, 1966 before this subcommittee. I would rather move to another point regarding electoral college reform and illustrate how we have compromised between principle and politics to produce the possible.

Much has been said about "faithless" or "errant" electors. The subject is not new. After 1960 when a Republican Elector in Oklahoma failed to vote for the Republican candidate for President, we added a provision binding the elector to vote for the candidates of his party.

The 1968 election indicated that this was not quite strong enough. After the last election when Dr. Bailey voted for Wallace, who carried this Congressional District, and against Nixon who carried the state of North Carolina, our amendment now further binds the elector by oath and provides that his vote must be counted according to his oath. In effect, we have made a neuter factor out of the elector, retaining him for his ceremonial, rewardable, and symbolic function, but for all intents and purposes relegating him to the position of a unit vote, capable of carrying out his constitutional function but incapable of disregarding the will of the people.

Mr. Chairman, I believe the committee can now recognize what I am talking about when I use the terms principle, politics, and possible, and that they add up to an acceptable and adoptable constitutional amendment. It is something we have preached and practiced. I have been discussing for the last few minutes some of the points of my plan and how I have improved them over the years to correct what I considered to be inequities. I feel, however, that we should now turn to what I believe is the real question before us, namely what is basically wrong with the present system.

This unfortunately is one of our major faults as an over-anxious legislative body. We tend to forget the primary target—the present system—and what is wrong with it. We rush ahead with cures before we isolate the illness. What is then wrong with the existing method of electing our President? I would point out these five factors.

(1) The winner-take-all system under which the Presidential candidate losing a state by even a close margin forfeits all of that state's electoral votes and the votes cast for him are actually reported in favor of his opponent.

(2) The winner's electoral votes are not representative of his popular vote.

(3) Electors can vote for anyone they please.

(4) In the case of a contingent election the decision is made by members of the House of Representatives voting not as individual members but in units as state delegations

no matter how large or for that matter how small.

(5) A vagueness in prescribing what procedure would govern should either the President-elect or Vice President-elect die before they assume office.

Mr. Chairman, my testimony of February 28, 1966 adequately covers, I believe, point number one. Because this is so important to the discussion of electoral college reform, however, I would like to reiterate some of it.

The primary objection of course is the captive voter. Millions of citizens each year are literally disenfranchised, their votes not only taken from their own candidate but given to the opposition as they get reported in his electoral vote total.

The general ticket system has also produced these adverse effects:

(1) It virtually excludes from the Office of President of the United States all men, no matter how able and outstanding they may be, unless they come from a State with a large bloc of electoral votes.

(2) By the same token, the dominant forces in the large, pivotal states which are responsible for the nomination and election of our Presidents have inordinate influences at the White House and in the executive branch of our government.

(3) It invites fraud in the large states that are crucial and where the vote is expected to be close. The effect of such vote fraud is statewide under the general ticket. A fraudulent vote, undetected, counts just as much as a valid vote in the statewide total. This invitation to fraud in key or pivotal states works hand-in-hand with another evil of our political system—the large campaign contributions that gravitate to the big cities in the heavily populated states. Where the stake is some forty electoral votes, which is just over one-sixth of the number necessary to elect a President, the temptation to make sure that the money achieves its objective is alarmingly strong.

By utilizing the district system, if fraud would still prevail, it could influence simply the electors coming from that specific electoral district. It would, therefore, minimize the impact of fraud. At worst, fraud or corruption in any specific area or election constituency could influence only three electoral votes not 30 or 40 as can now occur.

(4) Although the Constitution gives each state the same numerical representation in the electoral college that it has in the two House of Congress by using the general ticket for electors, we have formed a constituency for the President which is altogether different from that which elects the Congress. The great difference between these two constituencies is that almost all Representatives are elected in single member districts while their counterparts in the electoral college are elected in multimember districts consisting of entire states. This situation permits voters of a state to produce one result in the electoral college and an altogether different result in the House of Representatives at the same election. The effect of all this is that we have what I have called a "presidential United States" and a "congressional United States" that are, politically speaking, two different countries within one national boundary.

The questions regarding the relationship of the electoral votes to the popular vote and the possibility of electors voting independently have also been covered in previous testimony or earlier today. Point number four, dealing with contingent elections, requires some amplification.

The contingent election is a question beyond the Electoral College. It comes on when the Electoral College fails to give a majority for President to one person. Our amendment has always placed a contingent election in a joint session of Congress with each member having one vote. The provision not only extends the federal-national principle of rep-

resentation of the Electoral College to a contingent election, but it insures a prompt and representative decision on the election of a President.

This meets head on the objection to the present provision whereby if no candidate receives a majority of the electoral votes when they are counted in Congress that the House of Representatives shall choose immediately a President from among the candidates with the three highest numbers of electoral votes. The vote in such a case—the last time it occurred was in 1824—is by state; each state delegation having one vote. In the event a state's House delegation is evenly divided, its vote is not recorded. A majority of the states is required for election.

The objection to this system is that it is grossly unfair to the larger states, giving New York, California, and Pennsylvania no greater voice than Alaska, Delaware, and Nevada despite the great population disparities.

Senate Joint Resolution 12 corrects this situation. It provides that in the event no presidential candidate has a majority of the electoral vote that—

"If no person voted for as President has such a majority, then from the persons having the three highest numbers of votes for President, the Senate and House of Representatives together, each member having one vote, shall choose immediately, by ballot, the President. A quorum for such purpose shall be three-fourths of the whole number of the Senators and Representatives, and a majority of the whole number shall be necessary to a choice. If an additional ballot is necessary, the choice on the second ballot shall be between the two persons having the highest numbers of votes on the first ballot."

The Constitution also provides that if no candidate for Vice President has a majority that the Senate shall choose him from among the two candidates with the highest electoral vote total. Senate Joint Resolution 12 provides that both Houses in joint session and voting by the head, as for President, shall select the Vice President from among the candidates with the three highest numbers of electoral votes. This provision would also guard against the possibility of electing a President and Vice President from different parties.

So I point out that while we equalize the rights of individual citizens to vote for President, we recognize the validity that bigger states should have more authority if it comes to be decided in the House of Representatives, so that we also are fair and equitable to the big states by giving them more authority than they have now. We do not attempt to simply take power from one or the other but rather to equalize the power of both and to recognize that mere accident of geographical residence should not give one American citizen more than 14 times as much significance, stature, and authority in the voting booth as another American citizen, and this is what occurs today.

We believe that the large states should have their proportionate power—no one is advocating taking away 43 votes of New York—but we do believe that this power should be registered in the electoral college on the basis in which the people voted it. To do otherwise, or in other words, to continue the present system of general ticket, winner-take-all voting with its cumulative effect which produces second-, third-, and even fifteenth-class voting citizens, would be to give some individuals a greater voting power than they deserve.

This type of a contingent election is far superior to a run-off between the two candidates in a nationwide race. It is simple, accurate, and quick. A run-off on the other hand requires cranking up our complicated election machinery once again, something that will not be easy to accomplish in a short time period.

In addition, there is the question of expense and sheer physical fatigue. Political campaigns have reached the ridiculous state as far as finances are concerned, primarily because of television costs. The temptation to saturate the airways in a last attempt to gain victory during a run-off will be impossible to avoid. Both the political parties and the voters, who by this time would be sick and tired of politics, will be poorer for it.

Finally, Mr. Chairman, I would like to touch on point five. President Nixon, in his message on electoral reform, pointed out that there are gaps in our election process should either the President-elect or the Vice President-elect die before they actually assume office.

I have introduced an amendment to S.J. Res. 12 that would correct all of these deficiencies.

Under my amendment, should the person who received sufficient electoral votes to become President die before the electoral votes are counted, the person who would be his Vice President would succeed. Should the Vice President die before taking office, the office will remain vacant, but the new President, upon taking office, shall nominate a Vice President in conformity with Section 2 of the Twenty-fifth Amendment.

This then is the updated version of S.J. Res. 12. It will get the job done. It will accomplish the needed reforms and not do damage to our Federal system of government. Above all it has that appealing virtue of being capable of achieving ratification.

As you know, any 13 states can defeat ratification. A plan that diminishes the power of certain states has to overcome this hurdle, and it is a big one.

As an example of the logic arguing against such a move, let me cite statistics from the 1968 election. Official returns now show that Massachusetts produced a majority of 702,379 votes for Hubert Humphrey. On the other hand, 17 states ranging in size from Alaska to Wisconsin all went decisively for Richard Nixon and yet their total majority for Nixon was only 691,156. In practical political terms this means that states with an aggregate electoral vote of 84 would be completely cancelled out by one state representing only 14 electoral votes. The legislatures of these 17 states can readily recognize the fact that their influence would be diminished by a direct vote plan and for the most part vote accordingly.

The district plan on the other hand hurts no one. It equalizes all and can and should be adopted.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. (Mr. PACKWOOD in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ORDER FOR RECOGNITION OF SENATOR DOLE ON MONDAY, APRIL 14, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Kansas (Mr. DOLE) be recognized for not to exceed 1 hour at the con-

clusion of the transaction of routine morning business on Monday, April 14, 1969.

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

ORDER FOR ADJOURNMENT UNTIL THURSDAY, APRIL 3, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Thursday next.

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

PRESIDENT FERDINAND MARCOS OF THE REPUBLIC OF THE PHILIPPINES

Mr. MANSFIELD. Mr. President, Members of the Senate have been honored today with a visit by a distinguished statesman, soldier, and chief of state. I refer to President Ferdinand Marcos of the Republic of the Philippines. It was a pleasure to see this outstanding leader, to have him discuss matters of mutual interest with so many Members of the Senate, matters which pertain to the situation as it exists in the world and to the relations between our two countries.

It is regrettable that President Marcos will not be here longer but we consider ourselves fortunate that he took time out of an extraordinary and exhausting schedule to come to the Capitol. We were delighted also to have the opportunity to see again the First Lady of the Philippines, Imelda Marcos, and that country's Foreign Minister, Carlos Romulo, a friend of many years.

The Senate is highly honored by this visit of President Marcos. We hope it will not be too long before we will have a chance, once again, to see him.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 165. An act for the relief of Basin Rowland Duncan;

S. 586. An act for the relief of Nguyen Van Hue; and

S.J. Res. 37. Joint resolution to extend the time for the making of a final report by the Commission To Study Mortgage Interest Rates.

The message also announced that the House had agreed to the concurrent resolution (H. Con. Res. 191) that when the two Houses adjourn on Thursday, April 3, 1969, they stand adjourned until 12 o'clock meridian, Monday, April 14, 1969.

THE ADJOURNMENT OF THE TWO HOUSES FROM APRIL 3, 1969, TO APRIL 14, 1969

Mr. MANSFIELD. Mr. President, I ask the Presiding Officer to lay before the

Senate a message received today from the House of Representatives, on House Concurrent Resolution 191, and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER (Mr. EAGLETON in the chair). The Chair lays before the Senate the concurrent resolution, which will be stated.

The assistant legislative clerk read as follows:

H. CON. RES. 191

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Thursday, April 3, 1969, they stand adjourned until 12 o'clock meridian, Monday, April 14, 1969.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the concurrent resolution (H. Con. Res. 191) was considered and agreed to.

ADJOURNMENT UNTIL THURSDAY, APRIL 3, 1969

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until noon on Thursday next.

The motion was agreed to; and (at 3 o'clock and 12 minutes p.m.) the Senate adjourned until Thursday, April 3, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 28, 1969, under authority of the order of March 27, 1969:

DEPARTMENT OF THE TREASURY

Dorothy A. Elston, of Delaware, to be Treasurer of the United States.

U.S. MINT

Mary Brooks, of Idaho, to be Director of the Mint for a term of 5 years.

DEPARTMENT OF TRANSPORTATION

Ralph R. Bartelsmeyer, of Illinois, to be Director of Public Roads.

IN THE ARMY

Lt. Gen. Marshall Sylvester Carter, XXXXXX Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general under the provisions of title 10, United States Code, section 3962.

IN THE NAVY

Having designated Rear Adm. Arthur R. Gralla, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

Vice Adm. Ray C. Needham for appointment to the grade of vice admiral on the retired list in accordance with the provisions of title 10, United States Code, section 5233.

CONFIRMATION

Executive nomination confirmed by the Senate April 1, 1969:

DEPARTMENT OF THE INTERIOR

Harrison Loesch, of Colorado, to be an Assistant Secretary of the Interior.