

HAWKINS, Mr. MACDONALD of Massachusetts, Mr. MIKVA, Mrs. MINK, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. O'HARA, Mr. OTTINGER, Mr. ROBISON, Mr. RODINO, Mr. ST. ONGE, and Mr. YATRON):

H.R. 9975. A bill to amend the Internal Revenue Code of 1954 to provide that percentage depletion shall not be allowed in the case of mines, wells, and other natural deposits located in foreign territory; to the Committee on Ways and Means.

By Mr. VANIK (for himself and Mr. REUSS):

H.R. 9976. A bill to promote the foreign policy and security of the United States by providing authority to negotiate a commercial agreement with Czechoslovakia, and for other purposes; to the Committee on Ways and Means.

By Mr. YATRON:

H.R. 9977. A bill to amend the Internal Revenue Code of 1954 to provide that a portion of the retirement benefits of a public employee shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. YOUNG:

H.R. 9978. A bill making an appropriation to the Office of Education to carry out the Bilingual Education Act for the fiscal year ending June 30, 1970; to the Committee on Appropriations.

By Mr. BINGHAM:

H.J. Res. 629. Joint resolution to establish the Commission on the Future Political Status of the Trust Territory of the Pacific Islands (Micronesia); to the Committee on Interior and Insular Affairs.

By Mr. BURTON of Utah:

H.J. Res. 630. 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. EDWARDS of California:

H.J. Res. 631. Joint resolution in honor of Joseph B. Ridder; to the Committee on the Judiciary.

By Mr. JOHNSON of Pennsylvania:

H.J. Res. 632. 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. McDADE:

H.J. Res. 633. 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. RHODES:

H.J. Res. 634. 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. STAFFORD:

H.J. Res. 635. 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. YATRON:

H.J. Res. 636. 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. ADAMS:

H. Con. Res. 197. Concurrent resolution, it is the sense of Congress that the United States should begin to reduce its military involvement in Vietnam; to the Committee on Foreign Affairs.

By Mr. FULTON of Tennessee:

H. Con. Res. 198. Concurrent resolution expressing the sense of the Congress that the United States should begin to reduce its military involvement in Vietnam; to the Committee on Foreign Affairs.

By Mr. FULTON of Pennsylvania:

H. Res. 359. Resolution relative to the hijacking of U.S. aircraft; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

101. By Mr. OLSEN: Joint resolution of the Senate and House of Representatives of the State of Montana, asking that Congress enact legislation permitting 25 percent of the gross sales of national forest products to be deposited in the funds of the county where the products are grown to replace the tax loss to the counties wherein these public lands are located; to the Committee on Agriculture.

102. By the SPEAKER: Memorial of the Legislature of the State of New Mexico, relative to Federal funding of public welfare expenditures; to the Committee on Ways and Means.

103. Memorial of the Legislature of the State of Utah, relative to changing the name of the Glen Canyon Dam to the Dwight D. Eisenhower Dam; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ALEXANDER:

H.R. 9979. A bill for the relief of Choi Sung Joo; to the Committee on the Judiciary.

By Mr. BELL of California:

H.R. 9980. A bill for the relief of Mario Pineda; to the Committee on the Judiciary.

By Mr. BURKE of Florida:

H.R. 9981. A bill for the relief of Dr. Antonio Racca Pizarro; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H.R. 9982. A bill for the relief of Doo Ok Kwang and Nam Soon Suh; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 9983. A bill for the relief of Rabbi, Haim Moshe Groman and his wife, Berayne Groman, and their children, Nachman David Groman, Israel Groman, Abraham Groman, and Nechama Groman; to the Committee on the Judiciary.

H.R. 9984. A bill for the relief of Domenico Marrone; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 9985. A bill for the relief of Kim Dang Heng; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 9986. A bill for the relief of Orlando I. Agnir; to the Committee on the Judiciary.

H.R. 9987. A bill for the relief of Girolamo Biondo; to the Committee on the Judiciary.

H.R. 9988. A bill for the relief of Francisco Cacciola; to the Committee on the Judiciary.

H.R. 9989. A bill for the relief of Pietro DeSantis; to the Committee on the Judiciary.

H.R. 9990. A bill for the relief of Antonio Inzillo; to the Committee on the Judiciary.

H.R. 9991. A bill for the relief of Michala Liotta; to the Committee on the Judiciary.

H.R. 9992. A bill for the relief of Romolo Marsiglia; to the Committee on the Judiciary.

H.R. 9993. A bill for the relief of Antonio Vitale; to the Committee on the Judiciary.

By Mr. LOWENSTEIN:

H.R. 9994. A bill for the relief of Josephine Palazzolo and Michele Palazzolo; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 9995. A bill for the relief of Philip Antoun Morcos; to the Committee on the Judiciary.

SENATE—Thursday, April 3, 1969

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

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

Our Father, wilt Thou hallow the memories of this holy week. Make us mindful of our fallen leaders, of their service and sacrifice. But especially keep us mindful of the One who went by way of the cross, who taught us that "without the shedding of blood there is no remission of sins," and that "whoever would be greatest among you, must be the servant of all."

O Thou who on a night long ago didst wash the feet of Thy disciples, wash from us the stains of our sin, that we may not fall Thee in the hour of danger, but follow Thee in true faith unto life eternal.

In all the worship and praise of the coming days make us to know where

salvation is to be found for all men and nations. Give journeying mercies to all who travel, and return Thy servants to this place renewed in soul and mind, the better to serve Thee and this Republic. Amen.

THE JOURNAL

Mr. MUSKIE, Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, April 1, 1969, be dispensed with.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1437. An act for the relief of Cosmina Ruggiero;

H.R. 1708. An act for the relief of Ai Bok Chun;

H.R. 1721. An act for the relief of William J. Hurley;

H.R. 1939. An act for the relief of Mrs. Marjorie J. Hottenroth;

H.R. 1960. An act for the relief of Mario Santos Gomes;

H.R. 2275. An act for the relief of John Thomas Cosby, Jr.;

H.R. 2315. An act for the relief of Josefina Policar Abutan Fullar;

H.R. 2335. An act for the relief of Enrico DeMonte;

H.R. 2876. An act for the relief of Beasley Engineering Co., Inc.;

H.R. 2948. An act for the relief of Maria Prescilla Caramanzana;

H.R. 3144. An act for the relief of Sung Nan Lee;

H.R. 3212. An act for the relief of Lee Ok Ja.;

H.R. 3379. An act for the relief of Sgt. 1c. Patrick Marratto, U.S. Army, retired;

H.R. 3464. An act for the relief of Maria Balluardo Frasca;

H.R. 3480. An act for the relief of the New Bedford Storage Warehouse Co.;
 H.R. 3539. An act for the relief of Dr. Angela ZARBARTE Fandino;
 H.R. 3548. An act for the relief of Dr. Roberto de la Caridad Miquel;
 H.R. 3990. An act for the relief of Harvey E. Ward;
 H.R. 4064. An act for the relief of Ana Mae Yap-Diangeo;
 H.R. 5072. An act for the relief of Demetroula Georgiades;
 H.R. 5402. An act for the relief of Zumrut Sooley;
 H.R. 6161. An act for the relief of Christopher Sloane (Bosmos);
 H.R. 6583. An act for the relief of the American Journal of Nursing;
 H.R. 6584. An act for the relief of Corbie F. Cochran, Jr.;
 H.R. 6896. An act for the relief of Dr. Olga Concepcion Perez de Lanio; and
 H.R. 9328. An act to amend title 37, United States Code, to provide special pay to naval officers, qualified in submarines, who have the current technical qualifications for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants, who agree to remain in active submarine service for one period of 4 years beyond any other obligated active service, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

S. 165. An act for the relief of Basil 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.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 1437. An act for the relief of Cosmina Ruggiero;
 H.R. 1708. An act for the relief of Ai Bok Chun;
 H.R. 1721. An act for the relief of William J. Hurley;
 H.R. 1939. An act for the relief of Mrs. Marjorie J. Hottenroth;
 H.R. 1960. An act for the relief of Mario Santos Gomes;
 H.R. 2275. An act for the relief of John Thomas Cosby, Junior;
 H.R. 2315. An act for the relief of Josefina Policar Abutan Fullar;
 H.R. 2335. An act for the relief of Enrico DeMonte;
 H.R. 2876. An act for the relief of Beasley Engineering Co., Inc.;
 H.R. 2948. An act for the relief of Maria Prescilla Caramanzana;
 H.R. 3144. An act for the relief of Sung Nan Lee;
 H.R. 3212. An act for the relief of Lee Ok Ja.;
 H.R. 3379. An act for the relief of Sgt 1c. Patrick Marratto, U.S. Army, (retired);
 H.R. 3464. An act for the relief of Maria Balluardo Frasca;
 H.R. 3480. An act for the relief of the New Bedford Storage Warehouse Co.;
 H.R. 3539. An act for the relief of Dr. Angela Zabarte Fandino;
 H.R. 3548. An act for the relief of Dr. Roberto de la Caridad Miquel;

H.R. 3990. An act for the relief of Harvey E. Ward;
 H.R. 4064. An act for the relief of Ana Mae Yap-Diangeo;
 H.R. 5072. An act for the relief of Demetroula Georgiades;
 H.R. 5402. An act for the relief of Zumrut Sooley;
 H.R. 6161. An act for the relief of Christopher Sloane (Bosmos);
 H.R. 6583. An act for the relief of the American Journal of Nursing;
 H.R. 6584. An act for the relief of Corbie F. Cochran, Junior; and
 H.R. 6896. An act for the relief of Dr. Olga Concepcion Perez de Lanio; to the Committee on the Judiciary.
 H.R. 9328. An act to amend title 37, United States Code, to provide special pay to naval officers, qualified in submarines, who have the current technical qualifications for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants, who agree to remain in active submarine service for one period of 4 years beyond any other obligated active service, and for other purposes; to the Committee on Armed Services.

EXECUTIVE REPORTS OF COMMITTEES

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

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:
 Kenneth E. Frick, of California, to be a member of the Board of Directors of the Commodity Credit Corporation.
 By Mr. HRUSKA, from the Committee on the Judiciary:
 Louis O. Aleksich, of Montana, to be U.S. marshal for the district of Montana.
 Benjamin F. Holman, of the District of Columbia, to be Director, Community Relations Service.
 George W. F. Cook, of Vermont, to be U.S. attorney for the district of Vermont.
 James L. Treece, of Colorado, to be U.S. attorney for the district of Colorado.
 Harold O. Bullis, of North Dakota, to be U.S. attorney for the district of North Dakota.
 By Mr. FULBRIGHT, from the Committee on Foreign Relations:
 Glenn A. Olds, of New York, to be the representative of the United States of America on the Economic and Social Council of the United Nations.
 Henry Loomis, of Virginia, to be Deputy Director of the U.S. Information Agency.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MUSKIE. 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.

EXECUTIVE SESSION

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

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

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated.

COASTAL PLAINS REGIONAL COMMISSION

The bill clerk read the nomination of G. Fred Steele, Jr., of North Carolina, to be Federal Cochairman of the Coastal Plains Regional Commission.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

FOUR CORNERS REGIONAL COMMISSION

The bill clerk read the nomination of W. Donald Brewer, of Colorado, to be Federal Cochairman of the Four Corners Regional Commission.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

OTHER NOMINATIONS

Mr. MUSKIE. Mr. President, I understand that there are nominations at the desk which were reported earlier today, too late to be included on the Executive Calendar. These nominations were reported unanimously from committee and have been cleared on both sides of the aisle.

In view of the pending recess until April 14, it is the intention to bring these nominations up for confirmation at this time, subject, of course, to the concurrence of all Senators. I ask unanimous consent that the Senate proceed to the consideration of these nominations at this time.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

U.S. MARSHAL

The legislative clerk read the nomination of Louis O. Aleksich, of Montana, to be U.S. marshal for the district of Montana.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF JUSTICE

The legislative clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

COMMUNITY RELATIONS SERVICE

The legislative clerk read the nomination of Benjamin F. Holman, of the District of Columbia, to be Director, Community Relations Service.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

COMMODITY CREDIT CORPORATION

The legislative clerk read the nomination of Kenneth E. Frick, of California, to be a member of the Board of Directors of the Commodity Credit Corporation.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

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

LEGISLATIVE SESSION

Mr. MUSKIE. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES AND FOR COMMITTEES TO FILE REPORTS DURING THE ADJOURNMENT OF THE SENATE

Mr. MUSKIE. Mr. President, I ask unanimous consent that during the adjournment of the Senate following the completion of business today until Monday, April 14, 1969, the Secretary of the Senate be authorized on Friday, April 4, and on Thursday, April 10, to receive and refer messages from the President of the United States and the House of Representatives, and that all committees of the Senate may be permitted on those days to file their reports, together with any minority, individual, and supplemental views.

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

WAR ON NARCOTICS

Mr. SCOTT. Mr. President, the efforts of the distinguished junior Senator from New York (Mr. GOODELL) to prod the Federal Government into a recognition of its responsibilities to combat the increasing national traffic in narcotics recently drew recognition from the Washington Star, in a column by Crosby S. Noyes. Because I believe it will be widespread interest, I ask unanimous consent that the column, "It's High Time for All-Out War on Narcotics," be printed at this point in the RECORD:

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

IT'S HIGH TIME FOR ALL-OUT WAR ON NARCOTICS

(By Crosby S. Noyes)

Everybody knows the chief cause of crime: Dope. Everybody talks about it, too. It has been asserted, for example, that if the traffic in narcotics could be halted, at least half the street crime in this country would stop. But in spite of all the talk, precious few are really trying to do anything about it.

One of those precious few is Sen. Charles E. Goodell of New York, who has launched a major campaign to prod the federal government into recognizing its obvious responsibilities. The campaign was kicked off by Goodell last week with a television appearance on a local New York City show.

The show was a shocker that should have been seen nationwide.

The shock lay not in what the senator had to say about the relationship between narcotics and crime. That was old stuff; a recitation of the dismal facts about the multimillion-dollar profits, the agonized enslavement of hundreds of thousands of Americans and the billion-dollar appetite that drives the victims to crime.

What most people don't realize is just how incredibly little the federal government is doing to cut off the importation of hard drugs and to rehabilitate the users.

At present, according to Goodell, the feds spend \$26 million a year trying to stem the flood of heroin, cocaine and morphine—estimated at 20 tons annually—that pours into the United States. This is less than the United States spends to enforce tobacco and alcohol regulations. It is the smallest budget of any major crime control effort. The figure of \$26 million in the value of 250 pounds of heroin—an amount that has been confiscated in a single arrest. It is less than one-tenth the profit that organized crime makes out of importing narcotics. It is perhaps one-one-hundredth of the sum society pays in petty crime to keep addicts supplied.

And the result of this effort, which amounts to sending a troop of earnest Boy Scouts to turn back a tank assault, is just about what might be expected. About 10 percent of the hard stuff is intercepted at the border.

The government's record in rehabilitation is, if possible, even worse. Uncle Sam lavishes approximately \$10 million a year on its treatment facilities in Lexington and Fort Worth. This is one-quarter of what New York State budgets every year in its effort to reclaim its narcotic victims.

In addition, some \$4 million a year of federal money is available to state and local governments in grants for addict treatment programs. The unrehabilitated appropriate more than that from society at the point of a gun every day.

Sen. Goodell also makes an interesting argument that the narcotics industry is responsible for much of the present alienation of the black community.

Negroes are clearly the chief victims of the vicious crime that grows out of the dope users' limitless appetite. But their chief resentment is not directed at the human wreck who holds the gun at their heads and frequently pulls the trigger.

With unassailable logic, the victimized blacks place the blame on the white overlords of organized crime who import the hard stuff and who make it their business to see that thousands of children are converted every year into cash customers. And their distrust extends to the white "establishment" that finances flights to the moon and spends next to nothing to combat a chief cause of crime in the streets.

Goodell's proposal is simple and straightforward. He would double the number of investigative agents and triple the number of customs agents. In addition, he proposes that Congress should authorize grants of up to 75 percent for states and cities to build, staff and operate treatment facilities for addicts—treating the problem as the disease it is rather than as a crime. He would budget at least \$40 million for the program.

The only criticism that can be leveled against the Goodell proposals is that they are too late and they may be too little. What is needed now, before any more time is lost, is a declaration of all-out war, by the administration and by Congress, on this clear and present danger to our society. And whatever the cost turns out to be, it will be the best investment the United States government ever made.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON AIR FORCE MILITARY CONSTRUCTION CONTRACTS

A report on the Air Force military construction contracts awarded by the Department of the Air Force without formal advertisement for the period July 1, 1968, through December 31, 1968 (with accompanying papers); to the Committee on Armed Services.

PROPOSED AMENDMENT OF THE NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize appropriations for the fiscal years 1970 and 1971 for the purpose of carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and to amend the definition of "motor vehicle equipment" in the National Traffic and Motor Vehicle Safety Act of 1966 (with accompanying papers); to the Committee on Commerce.

REPORT OF COMMUNICATIONS SATELLITE CORPORATION

A letter from the Chairman, Communications Satellite Corporation, transmitting pursuant to law, the report of the Corporation, for the calendar year 1968 (with an accompanying report); to the Committee on Commerce.

EMPLOYMENT SECURITY FINANCING THROUGH PHASED-QUARTERLY COLLECTIONS

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of the fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes (with accompanying papers); to the Committee on Finance.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompany-

ing papers); to the Committee on the Judiciary.

THIRD- AND SIXTH-PREFERENCE CLASSIFICATIONS OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORTS CONCERNING VISA PETITIONS

A report from the Commissioner of the Immigration and Naturalization Service, pursuant to law, concerning visa petitions approved according to the beneficiaries of such petitions third- and sixth-preference classification under the act (with accompanying papers); to the Committee on the Judiciary.

JACK W. HERBSTREIT

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation for the relief of Jack W. Herbstreit (with accompanying papers); to the Committee on Post Office and Civil Service.

REPORT OF THE SMITHSONIAN INSTITUTION

A letter from the Secretary, Smithsonian Institution, transmitting, pursuant to law, a report of the Institution for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A resolution of the Senate of the State of Oklahoma; to the Committee on Finance:

"S. RES. 25

"A resolution memorializing Congress to amend the laws of the land regarding veterans, and directing distribution

"Whereas, those Americans who have served their country through active duty in the Armed Forces of the United States are among our most esteemed citizens; and

"Whereas, but for their steadfastness America would have fallen, a victim of the oppressor's heel; and

"Whereas, these men deserve special care and consideration by virtue of their service; and

"Whereas, in order to be admitted to a Veterans' Administration Hospital a veteran must attest to the so-called 'Pauper's Oath'; and

"Whereas, an annual income statement must be submitted for purposes of qualification for a veteran's pension, regardless of the age a veteran attains; and

"Whereas, Social Security and other Retirement Benefits must now be considered as income for the purpose of qualification for a veteran's pension, regardless of the age of the veteran.

"Now, therefore, be it resolved by the Senate of the first session of the Thirty-second Oklahoma Legislature:

"Sec. 1. That the Congress of the United States be, and hereby is, memorialized to amend the laws of the land concerning veterans and veterans' affairs so as to eliminate the so-called 'Pauper's Oath' as a prerequisite to entrance by a veteran into a Veterans' Administration Hospital. The Congress of the United States is further requested to eliminate the annual income statement when the veteran reaches the age of seventy-two (72) years and to exempt Social Security and other Retirement Benefits from consideration as in-

come after the veteran reaches the age of seventy-two (72) years.

"Sec. 2. That duly authenticated copies of this resolution, after consideration and enrollment, be prepared and sent to each member of the Oklahoma Congressional Delegation and to the Chief Clerks of the Senate and House of Representatives of the United States.

"Adopted by the Senate the 24th day of March, 1969.

"President Pro Tempore of the Senate."

A joint resolution from the State of Utah; to the Committee on Interior and Insular Affairs:

"S.J. RES. 21

"A joint resolution of the 38th Legislature of the State of Utah memorializing the Congress of the United States to change the name of the Glen Canyon Dam to the Dwight D. Eisenhower Dam

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

"Whereas, on March 31, 1953, the Interior Department made its report of findings on the proposed Upper Colorado River Storage Project, and

"Whereas, the following press release was issued by President Dwight D. Eisenhower on March 20, 1954:

"STATEMENT BY THE PRESIDENT

"THE WHITE HOUSE.—I have today approved recommendations for the development of the Upper Colorado River Basin.

"The general plan upon which these recommendations are based has been prepared by the Secretary of the Interior. The Secretary's recommendations have been reviewed by the Bureau of the Budget. Legislation embodying the administration's recommendations are being prepared for introduction in the Congress.

"This is a comprehensive, well-planned development of a river basin. The close Federal-State cooperation upon which the Secretary's plan is based also carries out this administration's approach to water-resource development.

"The development will conserve water, enabling the region to increase supplies for municipal uses, industrial development, and irrigation. It will develop much-needed electric power.

"The development calls for sound financing. The legislation now being drafted will set up a fund for the entire project so that it will be constructed and paid for as a basin program.

"Construction of the Echo Park and Glen Canyon Dams, two of the large projects in the basin plan, is recommended. These dams are key units strategically located to provide the necessary storage of water to make the plan work at its maximum efficiency.

"The legislation being drafted will authorize a number of projects which will put to use the waters of the upper Colorado. This authorization will become effective following further consideration by the Secretary of the Interior, with the assistance of the Secretary of Agriculture, of the relation of these projects to the wise use and sound development of the basin.

"I am deferring my recommendation on the Shiprock unit of the Navajo project until the Secretary has completed his study.

"I hope the Congress will give early consideration to enactment of the administration's legislative proposal. I firmly believe development of the upper Colorado River Basin, in accordance with its provisions, is in the national interest."

"Whereas, this was regarded as a precedent setting statement by the President: A strong opponent of the project wrote:

"No one in Washington seemed to recall that a President ever before had gone to such lengths to approve a western reclamation project. Many presidents had signed reclamation bills into law, but when, if ever, had a president given his personal endorsement to a single project with such unqualified support and in such a public manner? None could say."

"Whereas, the President in a State of the Union message to Congress urged the enactment of legislation authorizing the construction of the project and the appropriation of funds to get it under way.

"Whereas, fierce opposition to the project from some interests developed immediately and continued until they were finally defeated by the passing of the enabling legislation in 1956. Against all opposition, President Eisenhower steadfastly supported the proposed legislation until the fight for it was won. He approved it on April 11, 1956.

"Whereas, President Eisenhower's budget request for the project which was granted for the most part kept construction going during his two terms as President.

"Whereas, in view of the foregoing statements and other items not mentioned, it appeared that it was doubtful that this giant reclamation project would or could have been authorized without the President's hearty support.

"Whereas, the large body of water behind the dam has been named in honor of one of its most remarkable pioneers, explorer-scientist John Wesley Powell, who made a bold exploration of the upper Colorado River area in 1869. This year a national centennial will be held in his honor. It would seem to be highly proper to name the dam which helps create Lake Powell in honor of a distinguished war hero and leader of World War II, President, and statesman, who has done so much to help harness the turbulent Colorado and put it to work for the benefit and enjoyment of mankind.

"Whereas, former Senator Arthur V. Watkins in a letter to the President of the Senate, Speaker of the House of Representatives, and all members of the legislature, has recommended this resolution.

"Now, therefore, be it resolved that the 38th Legislature of the State of Utah, both houses concurring therein, does hereby memorialize the Congress of the United States to change the name of Glen Canyon Dam to the Dwight D. Eisenhower Dam.

"Be it further resolved, that the Secretary of State of Utah shall send copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and to the Senators and Representatives representing the State of Utah.

"In witness whereof, I have hereunto set my hand and affixed the great seal of the State of Utah at Salt Lake City, this fourteenth day of March 1969.

"CLYDE L. MILLER,
"Secretary of State."

A telegram from the President of the Senate of France, expressing their condolences on the death of General Eisenhower, ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. Res. 89. Resolution to print additional copies of "The New Left" (Rept. No. 122);

S. Res. 169. Resolution to print a report by the Subcommittee on Roads, Committee on Public Works, entitled "Equal Employ-

ment Opportunity With Regard to Federal-Aid Highway Projects," as a Senate Document (Rept. No. 123);

S. Res. 171. Resolution to provide for the further printing of the annual report of the Special Committee on Aging (Rept. No. 124); and

S. Con. Res. 15. Concurrent Resolution to print as a Senate Document studies and hearings on the Alliance for Progress (Rept. No. 121).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with an amendment:

S. Res. 165. Resolution authorizing the printing of a report entitled "Crime Against Small Business" as a Senate document (Rept. No. 125).

DEVELOPMENT IN AGING, 1968— REPORT OF SPECIAL COMMITTEE ON AGING (S. Rept. 119)

Mr. PROXMIRE. Mr. President, on behalf of the Senator from New Jersey (Mr. WILLIAMS), pursuant to Senate Resolution 223, adopted March 15, 1968, I submit a report from the Special Committee on Aging entitled "Developments in Aging, 1968," with minority views.

The VICE PRESIDENT. The report will be received and printed.

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. HANSEN:

S. 1758. A bill to designate the Interstate System as the "Eisenhower Interstate Highway System"; to the Committee on Public Works.

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

By Mrs. SMITH:

S. 1759. A bill for the relief of Maj. Louis A. Deering, United States Army; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 1760. A bill for the relief of Ming Sin Yeung; to the Committee on the Judiciary.

By Mr. PEARSON (for himself and Mr. DOLE):

S. 1761. A bill to designate the Interstate System as the "Eisenhower Interstate Highway System"; to the Committee on Public Works.

By Mr. BIBLE:

S. 1762. A bill for the relief of Filippos P. Balourdos; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 1763. A bill to increase certain loan limitations applicable to the regular business and the development loan programs of the Small Business Administration; to the Committee on Banking and Currency.

By Mr. MONTROYA (for Mr. TALMADGE):

S. 1764. A bill for the relief of Rosalie B. Bogash; to the Committee on the Judiciary.

By Mr. MONTROYA:

S. 1765. A bill for the relief of Wong To Pan; to the Committee on the Judiciary.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 1766. A bill to provide for the disposition of a judgment recovered by the Confederated Salish and Kootenai Tribes of Flathead Reservation, Mont., in paragraph 11, Docket No. 50233, U.S. Court of Claims, and for other

purposes; to the Committee on Interior and Insular Affairs.

By Mr. MONDALE:

S. 1767. A bill for the relief of Lau Chun Plu; and

S. 1768. A bill for the relief of Angela Cordella Villanueva-O; to the Committee on the Judiciary.

By Mr. CANNON:

S. 1769. A bill to assist individuals to obtain retirement benefits protected against increases in the cost of living by providing for the issuances by the Treasury of a new series of bonds containing adjustments, under certain conditions, in maturity and redemption values to compensate for increases in the cost of living which may be purchased by individuals and eligible institutions; to the Committee on Finance.

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

By Mr. McGEE (by request):

S. 1770. A bill to amend title 5, United States Code, to authorize payment of travel expenses of applicants invited by an agency to visit it in connection with possible employment; to the Committee on Government Operations.

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

By Mr. McGEE:

S. 1771. A bill to provide benefits for employees in the postal field service who are required in the interest of the Government to transfer to new duty stations; to the Committee on Post Office and Civil Service.

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

By Mr. McGEE (for himself and Mr. BURDICK):

S. 1772. A bill to provide that the Federal Government shall pay one-half of the cost of health insurance for Federal employees and annuitants; to the Committee on Post Office and Civil Service.

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

By Mr. HART:

S. 1773. A bill to amend the Internal Revenue Code of 1954 to impose a minimum income tax; to the Committee on Finance.

S. 1774. A bill to encourage the creation of original ornamental designs of useful articles by protecting the authors of such designs for a limited time against unauthorized copying; to the Committee on the Judiciary.

(See the remarks of Mr. HART when he introduced the above bills which appear under separate headings.)

By Mr. GRIFFIN:

S. 1775. A bill for the relief of Cora S. Villaruel; to the Committee on the Judiciary.

S. 1776. A bill to provide for the issuance of a special postage stamp in honor of the late Dr. Martin Luther King, Jr.; to the Committee on Post Office and Civil Service.

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

By Mr. MUSKIE (for Mr. PASTORE, and Mr. PELL):

S. 1777. A bill for the relief of Teresina Del Toro; to the Committee on the Judiciary.

By Mr. HART:

S. 1778. A bill for the relief of Denise R. Leclere;

S. 1779. A bill for the relief of Bogdan Bereznicki; and

S. 1780. A bill for the relief of Edward Anderson Mabin; to the Committee on the Judiciary.

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

By Mr. RANDOLPH (for himself, Mr. BAKER, Mr. BYRD of West Virginia, Mr. GORE, Mr. METCALF, Mr. SCHWEIKER, and Mr. SCOTT):

S. 1781. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Finance.

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

By Mr. PROXMIRE (for himself, Mr. BAYH, Mr. EAGLETON, Mr. NELSON, Mr. HART, and Mr. MONDALE):

S. 1782. A bill to amend section 7(b) of the Small Business Act to provide for new interest rates on the Administration's share of disaster loans; 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. BURDICK:

S.J. Res. 88. Joint resolution to create a Commission To Study the Bankruptcy Laws of the United States; to the Committee on the Judiciary.

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

By Mr. MUSKIE:

S.J. Res. 89. Joint resolution expressing the support of the Congress, and urging the support of Federal departments and agencies as well as other persons and organizations, both public and private for the international biological program; to the Committee on Labor and Public Welfare.

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

By Mr. FULBRIGHT (by request):

S.J. Res. 90. To enable the United States to organize and hold a Diplomatic Conference in the United States in fiscal year 1970 to negotiate a Patent Corporation Treaty and authorize an appropriation therefor; to the Committee on Foreign Relations.

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

S. 1758—INTRODUCTION OF A BILL NAMING THE INTERSTATE SYSTEM AS THE "EISENHOWER INTERSTATE HIGHWAY SYSTEM"

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill to designate the Interstate Highway System of the United States as the Eisenhower Interstate System.

Dwight David Eisenhower was one of America's greatest leaders. He was a leader in war. He was a leader in peace.

A major accomplishment of the Eisenhower administration was the passage of the Federal Aid Highway Act of 1956 which created the Interstate Highway System. This is reason enough for naming the Interstate System in honor of President Eisenhower.

However, unlike many of his predecessors in the Office of Presidency, Dwight Eisenhower never did represent a district or a State before he became President. Instead, he represented all of America. He was born in Texas; he grew up in Kansas. During his outstanding career, he had occasion to live in many parts of the Nation. He belonged to no geographic area.

Therefore, it is particularly fitting and proper that his memorial should be the magnificent Interstate Highway System which stretches the length and breadth of the United States.

Mr. President, similar legislation has been introduced in the other body, and I am honored to introduce this bill in the Senate to honor the 34th President of the United States.

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

The bill (S. 1758) to designate the Interstate System as the "Eisenhower Interstate Highway System," introduced by Mr. HANSEN, was received, read twice by its title, and referred to the Committee on Public Works.

S. 1769—INTRODUCTION OF A BILL ALLOWING THE TREASURY DEPARTMENT TO ISSUE CONSTANT PURCHASING POWER BONDS

Mr. CANNON. Mr. President, I introduce, for appropriate reference, a bill allowing the Treasury to issue constant purchasing power bonds, which could be purchased by individuals and certain institutional groups for retirement purposes.

Our senior citizens are facing a retirement income crisis unprecedented in the history of our country. An increasing number of retired workers living for longer retirement periods are discovering that inflation relentlessly nibbles away at their fixed incomes, until almost one-third of the 20 million Americans who are 65 years of age and over find themselves living in poverty. Conscientious, thrifty people who have saved throughout their working lives for a retirement of independence and dignity are dismayed by the realization that they may just as well have spent their income as they earned it because of the deterioration of the purchasing power of their savings.

It seems to me that the Federal Government has a responsibility to retirees who have productively contributed to the growth of our economy throughout their working lives. I do not believe that we should impose the burden of inflation on those whose income, with a purchasing power dependent on a past rather than a current economy, cannot absorb the shock of inflation.

To help solve this monumental problem, I recommend the enactment of legislation allowing the Federal Government to issue a bond that, if held to maturity, would be redeemed at face value, plus any increase reflected by the Consumers Price Index between the date of purchase and the date of redemption. Such securities could be bought in amounts not exceeding \$10,000 in any 1 year or \$60,000 in an individual's lifetime. They would not be transferable, would have a 20-year maturity period, and would have to be held to maturity for the cost-of-living adjustment to apply, unless the holder has reached the age of 60, died, or has become disabled.

In my judgment, a constant purchas-

ing power bond would not only help to meet the urgent needs of our senior citizens, but also contribute to the reduction of inflation by drawing millions of dollars into savings. It is my hope that the Senate will give favorable consideration to this concept as a means of coping with an increasingly serious domestic economic problem.

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

The bill (S. 1769) to assist individuals to obtain retirement benefits protected against increases in the cost of living by providing for the issuances by the Treasury a new series of bonds containing adjustments, under certain conditions, in maturity and redemption values to compensate for increases in the cost of living which may be purchased by individuals and eligible institutions, introduced by Mr. CANNON, was received, read twice by its title, and referred to the Committee on Finance.

S. 1770—INTRODUCTION OF A BILL PROPOSING PAYMENT OF CERTAIN EXPENSES RELATED TO RECRUITMENT OF PROSPECTIVE FEDERAL EMPLOYEES

Mr. McGEE. Mr. President, I send to the desk, for appropriate reference, a bill to authorize Federal agencies to pay certain expenses related to recruitment of prospective Federal employees.

Under existing law, Federal agencies are not permitted to pay any of the expenses, not even a hamburger, for a young man or woman whom the agency wishes to interview for a job. This obviously puts the burden on the prospective employees to pay travel expenses, food, and lodging when he comes to Washington or some other city to interview with an agency. When the prospective employee is an honor graduate in the arts and sciences, whose talents are sought after by many employers, the Government is at a distinct disadvantage.

We now pay salaries which are comparable with private enterprise and we have revised some of the methods of recruitment to make Federal employment more attractive. This legislation is another step in the long journey of recruiting and retaining the best possible personnel for the Federal Government.

I ask unanimous consent that the statement of purpose and justification by the Civil Service Commission be printed in the RECORD at this point.

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

The bill (1770) to amend title 5, United States Code, to authorize payment of travel expenses of applicants invited by an agency to visit it in connection with possible employment, introduced by Mr. McGEE, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The material, presented by Mr. McGEE, follows:

STATEMENT OF PURPOSE AND JUSTIFICATION PURPOSE

To improve the ability of Federal agencies to recruit well-qualified persons in shortage occupations.

JUSTIFICATION

The need for well-qualified professional and technical employees continues at a high level and shows no sign of diminishing. Department of Labor manpower estimates for the economy as a whole predict a 45% increase in employment in professional and technical occupations during the decade from 1965-1975. This growth has several major causes, including the rapid expansion in research and development activities, the tremendously rapid increase in application of technological improvements, and the increasing size and complexity of business organizations.

Current Commission projections of Federal manpower requirements indicate that by fiscal year 1971 agency needs for mathematicians, engineers, scientists and medical personnel will increase by at least 10%. Demand for social scientists and technicians will be equally high. Despite increased college enrollments, and even with greatly increased recruiting efforts, it is quite likely that Federal needs for top flight scientific and technical personnel will not be fully met.

To Federal recruiting officials, these forecasts can only mean that competition for highly trained and specialized personnel will remain very high. Our Federal laboratories must have technically trained and highly skilled employees if we are to be successful in such critical endeavors as medical research, military preparedness, and space activities.

The Federal Government should be able to attract its fair share of the best talent that our colleges and universities are producing. In occupations in which there are numerical shortages, there often are even more serious shortages of quality. Industry makes special efforts to attract the superior quality graduate. The Government as an employer must do all that it can to attract highly talented men and women.

Authorizing agencies to pay travel and transportation expenses of new employees to the first post of duty (Public Law 86-587) was a stride forward in placing the Federal Government in a more competitive position with industry. However, inability to pay interview expenses remains a serious obstacle. Therefore, major Federal employers of scientists, engineers and other personnel in short supply (Departments of Army, Navy, Air Force, Interior, Agriculture, Commerce, Health, Education, and Welfare, National Aeronautics and Space Administration, Veterans Administration, and Federal Aviation Agency) have recommended that legislation be sought to authorize payment for travel expenses of certain applicants invited to visit the agency to discuss employment.

Why is this authority needed?

(1) *To more nearly meet competition from private industry.* Private industry has recognized that the kind of equipment a man will have to work with, who his co-workers will be, and the kind of living conditions his family will have can all be important factors in selling him on a particular job. Twenty-five of twenty-six large AEC contractors pay the cost of travel to their plants or laboratories in connection with recruitment for important positions. Research and development contractors for the military services provide such travel expenses, and other private firms advertise that expenses of a visit to the company before employment will be paid.

A report of college placement bureaus compiled 3 years ago indicated that more than 80% of employers who recruit on their

campuses provide for plant visits at company expense. A 1968 Prentice-Hall survey of 121 companies found that 87% of them pay some or all of an applicant's expenses for a plant interview. Of these 121 employers, 74% pay all expenses (including transportation, meals, lodging, and incidentals), 75% pay for meals, 76% pay for lodging and 85% pay for transportation. A recent CSC study of seven large private employers and two large public entities revealed that all nine of these pay the cost of transportation for plant visits in screening candidates for college level entry jobs.

(2) *To acquaint applicants with opportunities presented by Government employment.* In addition to the advantage of offering the rewards of public service—a factor which draws more young people to the Federal service each year—Government employment often provides unique challenges and opportunities.

This is especially true in the scientific and engineering fields. These benefits can be made so much more apparent in a plant visit that they can often more than compensate for the slightly lower starting salaries in the Federal Government. (The Army Materiel Command reports a difference of \$2,253 per year at GS-5 and \$1,000 per year at GS-7 with the average industrial starting salary for Bachelor level technical graduates in the 1967 fiscal year.)

(3) *To obtain a greater number of highly qualified applicants.* The demand for technical talent is such that the well-qualified scientist or engineer often does not have to go looking for a job—the job goes looking for him. Recruiting such a person often becomes a "selling" job.

In today's market most scientists and engineers will not make a decision on their professional career without personally visiting the place of employment. It is only natural to accept an offer from industry, where the applicant has visited the plant and met the officials, in preference to an offer from a distant and unknown Federal laboratory, even though the work at the Federal agency may appear to be more interesting and offer more challenge. Federal laboratories, equipment, and physical plant often surpass the best in private industry, and these things can be a powerful inducement for able scientists and engineers. But this advantage is lost unless we are able to bring qualified persons in to see them, and in appropriate cases to pay their travel expenses.

Similarly, applicants on civil service lists of eligibles who appear to be well-qualified, but who are not available for interview, are often passed over for persons not as well-qualified, but who were interviewed. Federal employers also do not want to buy without looking and this may result in the Federal Government not selecting the best available person.

It has been the experience of Federal employers in recent years that inability to pay these expenses is the governing factor in numerous declinations of job offers. To cite a few examples:

Navy reported 726 declinations out of the 945 offers made by 5 of their biggest labs. Without exception, the labs specified nonpayment of preemployment interview expenses as a primary reason for these declinations.

The Army Materiel Command reported that 32% of all those inexperienced scientists and engineers declining job offers listed the lack of opportunity to visit the work site at government expense as their main reason for declination.

One Air Force installation reported losing an average of 25 qualified research people per year to industry because of the inability to pay expenses for a plant interview.

All Naval recruiting activities—65 in total—mentioned inability to pay preem-

ployment interview expenses as a major reason for declinations by qualified applicants in shortage categories.

74% of all Army Materiel Command applicants declining offers reported that they had visited the organization whose offer they subsequently accepted. Moreover, respondents visited an average of five companies each at company expense.

These illustrations are indicative of the need for authority to pay preemployment interview expenses. Total figures would undoubtedly be much higher. We can only conclude from such examples that the Federal Government has lost opportunities to obtain professional talent of high quality by inability to pay interview expenses.

(4) *To place the right man in the right position.* This is particularly important for the higher-grade, specialized, research positions, and is critical in the selection of a scientist to be a member of a research team where the ability to function in the particular working environment is extremely important. Such interviews enable a larger group to talk to the candidates and thereby provide a broader base for evaluating personal qualifications. Multiple evaluations may also result in consideration for alternative positions at the installation.

(5) *To eliminate misconceptions which we know exist in the minds of some applicants concerning Federal employment in general or employment at particular locations.*

(6) *To keep turnover at a minimum, particularly at isolated locations.* Despite agency efforts to give prospective employees complete and factual information about the working and living conditions at isolated installations, employees sometimes resign shortly after reporting for duty. This is very costly. Personal interviews at the work site will tend to uncover these sources of potential dissatisfaction before the appointment is made.

What are Federal agencies doing in the absence of authority to pay for interview expenses?

Federal recruiters, when visiting colleges and through telephone calls and correspondence, make every reasonable effort to encourage prospects to visit the work site at their own expense. The distance involved is an important factor in these efforts. Results are often disappointing.

One Naval activity reports: "We have in our files dozens of letters from applicants who have naively requested to visit the laboratory at Government expense. They assume that this is standard practice, as it is in industry. When we disillusioned them, their candor, with rare exception, came to an abrupt end."

In the absence of authority to pay expenses for preemployment interviews, some agencies now conduct essential interviews near the applicant's home. Interviews are conducted by agency officials who may be traveling in the area for other purposes or who may be making the trip for the sole purpose of conducting the interviews. "Courtesy" interviews are conducted by officials of a nearby installation of the same agency as the prospective employer. However, both kinds of interviews have serious disadvantages. In addition to the absence of personal contact between employer and applicant:

(1) "Courtesy" interviews are usually not familiar with actual working and living conditions at the recruiting installation;

(2) Selecting officials are reluctant to depend on the judgment of a disinterested third party, particularly for high-level specialized positions;

(3) There is no opportunity to make multiple evaluations of a candidate;

(4) Time delays and some expense are encountered in arranging with third parties

to conduct interviews and to furnish results to recruiting installations;

(5) There are travel costs for interviewing officials;

(6) In research organizations it is particularly desirable that interviews be conducted by key staff members who have a thorough knowledge of the research programs and can discuss them in terms of the technical knowledge of the candidates. When these key officials must travel extensively to conduct interviews, much of their time used for this purpose could otherwise have been profitably devoted to program duties at the work site.

What has been the experience of Federal agencies now authorized to pay these expenses?

Federal agencies are authorized to pay preemployment interview expenses when considering candidates for employment to positions excepted from the competitive civil service. The Comptroller General has ruled that in filling excepted positions, where the responsibility for determining the qualifications of applicants is vested in the agencies, the payment by them of any necessary expenses incident to the determination is proper if funds otherwise are available therefor.

Reports from the principal excepted agencies authorized paid preemployment travel show that this right has been used carefully and conservatively. No complaints of abuse have been made to the General Accounting Office.

Tennessee Valley Authority—All positions in TVA are in the excepted service. TVA policy is that payment for interview expenses may be authorized when deemed by the division incurring the expense to be necessary in the conduct of official business. Experience of TVA has disclosed no applicant abuse of the authorization to pay such expenses. In FY 1967, TVA hired 175 employees in shortage categories and authorized preemployment travel for 68 applicants.

Atomic Energy Commission—All positions in AEC are in the excepted service. AEC reports that the authority to pay these expenses has been used sparingly, but its use has been found necessary in the current competitive market for "quality" candidates. Invitational travel is not considered an additional cost. In most instances, in lieu thereof, AEC would have to send a representative to interview the candidate to accomplish an adequate evaluation of his qualifications. The cost then would include not only travel expenses for AEC's representative, but also his salary.

In FY 1967 AEC hired 277 shortage category employees and authorized preemployment interview expenses for 85 applicants.

AEC is not aware of any abuse on the part of candidates, such as travel for their own pleasure or convenience. Candidates who have accepted invitational travel for interview have usually accepted offers of employment.

Veterans Administration—Physicians, Dentists, and nurses in the Department of Medicine and Surgery are in the excepted service.

VA uses its authority infrequently but regards it as an important recruiting factor in the cases where it is needed. In FY 1967, VA only used its authority to pay expenses for 46 applicants but it hired 5,195 employees in shortage categories.

How would the proposed legislation be administered?

Regulations governing travel under the proposed legislation would be prescribed by the Director, Bureau of the Budget, who now has the responsibility for prescribing other travel regulations.

The Civil Service Commission already determines those positions which fall into the category of "manpower shortages" for purposes of payment of travel and transporta-

tion expenses of new employees to first post of duty (Public Law 86-587). This responsibility is not treated lightly. There is a detailed procedure followed in making these determinations and the same procedure would be followed in authorizing payment of preemployment travel expenses.

Under this procedure agencies have to furnish to the Civil Service Commission *in advance* a statement showing the extent of the shortage by position and location. The agency justification must include such information as:

The total number of incumbents in the agency in the area in question;

The number of existing and anticipated vacancies in the next 12 months;

The length of time active but unsuccessful recruiting has been conducted;

The declinations because of lack of payment of travel and transportation funds;

A statement on the extent and nature of recruiting efforts and the results obtained from the use of paid and free advertising, contacts with schools, contacts with the local State Employment Service, etc.;

The extent to which it has been necessary to recruit outside of the area in which the vacancy exists;

Information on internal efforts to relieve the shortage such as job engineering and upgrading the skills of people already employed;

The general quality of recruits obtained and the prospects for obtaining better ones if travel costs are paid.

In evaluating agency requests the Commission independently examines existing registers to see how many qualified people are actually available, and how well qualified they are. As circumstances require, other pertinent sources of information are checked such as the U.S. Employment Service and the latest literature on the subject.

Funds to pay travel costs authorized by the draft bill would be secured by individual agencies through their appropriation requests to the Congress. Necessity for justifying funds to be used for this purpose and the generally limited amounts of agency travel funds in relation to travel needs will assure that individual agencies administer these provisions in the best interests of the agency and the Federal Service. The requirement that applicants must first be found qualified by a civil service examining office is added assurance that these interviews would come at a point just short of actual employment in the competitive service.

Students often express an interest in the Federal service some months before they are scheduled to complete their education. The proposed legislation has been drafted so as not to preclude from coverage this very important group of applicants who are considered "tentatively qualified." This means they have taken and passed any required test and have been rated qualified by an examining office. To be fully qualified they only need to finish the last few weeks of their education and receive their degree.

These applicants, still in school, but about to begin their working careers, comprise one of the Government's most important recruitment sources for engineer and scientific positions. Because of the intense competition with industry recruiters for this particular group of applicants, it is essential that Federal agencies be able to extend preemployment interview invitations to the students some weeks, or months, before graduation.

What will be the cost?

The estimated 6,250 payments to prospective employees would come out of agency travel appropriations and amount to about

\$970,000 per year. The actual amount, however, would be controlled by the Congress through its acceptance of agency requests for travel appropriations. Present estimates are based on the current list of "manpower shortage" occupations and agency estimates of cost and probably use of authority to pay preemployment interview expenses. These estimates do not take into account certain significant savings that can be expected, as for example:

Decreases in travel expenses of agency administrative officials who would no longer find it necessary to go to the applicant to conduct essential interviews.

Decreases in travel expenses and loss of working time of key scientists who would not be taken from their regular duties to travel about the country conducting interviews.

Decreases in turnover (especially at isolated locations) because applicants will have a clearer view of actual living and working conditions and can better decide whether or not they wish to accept the job offered.

Greater benefits from the funds already spent on recruiting because many applicants, who now go through the initial interview stage but drop out when they find no opportunity to visit the work site at Government expense, will go on to probable employment.

The present experience of the excepted agencies, TVA, AEC, and VA show their expenses to be under our estimate of about \$155 per trip. The average cost reported for each preemployment interview traveler was for AEC \$117.87, for TVA \$67.81, and for VA \$133.13. Therefore we feel our estimate is a generous one.

It is expected that costs would be absorbed in the regular travel budgets of the agencies concerned, and that no special appropriation would be needed.

The agency's ability to reimburse an applicant for his interview expenses might well tip the scale in favor of his accepting a "manpower shortage" category position. In this event, the money would be well spent.

S. 1771—INTRODUCTION OF A BILL TO PROVIDE CERTAIN BENEFITS TO EMPLOYEES IN THE POSTAL FIELD SERVICE

Mr. McGEE. Mr. President, I introduce, for appropriate reference, a bill to amend title 39 of the United States Code to provide that the provisions of law which permit a "saved pay rate" for certain employees who have been reduced in grade through no fault of their own shall not be limited to just 2 years in the case of postal employees in the railway postal service whose jobs were abolished because of the discontinuance of railway postal service.

The proposed legislation is vitally important to former railway postal clerks whose pay rates were preserved for 2 years, but who now face a serious reduction in pay because the benefits of the law do not extend past 2 years. My bill, which received the very firm support of the Postmaster General in 1967, would waive the 2-year provision in this specific case.

The committee will schedule early action on this legislation.

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

The bill (S. 1771) to provide benefits for employees in the postal field service who are required in the interest of the

Government to transfer to new duty stations, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 1772—INTRODUCTION OF BILL TO PROVIDE THAT THE FEDERAL GOVERNMENT SHALL PAY ONE-HALF OF THE COST OF HEALTH INSURANCE FOR FEDERAL EMPLOYEES AND ANNUITANTS

Mr. McGEE. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Employees Health Benefits Act to provide that hereafter the Government shall pay one-half of the cost of the high option health insurance plan carried by Federal employees. It is my hope that the Committee on Post Office and Civil Service can schedule hearings in the very near future to consider this legislation.

The Federal Employees Health Benefits Act was a landmark piece of legislation when it was enacted in 1959. It provided the basic framework for a hospital and medical insurance protection program applicable to virtually all Federal employees without regard to their economic status and without a requirement that they pass a physical examination. In my opinion, it is one of the most successful and certainly one of the best administered programs in the Federal Government today. It is a monumental achievement for the distinguished members of our Senate Post Office and Civil Service Committee who devised the program. Olin Johnston, who guided it through the committee and the Senate; Bill Langer, who made sure that the benefits provided would care for serious and lengthy illnesses; Dick Neuberger, Frank Carlson, Mike Monroney, and Ralph Yarborough, all of whom played a key part in its development.

One of the considerations in mind at the time the program was developed was that rank-and-file Federal employees cannot afford an expensive health insurance plan. The committee, therefore, provided that the Civil Service Commission would offer two levels of benefits, which have commonly been known as "high option" and "low option." Witnesses before the committee were virtually unanimous in their belief that the overwhelming majority of employees would choose "low option" because of the cost involved. Those who had the money could pay "high option" if they would pay all the difference between the "low option" cost and the "high option" cost.

That assumption was incorrect. Almost from the beginning, employees chose the "high option protection." They preferred to pay more in order to get more insurance protection. Today, nearly 90 percent of all employees covered by the program choose "high option" regardless of the carrier they select and apparently regardless of the cost. So it worked out that the presumption that the Government would pay one-half of the cost of the insurance provided was in error. When almost all employees

covered behave differently than the way the committee, the Civil Service Commission, and even the employees themselves thought they would behave, it is fair to say the program should be re-examined.

From June 1960 until November 1964, the Government contribution of \$6.76 per month for self-and-family coverage equalled 34.9 percent of the cost of "high option," and 47.6 percent of "low option" of the Service Benefit plan. When rates began to go up annually beginning in November 1964, the Government's contribution of \$6.76 dropped from 34.9 percent to 28.4 percent of total cost through June 1966. After a statutory increase in the amount of the contribution in July 1966, the Government's share rose to 37.3 percent, and then dropped to a 1969 figure of 25.2 percent. All of that is under the Service Benefit plan, the euphemistic title of the Blue Cross-Blue Shield plan.

I ask unanimous consent to insert in the RECORD at this point a detailed analysis of the rate history of the health insurance program prepared by the Civil Service Commission which shows the cost to both the employee and the Government for high option and low option protection from the beginning until the present time. This is an excellent rate history of the program.

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

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

TOTAL ESTIMATED PREMIUMS FOR GOVERNMENT-WIDE PLANS AND SHARE PAID BY THE GOVERNMENT AND BY THE EMPLOYEES, 1968-69

Plan	1968		1969	
	Amount	Percent	Amount	Percent
Service benefit plan (BC-BS):				
Total.....	\$414,542,136	100.00	\$495,313,692	100.00
Government contribution.....	130,768,344	31.55	132,150,276	26.68
Employee contribution.....	283,773,792	68.45	363,163,416	73.32
Indemnity benefit plan (Aetna):				
Total.....	138,311,604	100.00	179,733,972	100.00
Government contribution.....	46,433,280	33.57	48,322,008	26.86
Employee contribution.....	91,878,324	66.43	131,411,964	73.14
Both Government-wide plans:				
Total.....	552,853,740	100.00	675,047,664	100.00
Government contribution.....	177,201,624	32.05	180,472,284	26.73
Employee contribution.....	375,652,116	67.95	494,575,380	73.27

ENROLLMENT, DEC. 31, 1968, BY OPTION

Service benefit plan:	High	Low	Total
	Total.....	1,308,650	166,864
Self only.....	354,313	44,550	398,863
Self and family.....	954,337	122,314	1,076,651
Indemnity benefit plan:			
Total.....	410,734	132,164	542,898
Self only.....	124,993	26,553	151,546
Self and family.....	285,741	105,611	391,352
Both plans:			
Total.....	1,719,384	299,028	2,018,412
Self only.....	479,306	71,103	550,409
Self and family.....	1,240,078	227,925	1,468,003

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

[Total premium rates,¹ Government contribution rates,¹ employee contribution rates,¹ 1960-69, Government-wide plans, self and family coverage, by option]

Plan and option	June 1960-October 1961	November 1961-October 1962	November 1962-October 1963	November 1963-October 1964	November 1964-December 1965	January 1965-June 1966	July 1966-December 1966	1967	1968	1969
	Service Benefit Plan (BC/BS):									
High option:										
Premium rate.....	\$19.37	\$19.37	\$19.37	\$19.37	\$23.83	\$23.83	\$23.83	\$28.30	\$29.46	\$35.23
Government contribution.....	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$8.88	\$8.88	\$8.88	\$8.88
Percent of premium.....	34.9	34.9	34.9	34.9	28.4	28.4	37.3	31.4	30.1	25.2
Employee contribution.....	\$12.61	\$12.61	\$12.61	\$12.61	\$17.07	\$17.07	\$14.95	\$19.42	\$20.58	\$26.35
Percent of premium.....	65.1	65.1	65.1	65.1	71.6	71.6	62.7	68.6	69.9	74.8
Low option:										
Premium rate.....	\$14.21	\$14.21	\$14.21	\$14.21	\$14.21	\$14.21	\$17.76	\$17.76	\$17.76	\$18.07
Government contribution.....	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$8.88	\$8.88	\$8.88	\$8.88
Percent of premium.....	47.6	47.6	47.6	47.6	47.6	47.6	50.0	50.0	50.0	49.1
Employee contribution.....	\$7.45	\$7.45	\$7.45	\$7.45	\$7.45	\$7.45	\$8.88	\$8.88	\$8.88	\$9.19
Percent of premium.....	52.4	52.4	52.4	52.4	52.4	52.4	50.0	50.0	50.0	50.9
Indemnity Benefit Plan (Aetna):										
High option:										
Premium rate.....	\$17.46	\$17.46	\$17.46	\$18.98	\$23.51	\$25.91	\$25.91	\$25.91	\$29.03	\$37.72
Government contribution.....	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$8.88	\$8.88	\$8.88	\$8.88
Percent of premium.....	38.7	38.7	38.7	35.6	28.8	26.1	34.3	34.3	30.6	23.5
Employee contribution.....	\$10.70	\$10.70	\$10.70	\$12.22	\$16.75	\$19.15	\$17.03	\$17.03	\$20.15	\$28.84
Percent of premium.....	61.3	61.3	61.3	64.4	71.2	73.9	65.7	65.7	69.4	76.5
Low option:										
Premium rate.....	\$13.52	\$13.52	\$13.52	\$13.52	\$13.52	\$13.52	\$13.52	\$13.52	\$15.16	\$19.70
Government contribution.....	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$7.58	\$8.88
Percent of premium.....	50.0	50.0	50.0	50.0	50.0	50.0	50.0	50.0	50.0	45.1
Employee contribution.....	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$6.76	\$7.58	\$10.82
Percent of premium.....	50.0	50.0	50.0	50.0	50.0	50.0	50.0	50.0	50.0	54.9

¹ Monthly.

Mr. McGEE. Mr. President, there are other plans, and the statistical evidence on the Government's contribution to these have not been gathered. Some of the plans offered by Federal employee organizations are much broader and cost a good deal more than the Blue Cross-Blue Shield and Aetna plans. But in all cases the Government's contribution is exactly the same—\$8.88 per month for

self-and-family protection regardless of the plan or option chosen by the employee. The annual premium at the present time is more than \$675 million for the Government-wide plans alone. Of this amount, the Government pays \$180 million and the employees pay \$494 million.

The bill that I introduce today will provide that from now on the agency

contribution to the cost of health insurance will be adjusted at the beginning of each fiscal year to an amount equal to one-half of the cost of the least expensive Government-wide high-option insurance plan. This is a reasonable limitation. The budget people could estimate with some degree of accuracy in advance the amount of money necessary to pay additional costs arising from more

expensive hospital and doctor bills. There would be a ceiling necessarily imposed because the Government would not pay more than one-half of the cost of either Blue Cross-Blue Shield or Aetna, whichever offered the least expensive "high option" plan. That dollar amount would be the Government's contribution to any plans offered locally or by a Federal employee organization. This would avoid any "blue sky" competition to see who could offer the most health insurance.

We started well ahead of the pack in 1959 when we created the health insurance plan. Today we are no longer out front. Although the Federal program is broad and offers some of the best health insurance plans available, it is not better than some plans in private industry and it is substantially more expensive for the employees than larger employers in the private sector of the economy offer. It is time to catch up.

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

The bill (S. 1772) to provide that the Federal Government shall pay one-half of the cost of health insurance for Federal employees and annuitants, introduced by Mr. McGEE, (for himself and Mr. BURDICK), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 1773—INTRODUCTION OF FAIR SHARE TAX ACT

Mr. HART. Mr. President, today I introduce the Fair Share Income Tax Act of 1969. For many years I have been concerned that our income tax laws placed a heavy burden on those of small and modest means while at the same time providing the more affluent with special ways by which they can reduce—even escape—their tax load. These special provisions have made a mockery of the proposition that most citizens thought had been built into our tax structure, namely, that the more you earn the more income tax you pay.

Former Treasury Secretary Joseph W. Barr, testifying before the Joint Economic Committee earlier this year, made an eloquent plea for reforms in our income tax system when he said:

Our income tax system needs major reforms now, as a matter of importance and urgency. That system essentially depends on an accurate self-assessment by taxpayers. This, in turn, depends on widespread confidence that the tax laws and the tax administration are equitable, and that everyone is paying according to his ability to pay.

We face now the possibility of a taxpayer revolt if we do not soon make major reforms in our income taxes. Revolt will not come from the poor but from the tens of millions of middle-class families and individuals with incomes of \$7,000 to \$20,000, whose tax payments now generally are based on the full ordinary rates and who pay over half of our individual income taxes.

The middle classes are likely to revolt against income taxes not because of the level or amount of the taxes they must pay but because certain provisions of the tax laws unfairly lighten the burdens of others who can afford to pay. People are concerned and, indeed, angered about the high-income recipients who pay little or no Federal income taxes. For example, the extreme cases are 155 tax returns in 1967 with adjusted gross incomes above \$200,000 on which no Federal

income taxes were paid, including 21 incomes above \$1 million.

Secretary Barr spoke with deep conviction founded upon his experience as one of the Nation's leading fiscal officers. Since the date of his testimony before the Joint Economic Committee, January 17, 1969, we have heard and read much on the probabilities of income tax reform. A study is now being conducted by the House Ways and Means Committee which, hopefully, will result in meaningful and comprehensive reform. We also hear reports that the Nixon administration may delay implementing any tax reforms until 1971.

Certainly, there is no doubt that some of the areas marked out for reform will require additional thorough study to determine their effect on the Nation's economy. However, there are questions upon which we can all agree and in which reforms should be implemented as soon as possible.

The bill I introduce today, Mr. President, is, I believe, one of those upon which there can be a general agreement. What I propose is that we insure that those best able to pay income taxes do, in fact, pay income taxes. This, as my bill details, can be done by the imposition of a minimum tax. Stated simply, the proposal amends the Internal Revenue Code to provide new tax tables for those who under the existing law, by taking advantage of such provisions as the allowances for depletion, depreciation, and capital gains, have only minimum tax liability, or no tax liability at all. The rates would vary as they do now ranging from 7 to 35 percent. In addition, there is a provision for a minimum corporate income tax.

Mr. President, passage of this bill will not remove all the inequities in our present tax structure. It does not affect several defects, the correction of which I have supported in the past and will continue to support. For instance, it does not ease the burden of those with children in college, a matter which the distinguished Senator from Connecticut (Mr. RIBICOFF) has dealt with in previous Congresses, and one on which I expect to support him again in the near future. It does not increase personal exemptions from \$600; it does not exclude as gross income the first \$5,000 of civil service retirement; it does not provide head-of-household benefits to certain single persons; it does not modify the oil depletion and capital gains allowances—all of these changes which I support.

Passage of my proposal, Mr. President, is intended to accomplish one simple result: to insure that those with the ability to pay would in fact pay their fair share of income taxes. It would be a start toward improving and perfecting the income tax structure, one of our country's strongest assets. The other changes which I have cited and which equity requires should be incorporated in the comprehensive reform being developed in the House Ways and Means Committee and adopted as promptly as possible.

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

The bill (S. 1773) to amend the Internal Revenue Code of 1954 to impose a

minimum income tax, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on Finance.

S. 1774—INTRODUCTION OF DESIGN PROTECTION ACT OF 1969

Mr. HART. Mr. President, I introduce, for appropriate reference, today the proposed Design Protection Act of 1969. The purpose of the legislation is to provide effective protection for original ornamental designs from unauthorized copying.

The need for the legislation has been established in hearings before the Patents Subcommittee of the Committee on the Judiciary. The legislation was approved by the Senate in previous Congresses but has been unsuccessful in the House of Representatives. In this Congress a number of bills similar to the one I propose have been introduced in the House, and it is hoped that they will be favorably considered. It is my belief that the equity of this proposal will again result in favorable action by the Senate.

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

The bill (S. 1774) to encourage the creation of original ornamental designs of useful articles by protecting the authors of such designs for a limited time against unauthorized copying, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 1776—INTRODUCTION OF A BILL FOR THE ISSUANCE OF A SPECIAL POSTAGE STAMP IN THE HONOR OF THE LATE DR. MARTIN LUTHER KING, JR.

Mr. GRIFFIN. Mr. President, I introduce, for appropriate reference, a bill to authorize the issuance of a special postage stamp in honor of the life and service of the late Dr. Martin Luther King Jr.

In 1811, Thomas Jefferson said:

Politics, like religion, hold up the torches of martyrdom to the reformers of error.

In 1964, Martin Luther King said:

The Negro is willing to risk martyrdom in order to move and stir the social conscience of his community and the Nation.

To the shock and sadness of millions, Martin Luther King's risk became a reality on that fateful day a year ago.

Mr. President, Dr. King died so that others of his race might live in freedom.

To millions of Americans, he was the prophet of the Negroes' quest for racial equality, their voice of anguish, their champion for human dignity.

While I offer this legislation today to memorialize this great civil rights leader, the measure of the man and his movement is already memorialized by the fact that his crusade goes on with a new sense of urgency.

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

The bill (S. 1776) to provide for the issuance of a special postage stamp in honor of the late Dr. Martin Luther King, Jr., introduced by Mr. GRIFFIN,

was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 1779—INTRODUCTION OF A BILL FOR RELIEF OF BOGDAN BEREZ-NICKI

Mr. HART. Mr. President, the bill I introduce grants authority to the Foreign Claims Settlement Commission to reopen the claim of Bogdan Bereznicki for compensation for family property confiscated in Poland during World War II. This legislation is necessary to right the wrong he suffered as a result of an incorrect ruling by the Immigration and Naturalization Service for which there is now no administrative remedy.

Mr. Bereznicki first approached me in early May 1967 for help in appealing the decision of the Immigration and Naturalization Service that he had forfeited his citizenship by his service in the Polish Army. On the basis of the Immigration Service ruling, the Foreign Claims Settlement Commission was forced to deny his claim.

A series of court and administrative decisions relating to the supposed forfeiture of his citizenship led to a ruling that Mr. Bereznicki had, in fact, continuously been a citizen from the date of loss as required by the Claims Commission, but by this time the jurisdiction of the Commission had expired and it was unable to consider this new evidence.

While the bill does not presume to judge the merits of the claim, it does emphasize my conviction that equity requires that this lifelong citizen have the same consideration under the law as had other citizens who were unaffected by an erroneous decision by their Government.

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

The bill (S. 1779) for the relief of Bogdan Bereznicki, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 1781—INTRODUCTION OF A BILL TO ALLOW DISABLED WORKERS TO RECEIVE BOTH SOCIAL SECURITY BENEFITS AND WORKMEN'S COMPENSATION

Mr. RANDOLPH. Mr. President, I introduce, for appropriate reference, a bill to repeal section 224 of the Social Security Act. This legislation will correct a serious inequity resulting from the Social Security Act by the amendments of 1965. Section 224 provides for reduction in social security insurance benefits payable to a disabled worker and his family who are receiving workmen's compensation. Presently, this restriction applies if the total monthly benefits of the two programs exceed 80 percent of his average current earnings before he became disabled.

The unfairness of this provision is further compounded by its application only to those persons who become eligible for disability insurance benefits after December 31, 1965. It does not apply to those who were already receiving these benefits.

As of December 1967, 9,965 disabled

worker families, involving a total of 29,796 beneficiaries, were affected by this section of the act. The average monthly reduction in social security benefits for a disabled worker with no dependents was \$53.57. The reduction for a worker with one or more dependents was \$158.42. In some cases a worker's social security benefits have been totally eliminated due to receipt of workmen's compensation.

The total number of persons subjected to the workmen's compensation offset provision may not be large. However, the effect of this reduction of a beneficiary's monthly payment is significant.

It is my belief that this provision places an unjust burden upon our workmen injured on the job and their families. These workers have encountered a serious financial setback by loss of their ability to participate fully in the employment market and, therefore, loss of potential income.

It is possible that in some cases beneficiaries may receive excessive benefits if this section is repealed. But this would be preferable to the continuation of a policy that results in insufficient payments in the majority of cases.

Mr. President, I am pleased to have as cosponsors of this measure the Senator from Tennessee (Mr. BAKER), the Senator from West Virginia (Mr. BYRD), the Senator from Montana (Mr. METCALF), the senior Senator from Pennsylvania (Mr. SCOTT), and the junior Senator from Pennsylvania (Mr. SCHWEIKER).

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

The bill (S. 1781) to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits, introduced by Mr. RANDOLPH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

SENATE JOINT RESOLUTION 88—INTRODUCTION OF A JOINT RESOLUTION TO CREATE A COMMISSION TO STUDY THE BANKRUPTCY LAWS OF THE UNITED STATES

Mr. BURDICK. Mr. President, I introduce today legislation creating a Commission on the Bankruptcy Laws of the United States. A similar measure, Senate Joint Resolution 100, passed the Senate in the second session of the 90th Congress, but too late for the other body to act.

The purpose of the Commission envisioned by Senate Joint Resolution 100 was to "study, analyze, evaluate, and recommend changes to the Bankruptcy Act, in order for such act to reflect and adequately meet the demand of present technical, financial, and commercial activities." Every witness testifying on the proposal indicated the overwhelming need for such a study.

The amazing 1,000 percent increase in the number of bankruptcies during the past 20 years and the jump in consumer credit from about \$7 billion in 1939 to about \$100 billion today demands that we

give our full attention to the continuing validity of our Bankruptcy Act, which has not been significantly updated for 30 years. As chairman of the special Bankruptcy Subcommittee of the Judiciary Committee, I will make every effort to bring this proposal to the full Committee at the earliest possible date.

Mr. President, I ask unanimous consent that the full text of Senate Joint Resolution 88 be printed in the RECORD following my remarks.

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

The joint resolution (S.J. Res. 88) to create a commission to study the bankruptcy laws of the United States, introduced by Mr. BURDICK, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 88

Whereas the number of bankruptcies in the United States has increased more than 1,000 per centum annually in the last twenty years; and

Whereas more than one-fourth of the referees in bankruptcy have problems arising in their administration of the existing Bankruptcy Act and have made suggestions for substantial improvement in that Act; and

Whereas the technical aspects of the Bankruptcy Act are interwoven with the rapid expansion of credit which has reached proportions far beyond anything previously experienced by the citizens of the United States; and

Whereas there appears to be little experience or understanding by the Federal Government and the commercial community of the Nation in evaluating the need to update the technical aspects of the Bankruptcy Act and the financial policies pursued by the Federal Government and the commercial community: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission to be known as the Commission on the Bankruptcy Laws of the United States (hereinafter referred to as the "Commission").

(b) The Commission shall study, analyze, evaluate, and recommend changes to the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898 (30 Stat. 544), as amended (title 11, United States Code), in order for such Act to reflect and adequately meet the demands of present technical, financial, and commercial activities. The Commission's study, analysis, and evaluation shall include a consideration of the basic philosophy of bankruptcy, the causes of bankruptcy, the possible alternatives to the present system of bankruptcy administration, and all other matters which the Commission shall deem relevant.

(c) The Commission shall submit a comprehensive report of its activities, including its recommendations, to the President and the Congress within two years after the date of enactment of this joint resolution. Upon the filing of such report, the Commission shall cease to exist.

SEC. 2. (a) The Commission shall be composed of the following members appointed as follows:

(1) three members appointed by the President of the United States, one of whom shall be designated as Chairman by the President and two of whom shall be active practitioners in the field of bankruptcy law;

(2) two appointed by the President of the Senate;

(3) two appointed by the Speaker of the House of Representatives; and

(4) two active full-time referees in bankruptcy appointed by the Chief Justice of the United States.

(b) Five members of the Commission shall constitute a quorum.

(c) A vacancy in the Commission shall not affect its powers. Any vacancy shall be filled in the manner in which the original appointment was made.

(d) Referees in bankruptcy and any other employees of the Federal Government who are members of the Commission shall serve without additional compensation. Each member from private life shall receive \$100 per diem for each day (including travel time) during which he is engaged in the actual performance of his duties as a member of the Commission. All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

Sec. 3. The Commission shall have the power to appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this joint resolution. Such appointments shall be without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such compensation shall be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

Sec. 4. To carry out the purposes of this joint resolution, the Commission shall have the authority, within the limits of available appropriations—

(1) to obtain any research or other assistance it deems necessary;

(2) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;

(3) to enter into contracts or other arrangements, or modifications thereof, and such contracts or other arrangements or modifications thereof may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5);

(4) to make advance, progress, and other payments which it deems necessary without regard to the provisions of section 3648 of the Revised Statutes, as amended (41 U.S.C. 529);

(5) to accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code; and

(6) to acquire by lease, loan, gift, bequest, or devise, and to hold and dispose of by sale, lease, or loan, real or personal property of all kinds necessary for or resulting from the exercise of authority under this joint resolution.

Sec. 5. Any office, department, agency, or instrumentality of the executive or judicial branches of the United States Government shall furnish to the Commission, upon a reimbursable basis, such advice, information, and records as the Commission may require for the performance of its duties.

Sec. 6. There are authorized to be appropriated to the Commission such sums as may be necessary to carry out the provisions of this joint resolution.

**SENATE JOINT RESOLUTION 89—
INTRODUCTION OF JOINT RESOLUTION IN SUPPORT OF AN INTERNATIONAL BIOLOGICAL PROGRAM**

Mr. MUSKIE. Mr. President, this Nation's efforts to preserve and enhance the

quality of the environment are seriously hindered by our lack of knowledge concerning the operation of the natural system—the ecosystem—of which man is a part, and the effects of man's massive alterations of that system.

Some say that environmental degradation is the price of prosperity, but I contend that environmental quality and economic affluence are both possible. Indeed, the latter is impossible without the former. Our current dilemma results from our ignorance of the interrelationship between man and his environment.

A significant program, designed to provide information about man and his environment, is the international biological program—IBP. Today, the IBP pools the activities and talents of some 2,000 international scientists from 53 countries who are concerned enough to participate in a global research effort. It is an effort dedicated to the important task of acquiring vitally needed knowledge about the systems which support life, and where polluted degrade the quality of life.

The joint resolution which I offer today on behalf of myself and Senators BOGGS, COOPER, DOLE, EAGLETON, HARRIS, MONTROYA, and NELSON, supports the U.S. participation in the international biological program through the National Science Foundation, the U.S. National Committee for the IBP, and the Inter-Agency Coordinating Committee. Working together, these agencies have the responsibility for planning, coordinating, and carrying out this program in the United States.

Mr. President, I ask unanimous consent that this joint resolution be referred to the Senate Committee on Labor and Public Welfare, the authorizing committee for the National Science Foundation, and that the text of the joint resolution be inserted in the RECORD at this time.

The VICE PRESIDENT. The joint resolution will be received, and by unanimous consent, referred to the Committee on Labor and Public Welfare, and printed in the RECORD.

The joint resolution (S.J. Res. 89) expressing the support of the Congress, and urging the support of Federal departments and agencies as well as other persons and organizations, both public and private for the international biological program, introduced by Mr. MUSKIE, was received, read twice by its title, by unanimous consent referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S.J. Res. 89

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Congress hereby finds and declares that the international biological program, which was established under the auspices of the International Council of Scientific Unions and the International Union of Biological Sciences and is sponsored in the United States by the National Academy of Sciences and the National Academy of Engineering, deals with one of the most crucial situations to face this or any other civilization—the immediate or near potential of mankind to damage, possibly beyond repair, the earth's ecological system on which all life depends. The Congress further finds and declares that the international biological program provides an im-

mediate and effective means available of meeting this situation, through its stated objectives of increased study and research related to biological productivity and human welfare in a changing world environment.

(b) The Congress therefore commends and endorses the international biological program and expresses its support of the United States National Committee and the Inter-agency Coordinating Committee which together have the responsibility for planning, coordinating, and carrying out the program in the United States.

(c) In view of the urgency of the problem, the Congress finds and declares that the provision by the United States of adequate financial and other support for the international biological program is a matter of first priority.

Sec. 2. (a) The Congress calls upon all Federal departments and agencies and other persons and organizations, both public and private, to support and cooperate fully with the international biological program and the activities and goals of the United States National Committee and the Interagency Coordinating Committee.

(b) For this purpose, the Congress authorizes and requests all Federal departments and agencies having functions or objectives which coincide with or are related to those of the international biological program to obligate or make appropriate transfers of funds to the program from moneys available for such functions or objectives and provide such other support as may be appropriate.

**SENATE JOINT RESOLUTION 90—
INTRODUCTION OF A JOINT RESOLUTION TO ENABLE THE UNITED STATES TO ORGANIZE AND HOLD A DIPLOMATIC CONFERENCE IN THE UNITED STATES IN FISCAL YEAR 1970 TO NEGOTIATE A PATENT COOPERATION TREATY**

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a joint resolution to enable the United States to organize and hold a diplomatic conference in the United States in fiscal year 1970 to negotiate a Patent Cooperation Treaty.

The proposed joint resolution has been requested by the Assistant Secretary of State for Congressional Relations and I am introducing it in order that there may be a specific resolution to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this resolution, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the proposed resolution be printed in the RECORD at this point, together with the letters from the Assistant Secretary of State dated January 16 and March 17, 1969.

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

The joint resolution (S.J. Res. 90) to enable the United States to organize and hold a Diplomatic Conference in the U.S. fiscal year 1970 to negotiate a Patent Cooperation Treaty and authorize an appropriation therefor, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Com-

mittee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S.J. RES. 90

Whereas all countries issuing patents, and especially countries such as the United States having an examination system, deal with large and constantly growing numbers of patent applications of increasing complexity; and

Whereas in any one country a considerable number of patent applications duplicate or substantially duplicate applications relating to the same inventions in other countries, thereby increasing further the volume of applications to be processed; and

Whereas a resolution of the difficulties attendant upon duplications in filings and examination would result in more economical, quicker, and more effective protection for inventions throughout the world thus benefiting inventors, the general public and governments; and

Whereas a treaty for international patent cooperation providing a central filing, search and examination system should provide a practicable means of resolving the difficulties arising out of the duplications in the filing and examination of patent applications; and

Whereas governments concerned with international patent problems have spent a number of years in consultation and in the development of a draft treaty for international patent cooperation to alleviate these problems: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State and the Secretary of Commerce, in consultation with other concerned departments and agencies, are authorized to take all necessary steps to organize and hold a diplomatic conference to negotiate a Patent Cooperation Treaty in Washington, District of Columbia in fiscal year 1970.

SEC. 2. There is authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated, a sum not to exceed \$175,000 for the purpose of defraying the expenses incident to organizing and holding such an international conference. Funds appropriated pursuant to this authorization shall be available for expenses incurred on behalf of the United States as host government, including without limitation personal services without regard to civil service and classification laws, except that no salary rate shall exceed the maximum rate payable under section 5332 of title 5, United States Code; employment of aliens, printing and binding without regard to the provisions of any other law; travel expenses without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under section 5707 of title 5, United States Code; rent or lease of facilities in the District of Columbia or elsewhere by contract or otherwise; hire of passenger motor vehicles; and official functions and courtesies.

SEC. 3. The Secretary of State and the Secretary of Commerce, or either of them, are authorized to accept and use contributions of funds, property, services, and facilities for the purpose of organizing and holding such an international conference. For the purpose of Federal income, estate, and gift taxes, any gift, devise, or bequest accepted by the Secretary of State or the Secretary of Commerce under authority of this Act shall be deemed to be a gift, devise, or bequest to or for the use of the United States.

SEC. 4. The head of any department, agency, or establishment of the United States is authorized on request, to assist with or without reimbursement the Department of State and the Department of Commerce in carrying out the functions herein authorized, including the furnishing of personnel and facilities.

The letters, presented by Mr. FULBRIGHT, follow:

MARCH 17, 1969.

HON. J. W. FULBRIGHT,
*Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: With my letter of January 16, 1969 to the Vice-President I submitted a proposed Joint Resolution which would enable the United States to organize and hold a Diplomatic Conference in the United States in fiscal year 1970 to negotiate a Patent Cooperation Treaty, which was referred to your Committee on January 17, 1969.

This proposed legislation has been favorably reviewed by the Department of State in the light of the policies of the present Administration. It would be greatly appreciated if this matter would be given early and favorable consideration.

The Department has been advised by the Bureau of the Budget that from the standpoint of this Administration's program, there is no objection to the submission of this letter reaffirming our support for the proposed Joint Resolution.

Sincerely yours,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary for Congressional Relations.

DEPARTMENT OF STATE,
Washington, January 16, 1969.

HON. HUBERT HUMPHREY,
*President of the Senate,
Washington, D.C.*

DEAR MR. VICE PRESIDENT: I submit herewith a proposed Joint Resolution which would enable the United States to organize and hold a Diplomatic Conference in the United States in fiscal year 1970 to negotiate a Patent Cooperation Treaty, and which further provides for an appropriation authorization to the Department of State for expenses incident to organizing and holding the Conference.

There is widespread recognition in the United States and abroad that a world-wide multilateral effort is necessary to deal with the pressing back-log problem of examining patent offices such as the United States, and to alleviate the financial and legal burdens imposed on American patent applicants who wish to file abroad in several countries. Quicker and lower-cost patent protection for American nationals is vital to the development and maintenance of important export markets for many U.S. products.

The proposed Patent Cooperation Treaty would have substantial benefits for patent applicants as well as patent offices. It would be the first significant world-wide step toward international patent cooperation to deal with pressing patent problems. If the negotiation of such a Convention is successful, it would, of course, be sent to the Senate for its advice and consent in accordance with the usual procedure.

I hope that the Senate will be able to give favorable consideration to this request during the present session.

A similar communication is being sent to the Speaker of the House of Representatives.

The Department was advised by the Bureau of the Budget on January 15, 1969 that from the standpoint of the Administration's program there is no objection to the submission of this proposal to the Congress for its consideration.

Sincerely yours,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary for Congressional Relations.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. MUSKIE, I ask unanimous consent that, at its next printing, the name

of the distinguished Senator from Alabama (Mr. ALLEN) be added as a cosponsor of the bill (S. 309) to provide for improved employee-management relations in the postal service, and for other purposes.

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

Mr. MUSKIE. Mr. President, again in behalf of the distinguished Senator from Texas (Mr. YARBOROUGH), I ask unanimous consent that, at its next printing, the names of the Senator from Alaska (Mr. STEVENS) and the Senator from New Jersey (Mr. WILLIAMS) be added as cosponsors of the bill (S. 335) to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes.

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

Mr. MUSKIE. Mr. President, on behalf of the distinguished Senator from New Mexico (Mr. MONTOYA), I ask unanimous consent that, at its next printing, the name of the Senator from South Carolina (Mr. THURMOND) be added as a cosponsor of the bill (S. 1487) to extend to the personnel of the U.S.S. *Pueblo* the provisions of the Internal Revenue Code of 1954 relating to combat pay of members of the Armed Forces.

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

Mr. SPARKMAN. 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. 1494) to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act.

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

Mr. MUSKIE. Mr. President, on behalf of the Senator from Texas (Mr. YARBOROUGH), I ask unanimous consent that, at its next printing, the names of the Senator from North Dakota (Mr. BURDICK) and the Senator from New Jersey (Mr. WILLIAMS) be added as cosponsors of the bill (S. 1519) to establish a National Commission on Libraries and Information Science, and for other purposes.

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

Mr. SCOTT. Mr. President, at the request of the junior Senator from Florida (Mr. GURNEY), I ask unanimous consent that, at its next printing, the name of the Senator from Arkansas (Mr. McCLELLAN) be added as a cosponsor of the bill (S. 1532) to amend the National Labor Relations Act to make certain secondary boycotts, regardless of motive, an unfair labor practice, and for other purposes.

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

Mr. MUSKIE. Mr. President, on behalf of the distinguished Senator from Wisconsin (Mr. NELSON), I ask unanimous consent that, at its next printing, the name of the junior Senator from Montana (Mr. METCALF) be added as a

cosponsor of the bill (S. 1612) to amend the Federal Food, Drug, and Cosmetic Act, as amended, to require that the label of drug containers, as dispensed to the patient, bear the established name of the drug dispensed.

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

Mr. MUSKIE. Mr. President, on behalf of the distinguished Senator from Wisconsin (Mr. NELSON), I ask unanimous consent that, at its next printing, the name of the senior Senator from Michigan (Mr. HART) be added as a cosponsor of the bill (S. 1693) to establish a National Commission on Federal Tax Sharing.

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

Mr. MUSKIE. Mr. President, on behalf of the distinguished Senator from Alabama (Mr. ALLEN), I ask unanimous consent that, at its next printing, the name of the Senator from North Carolina (Mr. ERVIN) be added as a cosponsor of the bill (S. 1706) to strengthen the antiobscenity laws in order to protect minors against the distribution or sale of obscene materials through the mails or interstate commerce, to establish the Division of Obscenity Control in the Department of Justice, and for other purposes.

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

Mr. THURMOND. Mr. President, on behalf of the Senator from Michigan (Mr. GRIFFIN), I ask unanimous consent that, at its next printing, the names of the Senator from Kentucky (Mr. COOK), the Senator from Kansas (Mr. DOLE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Utah (Mr. MOSS), the Senator from Oregon (Mr. PACKWOOD), the Senator from Virginia (Mr. SPONG), and the Senator from Texas (Mr. TOWER) be added as cosponsors of the joint resolution (S.J. Res. 84) to declare the policy of the United States with respect to its territorial sea.

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

CONCURRENT RESOLUTION 16— CONCURRENT RESOLUTION AUTHORIZING THE PRINTING OF THE EULOGIES ON DWIGHT DAVID EISENHOWER

Mr. MUSKIE (for Mr. DIRKSEN), submitted a concurrent resolution (S. Con. Res. 16) authorizing the printing of the eulogies on Dwight David Eisenhower, which was considered and agreed to.

(See the above concurrent resolution printed in full when submitted by Mr. MUSKIE, which appears under a separate heading.)

SENATE CONCURRENT RESOLUTION 17—CONCURRENT RESOLUTION TO RECOGNIZE THE 10TH ANNIVERSARY OF THE OPENING OF THE ST. LAWRENCE SEAWAY

Mr. GRIFFIN. Mr. President, I submit, for appropriate reference, a Senate concurrent resolution to extend congressional recognition to this summer's 10th

anniversary observance of the opening of the St. Lawrence Seaway.

The anniversary will occur on June 26, 1969. During the 2-week period, June 26 to July 7, 1969, festivities will be held by the eight Great Lakes States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin, as well as by the Canadian Provinces of Manitoba and Ontario.

Joining with me in cosponsoring the concurrent resolution are the distinguished Senators from Illinois (Mr. DIRKSEN and Mr. PERCY), the Senators from Indiana (Mr. HARTKE and Mr. BAYH), the Senator from Michigan (Mr. HART), the Senators from Minnesota (Mr. MCCARTHY and Mr. MONDALE), the Senators from New York (Mr. JAVITS and Mr. GOODELL), the Senators from Ohio (Mr. YOUNG and Mr. SAXBE), the Senators from Pennsylvania (Mr. SCOTT and Mr. SCHWEIKER), and the Senators from Wisconsin (Mr. PROXMIRE and Mr. NELSON).

The conference of Great Lakes Senators, headed by Senator PROXMIRE; the Governors of the eight Great Lakes States; and the Prime Ministers of the Provinces of Manitoba and Ontario are currently in the process of planning appropriate programs and events to commemorate the Seaway's 10th anniversary.

A Governors' committee, 10th anniversary, St. Lawrence Seaway, has been formed; and the Great Lakes Commission has been designated to serve as the central coordinating agency for the event.

In addition, the Departments of State, Transportation, Commerce, and Defense are cooperating in planning and presenting the program.

Mr. President, the completion of the St. Lawrence Seaway—formally dedicated on June 26, 1959, by President Eisenhower and Queen Elizabeth—represents a milestone of major progress in creating a stronger economic link between the United States and markets, people, and nations around the globe.

Authorized by the so-called Wiley-Dondero law in 1954, Public Law 83-358, the completed waterway also stands as a symbol of joint United States and Canadian efforts to build, improve, and modernize the St. Lawrence Seaway for the mutual benefit of the people of both countries.

Stretching 2,342 miles into midcontinent North America, the St. Lawrence Seaway has opened to the populous, resource-wealthy heartland vast, new opportunities of world commerce.

During its first 10 years, both in terms of tonnage and value of shipments, the Seaway has confirmed time and again the wise investment that it was.

Mr. President, I believe it is significant to note—at this time of national mourning—that the late President, General Eisenhower, considered construction of the St. Lawrence Seaway one of the greatest legislative accomplishments of his 8-year administration.

It is a tribute to this great American's foresightedness and confidence, that the 10th anniversary will be celebrated in an atmosphere of hope and optimism for the future.

The VICE PRESIDENT. The concur-

rent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 17) which reads as follows was referred to the Committee on the Judiciary:

S. CON. RES. 17

Concurrent resolution to recognize the tenth anniversary of the opening of the Saint Lawrence Seaway

Whereas the Saint Lawrence Seaway, as a joint project of Canada and the United States, has been of inestimable benefit to the United States and the entire North American Continent; and

Whereas the tenth anniversary of the official opening of the Saint Lawrence Seaway occurs on June 26, 1969; and

Whereas the Governors of the eight States bordering on the Great Lakes plan to sponsor appropriate ceremonies during the period from June 26, 1969, through July 7, 1969, to observe the tenth anniversary of the Saint Lawrence Seaway: Now, therefore, be it

Resolved by the Senate of the United States (the House of Representatives concurring), That the Congress recognizes the great benefits the Saint Lawrence Seaway has provided in stimulating economic development and prosperity not only within the region of the Great Lakes-Saint Lawrence Seaway system, but throughout the entire United States and the North American Continent, and commends the celebration, during the period from June 26, 1969, through July 7, 1969, of the tenth anniversary of the opening of the Saint Lawrence Seaway to all Americans.

SENATE CONCURRENT RESOLUTION 18—CONCURRENT RESOLUTION TO AUTHORIZE THE PROCUREMENT AND PLACEMENT IN THE CAPITOL OF A BUST OF DWIGHT DAVID EISENHOWER

Mr. PEARSON (for himself and Mr. DOLE) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 18

Concurrent resolution to authorize the procurement and placement in the Capitol of a bust of Dwight David Eisenhower

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on the Library is authorized and directed to procure a marble bust of Dwight David Eisenhower, and to cause such bust to be placed in the Capitol in a space the Joint Committee deems suitable.

SEC. 2. Expenses incurred by the Joint Committee on the Library in carrying out this concurrent resolution, which shall not exceed \$5,000, shall be paid out of the contingent fund of the Senate on vouchers approved by the chairman of the Joint Committee.

SENATE RESOLUTION 177—RESOLUTION AUTHORIZING THE PRINTING OF A MANUSCRIPT ENTITLED "THE FIRST ARMY IN EUROPE" AS A SENATE DOCUMENT

Mr. THURMOND submitted the following resolution (S. Res. 177) which was referred to the Committee on Rules and Administration:

S. RES. 177

Resolution authorizing the printing of a manuscript entitled "The First Army in Europe" as a Senate document

Resolved, That the manuscript entitled "The First Army in Europe," written by

Colonel Elbridge Colby, be printed with one map as a Senate document, and that fifteen hundred additional copies of such document be printed for the use of the Senate Committee on Armed Services.

SENATE RESOLUTION 178—RESOLUTION AUTHORIZING THE PRINTING OF THE PRAYERS OF THE CHAPLAIN OF THE SENATE DURING THE 89TH AND 90TH CONGRESSES AS A SENATE DOCUMENT (S. REPT. NO. 91-120)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 178) authorizing the printing of the prayers of the Chaplain of the Senate during the 89th and 90th Congresses as a Senate document (S. Rept. No. 91-120) which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. JORDAN of North Carolina which appears under a separate heading.)

SENATE RESOLUTION 179—RESOLUTION EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES SHOULD ACTIVELY PARTICIPATE IN AND OFFER TO ACT AS HOST TO THE 1972 UNITED NATIONS CONFERENCE ON HUMAN ENVIRONMENT

Mr. MUSKIE, Mr. President, on December 3, 1968, the United States joined with Sweden and 49 other member nations of the United Nations in supporting a resolution to convene, not later than 1972, an international conference on the human environment. Sweden and her able representative to the United Nations, Ambassador Astrom, are to be commended for taking the initiative in proposing this international conference, and for their offer to act as the host country. The world is facing an environmental crisis of constantly increasing proportions, and nothing short of an international effort can hold out any real hope for mankind in the face of that crisis.

The earth is only so large; it will not grow. Three and one-half billion people are in effect riding a spaceship—the earth. We are converting material and energy for our use, and generating wastes in the process. The total environment of the world—the rivers, the lakes, the land, and the atmosphere—is burdened with the byproducts of our consuming society. As a result, the delicate ecological balance on which our survival depends is in serious danger of being upset.

No nation can afford to consider its environment as though it were a private preserve. History has convinced us that peace and freedom are secure only when they are universal, and the quality of our environment demands the same perspective.

The nations of the world must develop ecological consciences, an awareness that we are all a part of a single ecosystem developed over eons of time. Our alteration of that ecosystem puts a heavy responsibility on man to manage the quality of the environment to assure his own survival and the survival of those other species essential to life on earth.

As the world's most highly industrial-

ized nation, the United States has been guilty of environmental mismanagement, but we have developed significant programs to control and abate the degradation of our environment. We bear a special responsibility to exercise world leadership in this area.

The resolution which I introduce today authorizes the State Department to pledge the full support and participation of the United States in accomplishing the conference objectives.

Mr. President, I ask unanimous consent that the text of the resolution, the United Nations' resolution, Ambassador Wiggins statement of December 3, 1968, and Ambassador Astrom's statement of July 19, 1968, be inserted in the RECORD at this point.

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

The resolution was referred to the Committee on Foreign Relations, as follows:

S. Res. 179

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

Whereas the problems of human environment respect no international boundaries and are cause for the concern of all people;

Whereas the world's increasing population and accelerating urbanization continually enlarge the dimensions of the problems concerning human environment;

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

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

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

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

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

The material, presented by Mr. MUSKIE, follows:

TEXT OF U.N. RESOLUTION¹

THE PROBLEMS OF HUMAN ENVIRONMENT

The General Assembly,

Noting that the relationship between man and his environment is undergoing profound

changes in the wake of modern scientific and technological developments.

Aware that these developments, while offering unprecedented opportunities to change and shape the environment of man to meet his needs and aspirations, also involve grave dangers if not properly controlled,

Noting, in particular, the continuing and accelerating impairment of the quality of the human environment caused by such factors as air and water pollution, erosion and other forms of soil deterioration, waste, noise and the secondary effects of biocides, which are accentuated by rapidly increasing population and accelerating urbanization.

Concerned about the consequent effects on the condition of man, his physical, mental and social wellbeing, his dignity and his enjoyment of basic human rights, in developing as well as developed countries,

Convinced that increased attention to problems of the human environment is essential for sound economic and social development,

Expressing the strong hope that the developing countries will, through appropriate international co-operation, derive particular benefit from the mobilization of knowledge and experience about the problems of human environment, enabling them, *inter alia*, to forestall the occurrence of many such problems,

Having considered Economic and Social Council resolution 1346 (XLV) of 30 July 1968 on the question of convening an international conference on the problems of human environment,

Bearing in mind the important work on some problems of the human environment at present being undertaken by organizations in the United Nations system, in particular the United Nations (including the Economic Commission for Europe), the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the World Meteorological Organization, the Inter-Governmental Maritime Consultative Organization and the International Atomic Energy Agency, as referred to in the report of the Secretary-General on activities of United Nations organizations and programmes relevant to the human environment,²

Aware of the important work being done on problems of the human environment by Governments as well as by intergovernmental organizations such as the Organization of African Unity and non-governmental organizations such as the International Union for Conservation of Nature and Natural Resources, the International Council of Scientific Unions and the International Biological Programme,

Bearing in mind the recommendations of the Intergovernmental Conference of Experts on the Scientific Basis for Rational Use and Conservation of the Resources of the Biosphere,³ convened by the United Nations Educational, Scientific and Cultural Organization, with the participation of the United Nations, the Food and Agriculture Organization of the United Nations and the World Health Organization.

Convinced of the need for intensified action at the national, regional and international level in order to limit and, where possible, eliminate the impairment of the human environment and in order to protect and improve the natural surroundings in the interest of man,

Desiring to encourage further work in this field and to give it a common outlook and direction,

Believing it desirable to provide a framework for comprehensive consideration within

¹ U.N. doc.A/RES/2398 (XXIII); adopted on Dec. 3 without objection.

² U.N. doc.E/4553.

³ U.N. doc.A/7291.

the United Nations of the problems of human environment in order to focus the attention of Governments and public opinion on the importance and urgency of this question and also to identify those aspects of it that can only or best be solved through international co-operation and agreement.

1. *Decides*, in furtherance of the objectives set out above, to convene in 1972 a United Nations Conference on Human Environment;

2. *Requests* the Secretary-General, in consultation with the Advisory Committee on the Application of Science and Technology to Develop, to submit to the General Assembly at its twenty-fourth session, through the Economic and Social Council at its forty-seventh session, a report concerning:

(a) The nature, scope and progress of work at present being done in the field of human environment;

(b) The main problems facing developed and developing countries in this area, which might with particular advantage be considered at such a conference, including the possibilities for increased international co-operation, especially as they relate to economic and social development, in particular of the developing countries;

(c) Possible methods of preparing for the Conference and the time necessary for such preparations;

(d) A possible time and place for the Conference;

(e) The range of financial implications for the United Nations of the holding of the Conference;

3. *Further requests* the Secretary-General, in preparing the report, to consult Governments of States Members of the United Nations and members of the specialized agencies and of the International Atomic Energy Agency and appropriate organizations of the United Nations system, and to draw on contributions from appropriate intergovernmental and non-governmental organizations.

UNITED STATES JOINS IN PROPOSING 1972 U.N. CONFERENCE ON THE PROBLEMS OF THE HUMAN ENVIRONMENT

(Statement by Ambassador Wiggins)

(NOTE.—Following is a statement by James Russell Wiggins, U.S. Representative to the General Assembly, made in plenary session on December 3, together with the text of a resolution adopted by the Assembly that day.)

The United States is privileged to join with Sweden and 49 other nations in a resolution to convoke, not later than 1972, an international conference on the problems of the human environment. We join in this proposal with a deep sense of the importance of this subject for every nation, and with admiration for the initiative of Sweden and her able representative, Ambassador Astrom.

The evidence of mankind's gathering environmental crisis does not have to be sought in books or in scholarly documents. City dwellers on every continent of this crowded earth see it, hear it, smell it, absorb it, and suffer from it.

It is in our air—filled with the noxious fumes of factories, furnaces, bulldozers, wreckers, trains, trucks, buses, boats, aircraft, and automobiles by the scores of millions.

It is in our lakes and rivers—suffocated by fertilizers that drain from our farmlands and polluted by an ever-growing flood of industrial, agricultural, and chemical wastes.

It is on our land—more and more of which is buried under the encroaching megalopolis or poisoned by pesticides or wounded by strip mining and timber cutting or strewn with the ugly rubbish of our fabulous productivity.

Despite tardy efforts to relieve these conditions, they pose a rising threat to human wellbeing in every nation and community, at whatever stage of development.

In the last century, a mere tick on the celestial clock, we have loosed upon the earth such a mass of humanity and such a torrent of energy as to transform much of it beyond recognition. For the first time, we are brought face to face with the stark facts that space upon this planet is finite, that the resources of this planet are exhaustible and not easily renewed. We are made aware that by his sheer numbers and his heedless ingenuity man can injure his environment so as to hasten his own extinction. We have not much time left in which to learn to proportion our population to available resources and to become good enough trustees of our inherited wealth of air, water, earth, and forms of life so that our posterity may hope to survive in a condition better than bestial struggle.

THE AMERICAN EXPERIENCE

The United States, as a highly industrialized nation, is well acquainted with these environmental problems and has begun, however, belatedly, to mobilize considerable efforts to attack them. It may be useful for me to give a few examples, not forgetting that our American problems are but illustrations of a world problem.

The extent of a people's capacity to transform their environment, for better or for worse, corresponds very closely with the amount of energy they consume. Since the middle of the 19th century, while the population of the United States has multiplied ninefold, this nation's consumption of energy has multiplied by about 25. It is still increasing and at an accelerating rate; in less than 20 years it will be half again what it is now. This rising expenditure of energy has brought our people many good results. It has relieved us of backbreaking drudgery, given us undreamed-of creature comforts, lengthened our lives and brightened them with books, pictures, music, travel, and recreation. But along with these blessings, a host of unintended and unwanted byproducts have made the word "pollution" a part of our daily vocabulary.

Every year in the United States 142 million tons of smoke and noxious fumes, over 1,400 pounds per capita, are dumped into the atmosphere.

Every year this nation discards 7 million automobiles, 20 million tons of paper, 48 billion cans, 26 billion bottles and jars. Much of this material, made of aluminum and plastics, is virtually proof against decay. One wonders what archeologists of some future age will think of us when they dig these things up.

Every year the American mining industry discards more than 3 billion tons of waste rock and mill tailings.

Every year American lakes, rivers, and estuaries receive some 50 trillion gallons of hot water, used for cooling by the power industry, and unknown millions of tons of organic and chemical pollutants from our cities, farms, and industrial plants.

POLLUTION OF LAKES AND STREAMS

A brief glance into American history reminds us of what a change we have wrought in our natural environment, especially our waters.

The Hudson River, which our Secretary-General can see as he looks west from his office window, was described by Henry Hudson, who first saw it in 1609, as "clear, blue and wonderful to the taste." In colonial days salmon were plentiful. A hundred years ago giant sea sturgeon were caught and stacked like cordwood on Hudson River wharfs, and their caviar, not yet popular in this country, was exported by the ton to Russia. Ten to twenty million pounds of oysters were harvested in the lower Hudson as late as 1880.

Today most of the lower Hudson, from Albany to the sea, is so polluted with the wastes of cities and factories that it is unfit

for drinking or swimming and of little value for fishing or even boating. Oysters and clams have virtually disappeared. The worst stretches of the river have been described in such phrases as "a torrent of filth" and "one great septic tank." It will take a billion dollars and a 10-year program, only now getting underway, to restore this beautiful river. The Hudson, by the way, originates in the Adirondack Mountains in a lake called Tear of the Clouds. No wonder the clouds weep.

Other American rivers, with far less concentration of population and industry upon their shores, have also sunk into degradation.

When Captain John Smith, one of the earliest Virginia settlers, first saw the Potomac River, its waters were so clear that he could see the bottom in several fathoms. He described it as "fed with many sweet rivers and springs" and frequented by otter, beavers, martens and sables, and fish so thick that he and his men attempted to catch them in a frying pan. He wrote: "Neither better fish, more plenty or variety, had any of us ever seen in any place."

A description of that same Potomac 350 years later appears in a recent report of the President's Council on Recreation and Natural Beauty:

"As the Potomac slowly flows through the nation's Capital, its load of silt, filth and acid from farms, mills and mines blends with discharge from overloaded sewers to nourish an algae bloom and a summer stink that rises from the river for miles below the metropolis."

There again, a long and costly program of rehabilitation will be required before the river is restored to health.

A similar story can be told about the pollution of Lake Erie, the Mississippi, the Androscoggin, and hundreds of other American lakes and streams.

POLLUTION CONTROL PROGRAMS IN THE UNITED STATES

Such is the dark side of the story in America. There is a bright side, or brightening at any rate. In the past few years, the United States has seen a rapid acceleration of programs of conservation and pollution control at many levels of government and in private industry as well. The Federal Government has embarked on a 5-year, \$3.5 billion program to help cities build modern sewage treatment plants. New York State voted 2 years ago to raise a billion dollars to clean up the State's rivers.

New York City alone plans to invest \$2 billion in the next 10 years for clean air, clean water, and clean streets. Within 5 years it plans to complete its system of modern sewage treatment for the 1.3 billion gallons of the city's daily water supply. This will improve the waters around the city enough to open miles of new city beaches to public recreation.

In the fight on air pollution, city after city has tightened its regulations. New York City powerplants have drastically reduced the sulfur content of their fuels. A month ago this city began operating a computerized air monitoring system to warn against pollution crises and to gather knowledge for better controls. All such efforts are aided by nationwide limits, now being set by the Federal Government, on the amounts of harmful exhaust which new automobiles may emit, beginning with 1968 models and due to be further tightened by 1970.

American private industry also is spending increasing amounts to control pollution. Its controls on air pollution alone are estimated to cost \$800 million a year. The American oil industry is spending \$382 million in 1968 to combat water pollution.

Even these figures are small compared with probable investment in all forms of pollution control in the United States over the

coming decades—a figure which has been estimated at well over \$200 billion.

Our remedies are still several jumps behind the problem; in some cases we seem to be gaining on it; but we still have a long, long way to go, and there is much that we have yet to learn.

A WORLD CONCERN

Mr. President, I have cited these facts about the United States not because they are unique but rather because they are typical of the environmental predicament of every industrial society, especially those in a stage of rapid growth.

Pollution is no respecter of nations, cultures, or economic systems. Consider Lake Baikal, that almost sacred lake among the virgin pine and larch forests of Soviet Siberia, 420 miles long and the oldest and deepest body of fresh water on earth. The crystal-pure waters of Baikal contain a thousand species of plants and animals known nowhere else. It is famous the world over as a unique laboratory for the botanist, zoologist, and student of evolution. Over a year ago, despite protests from scientists in the U.S.S.R. and abroad, pulp mills began to discharge their sulfurous effluents into the waters of the lake. Similar pollution problems afflict other waters in the Soviet Union, such as the Angara River, with its vast electric power and manufacturing complex, and the sturgeon fisheries on the Volga River and the shores of the Caspian Sea.

In the heart of Western Europe, the story is much the same. There is no more sorrowful victim of industrial progress than the fabled River Rhine—that "valley of sweet waters" of which Lord Byron sang a century and a half ago. The Rhine in recent decades has had to struggle ever harder against the industrial wastes of the Ruhr, which have turned some of its tributaries into open sewers.

The prevalence of such conditions in industrial areas has, fortunately, not gone unnoticed by the developing nations. Their growing concern for problems of the human environment has been manifested in many ways—among others, by the large number of such nations that are cosponsors of the present resolution in this Assembly.

As we approach the second Decade of Development, these nations wisely desire to achieve the benefits of development at the least cost in damage to their natural environment. They can well take warning from the past mistakes of other countries, including my own.

The universality of these conditions is one reason why pollution of the human environment has become a world problem calling for the concerted efforts of the world community.

POLLUTION CROSSES BOUNDARIES

But there is another reason. Our cities, industries, and farms operate on such a scale that their physical environment is literally the whole planet, with its all-encircling ocean of both air and water. Manmade pollution crosses every boundary, riding the wind and rain, the rivers and ocean currents, the bodies of migrating fish and birds.

The Conference on the Human Environment is sure to have high on its agenda such global pollution problems.

What, for example, are we going to do about long-lasting pesticides, such as DDT, which are sprayed on crops at a rate of over 100 million pounds a year? Minute concentrations of them can be lethal to fish and birds and to the ocean plankton which are a vital link in the chain of life. DDT has been detected in places as remote as Antarctica. How can we prevent a rising level of such pollutants throughout the world?

What are we going to do about the rapidly rising quantities of inorganic nitrogen fertilizer which drain from the farmlands of the

world into lakes, rivers, and estuaries and which combine with urban sewage to rob these waters of their oxygen and their ability to support life? How can this pollution be curbed without hampering the worldwide effort to grow more food?

What are we going to do to prevent contamination by radioactive wastes from the growing number of nuclear power stations throughout the world? In the present generation, for the first time since the world began, all of us have been exposed to man-made sources of radiation whose effects are still not fully known.

What steps should we take to preserve the immense diversity of the earth's plant and animal species? It is this diversity that gives stability to the intricate balance of living nature in every environment. In the industrial century just past, over 70 species of mammals alone have been exterminated—more than in the previous 2,000 years. Today some 100 other animals species face the same danger.

What are we going to do about the accidental spilling of oil from tankers and other ships? Since the *Torrey Canyon* disaster of 1967, there has been some advance in methods of combating this menace. But such accidents continue to occur with devastating effects. And with the giant tankers of yesterday being dwarfed by the 300,000-ton monsters now coming off the ways, the potential for future disasters is great.

And what are we going to do about the steadily rising burden of carbon dioxide in the earth's atmosphere? Already in the past 100 years, since fossil fuels began to be burned in huge quantities, atmospheric carbon dioxide has increased close to 10 percent. This increase will probably total about 25 percent by the year 2000, given the rapidly accelerating rate of fuel consumption. Will the resulting "greenhouse" effect cause a permanent warming of the earth's climate, and perhaps even a rise in the world sea level as the polar icecaps melt? No one is sure, though much of human destiny could depend on the answer.

One could mention many other problems common to industrial nations which will surely be considered by the Conference on the Human Environment, such as the safe and economical disposal of solid wastes; the preservation of forests and groundcover, whose loss has been a prime cause of catastrophic floods in many lands; the ever-rising clamor of noise that surrounds our cities, our factories, our highways and airports the world over; and not least important, the education of our children to respect and defend their environment—for without the support of public opinion nothing enduring can be achieved.

In this discussion I have sought to concentrate on the concrete and practical. But when we speak of the threat to our natural environment, we inevitably think also of a threat to our minds and spirits. As one Soviet conservationist, Miss V. Sagalova, recently wrote: "It is impermissible to consider forests only as a source of timber." In much the same vein our United States Supreme Court said a year ago in deciding against a proposed dam project: "A river is more than an amenity, it is a treasure."

It would be tragic indeed if man, in exchange for his fabulous power to mine and manipulate his environment for particular technical ends, should lose his more ancient power to relate to that same environment to feel his primeval kinship with it, to wonder at it, and draw strength and solace from it. This power is deep in our nature. We are incomplete if we do not express it. One American naturalist, Dr. S. Dillon Ripley, believes that in today's industrial-urban civilization "man is building his own zoo," a cage that cramps his nature as surely as the bear's nature is cramped as he paces

behind the bars. I do not think it sentimentalism to include this among the unintended ill effects of our dazzling industrial progress.

STEPS TOWARD A SOLUTION

Mr. President, experience tells us that our manifold environmental problems are not going to be solved automatically by any economic system, whether that of the free market or that of the state planner. The hope for their solution lies in our own purposeful decisions to uphold, even at considerable cost, certain values that we cherish, such as respect for the beauty and vulnerability of our earthly surroundings and a provident regard for our posterity. These values can find effective expression only in the collaboration of natural and social scientists, governments, businessmen, engineers, and good citizens; people with the requisite knowledge and the requisite power to decide, mobilize, organize, and lead. To raise the efforts of all these people to a sufficient level and to organize them on a world scale will be the purpose of the Conference on the Human Environment.

Fortunately, there is already a momentum of action by many international bodies which bodes well for the conference 4 years hence. Ambassador Astrom ably described many of these actions by both governmental and scientific organizations in his address here this morning. It was these accelerating activities that led up to Sweden's initiative in the Economic and Social Council last July and hence to the draft resolution that now lies before this Assembly.

All this takes place at a time of rapid growth in the science and technology of environmental improvement. There is thus an increasing reservoir of knowledge and experience in many countries on which the proposed conference can draw. The conference should be able to bring to many nations a better knowledge of the processes of change in our living environment and the best and cheapest means of preventing its deterioration.

It should strengthen efforts to regenerate those environments already seriously impaired and, what is equally important, forestall the depredations that await the natural environments of those lands only now entering upon industrial development.

Indeed, let us all hope that governments will not wait for the conference of 1972 before taking energetic action to relieve and repair the wounds we have inflicted on nature and on ourselves. All in authority, surely, should act without delay to apply the correctives that are already known. The period between now and 1972 should be one of ferment, not only of preparation for the conference but of practical action in every field: new scientific work, technical and administrative development, training of qualified manpower, public education, and political decision.

Mr. President, I believe that the environmental problems we now ask the General Assembly to consider will appear, in the perspective of years, as of incomparably greater importance to the human species than those political dissensions to which, because they arouse such dangerous passion, we must devote such a great part of our days and nights at the United Nations. As one contemplates the future that will be in store for all the children of men if society does not address itself to these problems, one is struck by the irrelevance of many of the issues that have for so long engaged our close attention.

One morning recently, just at dawn, I stood at the window of the American Embassy on the 42d floor of the Waldorf looking eastward toward the rising sun, which lifted slowly above a great bank of cloud and smog. I thought of how the river and the land and the sky must have looked when Western man

first came to these shores and how everything had changed. As I watched in gloomy contemplation, a great plane traversed the now brightening sky above the cloud bank. Then a morning breeze stirring in those high altitudes began to twist the vapor trails that it left behind until they slowly formed themselves into a vast interrogation point in the eastern heavens.

And I know the question that was asked in the skies. It was: "Can man on this planet survive his own fecundity and his own folly?" That is the question, Mr. President, and the time is at hand when the nations of the earth must answer it.

STATEMENT BY AMBASSADOR SVERKER ÅSTRÖM,
ON THE QUESTION OF CONVENING AN INTERNATIONAL CONFERENCE ON THE PROBLEMS OF HUMAN ENVIRONMENT

We are now embarking on a debate which, by any reckoning, must be considered an important one. The quality of human environment is a matter of direct importance to all human beings. The air we breathe, the water we drink or use for various industrial purposes, the soil from which we draw our sustenance of life, the oceans which are the repositories of living organisms which produce food and oxygen, are the components of our environment. Their interaction determines the conditions of life on this planet of ours.

It is a hard and frightening fact that all these components, due to many factors, most of which have to do with rapid industrialization and urbanization, are undergoing deterioration at an ever increasing scale and at an ever accelerating rate. At the same time the need is growing to plan ahead, to try to avoid in the future the mistakes in the past which have made so much of our present environment unhealthy, unpleasant or ugly and which threaten, if not corrected in time, the wellbeing, the progress and, ultimately, the survival of man.

This is the first time that one of the principal organs of the United Nations tries to come to grips with this problem which, together with the necessity of rapid economic and social development, must be viewed as one of the compelling issues of our time. Indeed, these two are interrelated, inasmuch as due attention to the quality of environment is a prerequisite of sound economic and social development.

It may be said that human environment is too vague and too general a concept to allow for a comprehensive and cohesive discussion. We do not feel that this is so, and I will briefly indicate why.

History can be seen, from one aspect, as a process of continuous interaction between man and his physical environment. By using the natural resources around him, man changes his environment in order to improve his conditions of life. Many of the changes are lasting achievements which benefit everybody. Others are of short-term advantage, perhaps only to small groups, but make life difficult in the long run for the large majority and, ultimately, for all.

Conversely, man, as an individual and as a social being, is influenced by the natural surroundings. If these change, the impact is felt on the state of man's mental and physical health, on his total living conditions, be they related to food, work, housing or social relationships.

Never before has man possessed such powerful means to change his environment as today. Natural resources are used on a scale which could not be imagined only a few decades ago. Population grows at a rate unparalleled in history. Science and technology provide an ever increasing number of people with enormous opportunities to change the environment. The pressure on the natural resources increases.

In certain parts of the world the environ-

ment is, in fact, undergoing serious deterioration and, in some cases, destruction. This means that natural resources are depleted and that processes are set in motion which, if unchecked, will drastically change and damage the conditions for human life. This phenomenon is clearly visible in countries in an advanced stage of industrialization and urbanization. As more countries approach and enter this phase of development, the problem becomes more serious. A worldwide exchange of knowledge and experience is required to prevent repetition of mistakes made.

During previous historical epochs, when conditions for human life in a certain geographical region were destroyed through human action, civilization could flourish in another region, and movements of population could take place. When the natural environment is destroyed in the world of today, no emigration can solve the problem, neither from one part of the planet to another, nor to another planet. There is no escape from the problems created by the depletion of resources and by disturbances in the living systems on the thin surface of the earth between soil, water and atmosphere.

If the pressure against the natural resources increases beyond the point of regeneration, nature is ruined and cannot be restored. There is a point of no return. Determined efforts must be made to stop developments which bring this point nearer.

The facts are well known, and I will not tire you with repeating them in any detail. But I think it might be useful if I briefly review the dimensions of the problem.

The basic components of the physical environment of man are fertile soil, fresh water of high quality and of sufficient quantity, living oceans and air of the right composition and the right temperature. The quality of these four basic components is dependent on the living organisms—from the microscopic algae and soil microbes to the most developed forms of life and to man himself. The quality of environment is in other words dependent on the interaction of all these forms of life, on the maintenance of balanced ecological systems. In the last analysis, the continued existence of man is dependent upon how these four basic components continue to play their respective roles in the cycles of the living world.

Nature regenerates itself, but if man by the use of techniques, which are exclusive to man, intervenes in these processes beyond the limits that nature tolerates, nature is ruined and cannot be regenerated. There is a point of no return beyond which no meaningful life is possible.

Serious mistakes that have brought us close to, and sometimes beyond, this point have been made in the countries that are generally described as developed. It is of the utmost importance that they are not repeated in areas of the world that now undergo rapid industrialization and urbanization.

May I now say a few words about each one of the four basic components of the physical environment. It is a well known fact of history that many civilizations have been destroyed by the erosion of the soil. In old times when the number of men was comparatively small, new areas with virgin fertile soil could be found, when the old ones were destroyed. In our age the whole globe is populated, and no large new regions are available once the old regions have grown less fertile. It is more important than ever that soils are maintained as fertile as possible and, in particular, that none are being destroyed beyond the possibility of regeneration. However, in spite of this knowledge soil erosion continues on a global scale, as becomes clear from an examination of numerous studies made by scientific institutions, FAO and many other bodies.

The mechanism of soil erosion varies be-

tween the different climatic zones. In the temperate regions wind erosion and the lowering of the ground water levels constitute the most serious problems. When the cities and the industries use up too much of the ground water, the soils grow drier and the situation gets more serious.

In certain highly industrialized regions water is used to such an extent that rain and snow only replace one third of what is used. We already see the signs of water scarcity in these too densely populated and industrialized regions.

The same problems, although partly due to other factors, are found in the tropical regions. The situation there is complicated by the fact that many tropical soils are even more sensitive than the soils of the temperate regions. If such soils are left without cover, the hot sun changes the soil to a leathery surface.

The next step is that the soil grows hard as brickstone. This laterized soil cannot be used any more and must be left as a desert. No technique is known by which laterized soil could be made fertile again.

The second component of the physical environment is water.

In many temperate regions, where nature has supplied man lavishly with fresh water, this asset has been used as if it could never come to an end. The rich countries in those regions have for that reason treated the water resources in a careless way. Rivers and lakes are used as recipients for all the wastes and poisons of the cities and industries usually without any purification of the effluents. A particular problem in this field which is causing serious misgivings and has necessitated governmental action in my country is the spread of methylated mercury.

The degradation of the quality of the fresh water has accelerated even more than expected because of the introduction of phosphate-containing synthetic detergents, which fertilize the lakes to such an extent that they ultimately die. The situation rapidly develops in this direction. In many cases the degradation has reached the point where no self-purification is possible in the limited time span man has at his disposal. The end phase of the destruction of a lake is a hydrogen sulphide stinking body of water where the fish has died.

Simultaneously, due to the extensive use of water in cities and by industries, the ground water level sinks dangerously low.

The mistakes which have led to this situation should not be repeated in those countries that now enter the phase of industrialization and urbanization. These countries may still steer the development in a better direction.

The coastal waters are in many places used as dumping places for wastes from cities and industries. Often it is not the emitting industry or even the polluting country that is first hurt in these cases. Other nations, other population groups can get their life conditions changed and endangered. The water currents and the fish do not know any borders. International regulations are indeed badly needed if the problems are to be solved.

May I here also point to the dangers constituted by oil, dangers which have been dramatized by a well-known recent catastrophe and which are increasing at an alarming rate.

Furthermore, the disturbances created by man can lead to, and have led to, the extinction of whole species of fish etc., thereby causing not only severe strains on the food situation in the world and great difficulties to the economy of the fishing nations. The extinction will also cause changes in the metabolism of the oceans which are difficult to anticipate. It is necessary that these matters are considered again internationally.

Still bigger disturbances of the living systems in the oceans seem to be impending.

Only one danger will be mentioned here. The pesticide DDT is very resistant to detoxification and degradation in nature. This was thought to be an advantage when DDT was introduced two decades ago. This substance is thus active for years after it has given the planned results. The winds, the waters and all their inhabitants have spread DDT to all the corners of the world, and is to be found in the body fat and nervous tissues of all living beings, including man. According to a scientific report from the spring 1968 1/1000 of a gram of DDT in thousand kg of water may lower the metabolism of the algae by 75 per cent. This is a direct threat to the life of the algae, since hundreds of thousands of tons of DDT are spread over the continents every year, and of which a major part ultimately finds its way to the oceans.

The algae in the oceans supply the atmosphere with three quarters of the oxygen. We may thus endanger even the vitally important oxygen content of the air.

The algae also constitute the basic food for all the marine organisms. If the existence of the algae is threatened, then all life of the kind we know is also threatened.

As to the third component, the air, I would like to make the following observations.

The air pollution that we now hear so much about is caused by the finely divided particles and the gases that are transported by the winds. A major part of these very small particles in the atmosphere are the result of human action in cities, in industries and in agriculture. In the air of the cities these finely divided particles become charged with the gaseous substances emitted in all kinds of combustion activities, like heating, motors, reduction of electric energy, burning of wastes, etc., polluted particles seem to be one of the major causes of the increase in lung diseases like cancer and chronic bronchitis. Careful planning and the strict observance of certain rules are necessary if these hazards are to be limited or eliminated. Again, past mistakes must be avoided when planning the future expanding cities, their traffic and industry.

The enormous emission of particles to the atmosphere may cause a cooling of the surface of the earth, because part of the sunlight is reflected away. A car driving at 35 miles an hour emits around 1 billion particles a second. The corresponding figures for aircraft flying at high speed are truly astronomical. Even if such an extreme situation is not impending, smaller changes in the climate of the world could be caused by the reflecting particles.

The increasing reflection of solar energy by the dust particles is counteracted by another process. Mankind combusts at the moment the reserves of fossil fuels that are stored in the earth crust millions of years ago. This combustion gives an increase in the atmosphere's content of carbon dioxide. Carbon dioxide counteracts the heat emission from the earth. This mechanism could thus cease an increase in the temperature.

No definite answers to which process may be the more important are available at the moment. What is evident, however, is that man has already rendered the temperature equilibrium of the globe more unstable.

In this context may I briefly refer to the problem of noise? In a near future this problem which in earlier times seemed to be limited to cities and industries, may become more general when supersonic aircraft are introduced also for civilian use. The medical experts know that large groups of people, exposed to strong intermittent noise for long periods, may be damaged physically and mentally. Hundreds of millions of people may be exposed to intense noise without being able to protect themselves—in order to allow relatively few people to reach their destinations a few hours earlier.

It is quite obvious that the totality of the problems that I now refer to are made immeasurably more difficult and complex as a result of rapid urbanization. The huge increase of the population in the cities invariably provokes an enormous pressure on the environment.

The cities of Europe increased at the highest rate at the end of the 19th century. The rate of increase seldom exceeded 2 per cent a year. In spite of this rather low rate on increase—low when compared to the rate of increase found in the now developing countries (approaching an average of 5 per cent a year)—the cities did not succeed in solving the waste and pollution problems in a rational way. The results of the lack of waste and pollution management now place the cities of the industrialized countries before problems that are exceedingly difficult to solve. A city which had from the beginning taken these problems into account would have kept the expenses for environmental monitoring and control down, expenses that are now necessary if these cities are to survive in the long run.

The cities have not been built to cope with modern traffic, even less with the industrial pollution and the environmental poisons. These problems are and will be increasingly facing the old industrialized nations during the next decades. The mistakes committed should not be repeated by the nations now entering the necessary path of rapid industrialization.

A high degree of planning in rapidly expanding cities seems to be an absolute necessity. Nobody can know exactly how a city should be constructed to suit the inhabitants in an optimal way. This depends, to a large extent, on political considerations and social value judgments. But there is general agreement that environmental destruction caused by deficient sewage systems and polluted air should not be allowed to occur. Such problems may be solved without too large expenditures if plans are made in time, but they cannot be solved inexpensively if the planning is delayed for too long a time, as has happened in many industrialized nations.

We firmly believe that political considerations and social value judgments are shared around the world to such an extent that there is, in fact, general agreement also on what should and could be done, in a positive manner, to plan the future development of cities in such a manner that the people living in them are spared the stresses and sufferings, alarming crime rates, and social disturbances of all kinds, characteristic of many cities at the present time.

What I have now said indicates the complexity of the problems involved, but it also, I hope, serves to define them. What we are concerned with here is, in the first place, how to limit and, if possible, to eliminate the evil side-effects which might follow upon the utilization of science and technology. It is obvious that if economic development is to take place at a rate and on a social scale adequate to meet the growing expectations of a growing world population, all natural resources will have to be used to the full and in the most economic manner. But it would be a mistake, and one with potentially momentous consequences for mankind, if we did not do our utmost to avoid the deleterious side-effects of such utilization. It is true that there can sometimes be a conflict, at least in the short run, between the interest of rapid development on one hand and the preservation of the environmental quality on the other hand, but if a price has to be paid, it should be done in complete knowledge of the facts and consequences, always keeping the long range interests properly in view. Everything should be done to avoid repeating mistakes that have already been committed and to plan for the future in such

a way that the risk of mistakes is excluded or minimized.

The other equally important aspect is a positive one. Man is now in possession of scientific and technological resources which are truly spectacular. It can safely be assumed that further progress will follow in the years ahead. The achievements of science and technology must be geared to the improvement of the quality of human life. Economic growth is not an end in itself. It should serve ultimately to satisfy basic human needs and the furthering of human rights. Working and living conditions must be made safer and better suited to the aspirations of modern man. The cravings for spiritual and cultural satisfaction must be satisfied. Man is now in possession not only of the physical means of achieving this. He is also in possession of the knowledge allowing him, if he chooses to do so, to plan rationally his own environment in order to build a happier future. A famous modern writer has described our time as "the accidental century" to indicate that we have all too often let the miraculous changes in our environment, brought about by science and technology, just happen to us without proper foresight and without proper planning. This must not be allowed to continue.

What could the United Nations do in this field? First of all I wish to draw the attention on the important work that is being performed by many of the specialized agencies and other members of the United Nations Family. WHO has for some time been active in the field of water and air pollution. One important report on environmental pollution and its control (E/4457) has been prepared earlier this year by the WHO for ECOSOC. It has been carefully studied by my Government. The Swedish authorities concerned, and I am sure it is true about the authorities of many countries, have found it extremely valuable. The same goes for the report on conservation and rational use of the environment (E/4458) which has been prepared by UNESCO and FAO, also for the benefit of ECOSOC. UNESCO is organizing, with the participation of the United Nations, FAO and WHO, as well as with the International Union for the Conservation of Nature and the International Biological Programme, a Conference on the Biosphere this coming September. The conclusions and recommendations of this conference are eagerly expected. Various aspects of the total problem are under study by WHO, IAEA, IMCO and ILO. ECE is planning increased efforts on certain aspects and will organize a regional conference to take place probably in 1970.

I would like here to refer to the Secretary-General's report (E/4553) which gives an admirable account of the work done so far by the various United Nations Agencies. We are deeply grateful to the Secretary-General and his collaborators for the report.

All the work that is now going on deserves our active support and should be encouraged in every possible way.

The Swedish Government has come to the conclusion that valuable, indeed indispensable, as all these efforts are, there is a real need to provide a framework for a comprehensive discussion of them within the United Nations. Such a discussion would serve the purpose of encouraging the international organizations to intensify their efforts which should be seen as interrelated and mutually supporting. It would also serve to give these efforts a common outlook and direction so as to achieve maximal efficiency. It is for the Government Members of the United Nations to give this encouragement, this direction and this inspiration. So this should be one of the purposes of United Nations action.

Many national Governments are also devoting increasing attention to the problem.

Many of them have taken practical action of a legislative and administrative character to combat water and air pollution, soil erosion, etc.

However, although the urgency, gravity and complexity of the problems are more and more recognized by Governments and the various agencies and institutions which serve these Governments, it would nevertheless be highly desirable to draw the attention of Governments to the need for action, both on the national and international level, and to provide them with better and fuller knowledge about the means to cope with the problems.

Moreover, the scientists and technicians who are active in the various fields of the quality of human environment should be given an opportunity to present their views, their knowledge and their misgivings to selected administrators and leaders of public opinion whose collaboration is necessary if effective action is to be possible both nationally and internationally.

Finally, there is a need to identify those problems which can only, at best, be solved through international collaboration and agreement. This task requires a broad exchange of views in a comprehensive framework.

It is the conviction of the Swedish Government that all the purposes now mentioned would best be served by a decision taken by the General Assembly to call an international Conference under the auspices of the United Nations. We would hope that such a decision might be taken already at the 23d session.

The character of the conference that we have in mind emerges from what I have now said. We would thus not envisage it as a conference of government plenipotentiaries, authorized to pass resolutions or adopt conventions. Nor would it be a mere gathering of experts drawn from various scientific and technical institutions. It would rather be a meeting ground for both scientists, technicians, administrators, politicians and other persons engaged in work on various aspects of the matter. Obviously the participation has to be kept to the minimum compatible with the tasks set for the conference. We would attach special importance to the presence at the conference and the active participation of representatives of the specialized agencies and other organs members of the United Nations System as well as the interested MGO's.

Naturally if a Conference of this type is to be successful it will have to be very carefully prepared. In particular, the cooperation of both international agencies and national governments as well as non-governmental organizations will have to be enlisted. There are various methods that can be used to undertake these preparations, and it might be useful at some stage to ask the Secretary-General to present a study as to alternative suggestions. In line with our general thinking about the proper role of the Economic and Social Council as the main co-ordinating body of the United Nations economic and social activities, we further believe that the Council should be given a task in considering both the time and place of a Conference, the programme of work for a Conference, and other matters connected with the preparations. In particular, the conclusions and recommendations from the coming Paris Conference on the Biosphere will have to be carefully considered. I wish to say here that we attach very great importance to this particular conference. We do not feel that there is any reason to believe that the results of a conference will change our views as to the desirability of a conference of the character we are thinking of, but it is evident that they will have to be taken into account when considering the programme of work for the Conference.

The timing of the Conference is, of course, a matter for careful consideration. This matter will have to be studied and decided in the light of both the estimated length of the appropriate preparations for the Conference and of the calendar of conferences of the United Nations. I wish to recall that the General Assembly has expressed the wish that only one major international conference take place each year. In view of what is now known about the calendar for the United Nations, the year 1971 might be suitable. This date would also, it seems to us, allow for the necessary preparations. However, as far as the Swedish delegation is concerned, whether it is held a year or two later is not a decisive question. I wish to say, however, that the calendar of the United Nations must not be determined for the years to come in such a way that no place can be found for the consideration for this question, the importance of which will no doubt only become more obvious as time passes by.

Mr. President, it is easy to dramatize the issue now before the Council and to use apocalyptic words to describe the impending doom of humanity. I will refrain from doing so. I think that the cold facts and figures presented to us in studies and publications, many of them coming from United Nations organizations, speak eloquently enough in favour of early and energetic action. The Swedish Government is convinced that, under all circumstances, it will become imperative for the Member countries, separately and jointly, at some stage to take far reaching measures in order to prevent irreparable damage and to build a more harmonious and humane environment. Such action may be postponed but the price of postponement will be high.

PERFORMANCE RIGHTS AMENDMENT TO S. 543, THE COPYRIGHT BILL—AMENDMENT

AMENDMENT NO. 9

Mr. WILLIAMS of New Jersey. Mr. President, some years ago Mitch Miller, a musician of some note, heard an old song on an album of Civil War songs. While the song had been around for some time, it had never been a big hit from the point of sales. But Mitch took the song, gave it the Miller touch and the "Yellow Rose of Texas" became a tremendous hit overnight. Since that time, the special arrangement has been played countless times on radio stations by disc jockeys without paying Mitch a penny. If the author and composer still lived—and I am sure they do not—they would be compensated through royalty payments.

This song always had the potential of becoming a popular piece but the words were never combined with the right style that guarantees success until the Mitch Miller accent was added to it. What this indicates is that the performing artist and the songwriter are dependent upon each other and either is incomplete without the other. In short, to create a hit the extra ingredient—call it style or "soul," if you may—that is peculiar to a recording artist must be breathed into the song to insure a hit. The present copyright law and the proposed revision, however, do not protect the creative work of the recording artist as they do the author and composer. The author and composer, for example, receive a royalty each time the composition is played by a radio station.

In the 90th Congress, I submitted an amendment to the then-pending copyright revision bill, amendment No. 131 to section 597, 90th Congress, first session, which would have accomplished three central objectives:

First. The statutory recognition in a new section 117 of a performance right in sound recordings enforceable against those who use records in public performances for profit. This amendment would correct the present inequity of denying such a right to record companies and performers, while granting it to composers and music publishers.

Second. Retention of the present statutory "mechanical rate" in section 115. This is the royalty that record companies pay to music publishers under compulsory licensing provisions. The proponents of a higher rate made no economic case for the increase; indeed, the economic data presented justified a reduction in this rate.

Third. An amendment to section 303 to insure copyright protection to recordings already released and now in the catalog of record companies.

No final action on copyright revision was taken in the 90th Congress. In the current session, the Senate Copyright Subcommittee is considering a new S. 543, again proposing general copyright revision.

Since the last session, proponents of the recognition of performance right in sound recordings have been attempting to devise a new, simplified proposal which could serve as the basis of a compromise, so that the Copyright Subcommittee could promptly and equitably resolve this issue. The amendment that I am introducing today on behalf of myself and other Senators is the product of that consideration.

The recognition of a proposed performance right in sound recordings has the unified support of the record industry, the performers and the musicians union. There can be no serious dispute as to the equity of granting such a right of public performance. A recent example of a user taking unfair profitable advantage of sound recordings is the New York radio station which programed 5 hours of a single recording group. Although the station attracted listeners—to its benefit and the benefit of its advertisers—solely on the basis of the records it was playing, the artists, the musicians, and the record companies received no compensation in the form of performance royalties.

The record before the Senate Copyright Subcommittee demonstrates conclusively that a sound recording is the creative product of the talents of performers, musicians, and the record companies. Nevertheless, S. 543 limits the copyright for sound recordings to exclude "any right of performance under section 106(4)" of the bill. This same bill recognizes rights of public performance in every other member of the creative community. Composers and publishers are granted performance royalties because radio stations and other users are making a profit on the use of the composer's talents. To deny similar rewards to the

creative talent which produces a record is blatantly unfair.

The Register of Copyrights has recognized the equity of the record companies' case for performance rights, stating:

I am wholly sympathetic with the testimony from representatives of performers and some record companies urging recognition of a performing right in sound recordings. There is much to be said for this point of view, and it is possible that this right will eventually be recognized in the copyright law of the United States as it is now in other countries. (House Hearings, p. 1863.)

The House Judiciary Committee in the last session also emphasized "the creativity and value of the contribution of performers and record producers to sound recordings." And, it noted, in reporting the copyright bill, "the possibility of a full consideration of the question by a future Congress." The Register of Copyrights also admitted that performers on records were equitably entitled to performing rights.

The record industry has developed a comprehensive analysis of the extent to which radio stations profit from the use of sound recordings. The study was introduced in the hearings before the Senate Copyright Subcommittee. This study demonstrated that in the top 10 markets, reporting radio stations indicated that 77.40 percent of their commercial time—that is, the time sold to sponsors which provide the station's revenue—was made up of playing records. Furthermore, that study demonstrated conclusively that the broadcasting industry can easily afford to pay a reasonable royalty for the commercial use for profit of sound recordings. For example, at a time when record industry profits were plummeting, the broadcasting industry has shown the following increases in their pretax profits over the prior year: 1962, 48 percent over the prior year; 1963, 26.2 percent over the prior year; 1964, 29 percent over the prior year; 1965, 9.9 percent over the prior year. Present data have continued this trend. Pretax profits for radio stations in 1967 were up 25 percent over 1966.

Sections 116 and 177 of the amendment constitute a new proposal for a simple and equitable system, under the regulations of the Register of Copyrights, for the collection and distribution of performance royalties. The salient features of this compromise proposal are as follows:

A. SIMPLIFIED PROCEDURES TO OBTAIN COMPULSORY LICENSE

First. A compulsory license to all potential users is available to play all sound recordings by filing notice with the Copyright Office—section 117(b)(1).

Second. Users must file annual reports and make payment of royalty fees to only one person, the Register of Copyrights—section 117(b)(2). Reporting for jukebox owners remains under the provisions of section 116 of the bill, as the bill was reported out of the House in the 90th Congress.

B. SIMPLIFIED, SPECIFIC ROYALTY FEE PROVISIONS IN STATUTE

First. Jukeboxes: There is no increase in total fee paid by jukebox operators. Record owners and performers will di-

vide equally 25 percent of the agreed-upon annual \$8 per box fee—section 116(c)(1). Performing rights societies—which, without the added jukebox royalty revenues, are already enjoying record years would receive the remaining 75 percent of the \$8 fee. There are no additional reporting requirements for jukebox owners—section 116(b)(1).

Second. Radio and TV: A blanket license fee will be available which is equal to present total performance royalties paid to performing rights societies—ASCAP, BMI, SESAC—that is, 3.5 percent of net receipts from sponsors—section 117(c)(1). A lower pro rata license is available for talk stations and others using less than the average number of sound recordings for programming. *Ibid.* There is an exemption for small stations with less than \$25,000 in annual revenues. *Ibid.*

Third. CATV: The proposal provides for royalties identical to those granted to performing rights societies—section 117(c)(3).

Fourth. Suppliers of background music: A blanket license fee is set at 3.5 percent of gross receipts from subscribers—section 117(c)(2). A pro rata license is available for suppliers which own the copyrights of the recordings they use.

Fifth. Other users: A nominal fee of \$25 per location is provided—section 117(c)(4).

C. NEW COMPUTERIZED SYSTEM FOR DISTRIBUTION OF ROYALTIES BY COPYRIGHT OFFICE

First. One-half of royalties will be allocated for distribution to copyright owners—record companies—the other half, to performers—musicians and artists—section 117(e)(2).

Second. The distribution of royalties will be based upon samplings of relative use of records by users—section 117(e)(3).

Third. The administration of the distribution system will be by the Copyright Office. The Office can require that all new records will be manufactured with inaudible identification signals—section 113(e)(3). The Copyright Office will install newly developed, computerized, automatic monitoring and tallying devices, which will be triggered by the inaudible signal when a record is playing on radio or TV. Costs of administering distribution system will come from gross royalty receipts.

One industry source has described this system in the following terms:

A system can be designed to encode a music track in such a way that in any manner of reproduction including broadcast, the code may be detected. Basically, by means of a timing device very short pulses of some mid-range frequency are filtered out and a signal inserted at the coded repetition rate. When monitored the music is passed through a band, pass filters which filter out all the coded signal, and although some random music frequency may pass through the filters, the code may be detected because of its frequency.

This may be monitored by a computer which may be energized by a definite note at the start of the music and may be shut off by another code at any point thereafter.

A system is presently in use for identification of music by means of the code; therefore, its practicability has been established

and its adaptation to automatic recording of the signal is quite feasible.

The remainder of my amendment deals with retaining the present statutory "mechanical rate" that the record companies must pay to music publishers each time they make a record. S. 543 proposes a 25-percent rate increase for popular songs and a 100-percent rate increase for classical music. I believe that the evidence demonstrates no justification whatsoever for such increases. Under the present rates, music publishers' revenues increased by more than 10 percent in the last reported year, and these publishers cannot provide the Senate subcommittee with any data to support their proposed rate increase.

There are numerous reasons why the recording artist and recording company should be protected by the copyright law. As I indicated earlier, the unique creativity of the performer is indispensable to a successful recording. Anyone who has heard Ella Fitzgerald's rendition of "How High the Moon" knows that it is as similar to the original version as the Washington, D.C., telephone directory is. This is what the public buys—her creation—not the original love song composed for a Broadway show. Since it is her talent and imagination that is being used, she should be rewarded just as are the author and composer.

Mr. President, I ask unanimous consent that the proposed amendment be reprinted at this point in the RECORD.

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

The amendment (No. 9) was referred to the Committee on the Judiciary, ordered to be printed, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bill (S. 543) to amend title 17 of the United States Code, entitled "Copyrights," is hereby amended in the following respects:

SECTION 1. In section 101, amend the definition of "perform" to read:

"To 'perform' a work means to recite, render, play, dance, or act it, either directly or by means of any device or process or, in the case of a sound recording, to make the sounds fixed in it audible, or in the case of a motion picture or other audiovisual work, to show its images in sequence or to make the sounds accompanying it audible."

SEC. 2. In section 101, immediately following the definition of "perform," insert the following:

"Performers' in sound recordings, as that term is used in connection with the exclusive right to perform publicly a copyrighted sound recording as provided in sections 106, 110, 114, 116, and 117, are musicians, singers, conductors, arrangers, actors, and narrators who perform literary, musical, or dramatic works to be embodied in phonorecords."

SEC. 3. In section 106, amend the introductory portion to read:

"Subject to sections 107 through 117,"

SEC. 4. In section 106, amend subdivision (4) to read:

"(4) in the case of literary, musical, dramatic, and choreographic works, pantomimes, sound recordings, and motion pictures and other audiovisual works, to perform the copyrighted work publicly;"

SEC. 5. In section 110, amend subdivision (2) to read:

"(2) performance of a nondramatic literary or musical work, or of a sound recording, or display of a work, by or in the course of a transmission by a governmental body or other nonprofit organization, if:"

SEC. 6. In section 110, amend subdivision (3) to read:

"(3) performance of a nondramatic literary or musical work, or of a sound recording, or of a dramatico-musical work of a religious nature, or display of a work, in the course of services at a place of worship or other religious assembly;"

SEC. 7. In section 110, amend subdivision (4) to read:

"(4) performance of a nondramatic literary or musical work, or of a sound recording, otherwise than in a transmission to the public, without any purpose of direct or indirect commercial advantage and without payment of any fee or other compensation for the performance to any of its performers, promoters, or organizers, if:"

SEC. 8. In section 112, subsection (a), delete the following: "or under the limitations on exclusive rights in sound recordings specified by section 114(a)".

SEC. 9. In section 112, subsection (b), delete the following: "or under the limitations on exclusive rights in sound recordings specified by section 114(a)".

SEC. 10. In section 114, amend subsection (a) to read:

"(a) The exclusive rights of the owner of copyright in a sound recording are limited to the rights specified by clauses (1), (3), and (4) of section 106.

SEC. 11. In section 114, amend subsection (c) to read:

"(c) The exclusive right to perform publicly, by means of a phonorecord, a copyrighted literary, musical or dramatic work, and the exclusive right to perform publicly a copyrighted sound recording, are separate and independent rights under this title.

SEC. 12. In section 115(c) (1), amend the second sentence to read: "The owner is entitled to royalties for phonorecords made and distributed after he is so identified but he is not entitled to recover for any phonorecords previously made and distributed."

SEC. 13. In section 115(c), amend subdivision (2) to read:

"(2) Except as provided by clause (1), the royalty under a compulsory license shall be payable for every phonorecord made in accordance with the license and distributed to the public. With respect to each work embodied in the phonorecord, the royalty shall be either two cents, or one-quarter cent per minute of playing time or fraction thereof, whichever amount is larger.

SEC. 14. Amend section 116 to read as follows:

"§ 116. Scope of exclusive rights in nondramatic musical works and sound recordings: Public performances by means of coin-operated phonorecord players."

"(a) LIMITATIONS ON EXCLUSIVE RIGHT.—In the case of a nondramatic musical work embodied in a phonorecord, and in the case of a sound recording, the exclusive rights under clause (4) of Section 106, (i) to perform the work publicly by means of a coin-operated phonorecord player and (ii) to perform publicly a sound recording by means of a coin-operated phonorecord player are limited as follows:

"(1) The proprietor of the establishment in which the public performance takes place is not liable for infringement with respect to such public performance unless:

"(A) he is the operator of the phonorecord player; or

"(B) he refuses or fails, within one month after receipt by registered or certified mail of a request, at a time during which the

certificate required by a subclause (1) (A) of subsection (b) is not affixed to the phonorecord player, by the copyright owner, to make full disclosure, by registered or certified mail, of the identity of the operator of the phonorecord player.

"(2) The operator of the coin-operated phonorecord player may obtain a compulsory license to perform the work publicly on that phonorecord player by filing the application, affixing the certificate, and paying the royalties provided by subsection (b).

"(b) RECORDATION COIN-OPERATED PHONORECORD PLAYER. AFFIXATION OF CERTIFICATE, AND ROYALTY PAYABLE UNDER COMPULSORY LICENSE.—

"(1) Any operator who wishes to obtain a compulsory license for the public performance of nondramatic musical works on a coin-operated phonorecord player shall fulfill the following requirements:

"(A) Before or within one month after such performances are made available on a particular phonorecord player, and during the month of January in each succeeding year that such performances are made available in that particular phonorecord player, he shall file in the Copyright Office, in accordance with requirements that the Register of Copyrights shall prescribe by regulation, an application containing the name and address of the operator of the phonorecord player and the manufacturer and serial number or other explicit identification of the phonorecord player, and he shall deposit with the Register of Copyrights a royalty fee for the current calendar year of eight dollars for that particular phonorecord player.

"(B) Within ten days of receipt of an application and a royalty fee pursuant to subclause (A), the Register of Copyrights shall issue to the applicant a certificate for the phonorecord player.

"(C) The operator shall affix to the particular phonorecord player, in a position where it can be readily examined by the public, the certificate, issued by the Register of Copyrights under subclause (B), of the latest application made by him under subclause (A) of this clause with respect to that phonorecord player.

"(2) Failure to file the application, to affix the certificate, or to pay the royalty required by clause (1) of this subsection renders the public performance actionable as an act of infringement under section 501 and fully subject to the remedies provided by sections 502 through 506.

"(c) DISTRIBUTION OF ROYALTIES.—

"(1) After the first day of January in each year, the Register of Copyrights shall make an allocation of the royalties heretofore received by him under the provisions of subsection (b) and provide for the distribution of such royalties pursuant to the provisions provided herein. The allocation of the royalties shall be upon the following basis:

"(A) 25 percent of the royalties shall be allocated for distribution to the owners of the rights to perform publicly copyrighted sound recordings.

"(B) 75 percent of the royalty fees shall be allocated for distribution to the owners of copyrighted works which are publicly performed by means of a phonorecord.

"(2) The royalties allocated under subsection (c) (1) (A) shall be distributed pursuant to the provisions of section 117 (d) and (e). All such royalties are the property of the copyright owners and the performers, and shall be divided equally between them, pursuant to the provisions of section 117.

"(3) The portion of the royalty fees allocated under section (c) (1) (B) shall be distributed pursuant to the following procedures:

"(A) After the first day of January in each year, the Register of Copyrights shall file an

action in the nature of an interpleader with the United States District Court for the District of Columbia and shall turn over to the court the royalty fees deposited with the Register during the preceding year, for the purpose of having the court distribute them. The court shall distribute the royalty fees to copyright owners or their agents asserting claims thereto within the period of time to be fixed by the court, as follows:

"(i) To every copyright owner not affiliated with a performing rights society the court shall distribute the pro rata share of the deposited royalty fees to which such copyright owner proves his entitlement; and

"(ii) To the performing rights societies the court shall distribute the remainder of the deposited royalty fees in such pro rata shares as they shall by agreement stipulate among themselves, or, if they fail to agree, the pro rata shares to which such performing rights societies prove their entitlement.

"(B) Upon the filing of the interpleader and the turning over of the deposited royalty fees to the court, the Register of Copyrights shall be discharged from any further responsibility with respect to the collection, holding, and distributing of the royalty fees for the year for which the interpleader was filed.

"(C) With respect to the collection, holding, and distributing of the deposited royalty fees, the Register of Copyrights shall be a passive trustee, whose sole functions are to receive applications, issue certificates, receive deposited royalty fees, and turn the royalty fees over to the court in accordance with clauses (1) and (2), and to prescribe regulations relating to these functions.

(d) CRIMINAL PENALTIES.—Any person who knowingly makes a false representation of a material fact in an application filed under clause (1) (A) of subsection (b), or who knowingly alters a certificate issued under clause (1) (B) of subsection (b), or knowingly affixes such a certificate to a phonorecord player other than the one it covers, shall be fined not more than \$2,500.

"(e) DEFINITIONS.—As used in this section, the following terms and their variant forms mean the following:

"(1) A 'coin-operated phonorecord player' is a machine or device that:

"(A) is employed solely for the performance of nondramatic musical works by means of phonorecords upon being activated by insertion of a coin;

"(B) is located in an establishment making no direct or indirect charge for admission;

"(C) is accompanied by a list of the titles of all the musical works available for performance on it, which list is affixed to the phonorecord player or posted in the establishment in a prominent position where it can be readily examined by the public; and

"(D) affords a choice of works available for performance and permits the choice to be made by the patrons of the establishment in which it is located.

"(2) An 'operator' is any person who, alone or jointly with others:

"(A) owns a coin-operated phonorecord player; or

"(B) has the power to make a coin-operated phonorecord player available for placement in an establishment for purposes of public performance; or

"(C) has the power to exercise primary control over the selection of the musical works made available for public performance in a coin-operated phonorecord player.

"(3) A 'performing rights society' is an association or corporation that licenses the public performance of nondramatic musical works on behalf of the copyright owners, such as the American Society of Composers, Authors and Publishers, Broadcast Music, Incorporated, and SESAC, Incorporated."

SEC. 15. Add a new section 117, reading as follows:

§ 117. Limitations on exclusive rights: Public performance of sound recordings.

"(a) AVAILABILITY AND SCOPE OF COMPULSORY LICENSE.—Notwithstanding the provisions of section 106(4) and except to the extent that the public performance of a copyrighted sound recording is controlled by the provisions of section 116, after a sound recording has been publicly performed by or under the authority of its copyright owner, any person may, by complying with the provisions of this section, obtain a compulsory license to perform such sound recording publicly.

"(b) NOTICE AND ROYALTY PAYMENT BY USER OF SOUND RECORDING FOR PUBLIC PERFORMANCE.—Any person wishing to obtain a compulsory license to perform publicly all sound recordings subject to the provisions of subsection (a) shall fulfill the following requirements:

"(1) Record in the Copyright Office before the date of the public performance and in accordance with requirements that the Register of Copyrights shall prescribe by regulation, a notice including a statement of the identity and address of the user who intends to make the public performance, together with the name and address of where the public performance will take place.

"(2) Deposit with the Register of Copyrights, within one year after the date of the public performance and in accordance with requirements that the Register of Copyrights shall prescribe by regulation:

"(A) an annual statement of account specifying, as appropriate net receipts from sponsors, proportion of commercial time devoted to public performances of sound recordings, gross receipts from subscribers, the locations where public performances took place, and such other data and information as may be required by the Copyright Office;

"(B) a total royalty fee for the period covered by the statement of account, which fee is derived at royalty rates established in subsection (c) herein.

"(3) Failure to serve notice as provided by subsection (b) (1) or failure to file the annual statement of account and make payments as required by subsection (b) (2) renders the public performance of the sound recording actionable as an act of infringement under section 501 and fully subject to the remedies provided by sections 502 through 505.

"(c) ROYALTY FEES.—No copyright owner shall authorize the public performance of a sound recording at less than the applicable rate established under this section. The royalty fees for the public performance of a sound recording shall be as follows:

"(1) Radio and television broadcasters, AM or FM, single station or network, shall be entitled to secure a blanket license, entitling the user to perform publicly any and all copyrighted sound recordings which are subject to compulsory licensing under the provisions of section 117(a), provided that no royalty fee shall be required under the provisions of this Act of any radio or television broadcaster, AM or FM, single station or network, if its total broadcast revenues for the most recent calendar year were less than \$25,000. Users shall pay a royalty fee established, at the user's election, as follows: for a full license, 3.5 per centum of the user's net receipts from sponsors for the last year, or for a pro rata license, a royalty fee which is determined by multiplying the user's net receipts from sponsors for the last year by the applicable royalty rate for a pro rata license. The royalty rate for a pro rata license shall be determined by multiplying 3.5 per centum by a fraction, the numerator of which is the percentage of the user's commercial time in the most recent year which is devoted to playing copyrighted sound recordings and the denominator of which is 75 per centum. The user's commercial time in the most recent year shall be determined

with reference to a composite week and based on information which the user is required to maintain by the Federal Communications Commission. The Register of Copyrights shall prescribe such regulations as are necessary to the proper administration of this provision.

"(2) Suppliers of background music shall be entitled to secure a blanket license, entitling the user to perform publicly any and all copyrighted sound recordings which are subject to compulsory licensing under the provision of Section 117(a), and pay a royalty fee, at the user's election, as established in this subsection. Any person who subscribes to a background music service shall not be deemed to be a user under the terms of Section 117; for a full license, 3.5 per centum of the user's gross receipts from subscribers for the last year, or a pro rata license, which is available to any supplier of background music who owns the copyrights of any sound recordings it uses in supplying such background music. The fees for a pro rata license shall be—

"(1) a fee which is shared in equal part by the owners and performers. The fee shall be established by multiplying the supplier's gross receipts from subscribers for the last year by a royalty rate for a pro rata license. The royalty rate for a pro rata license is established by multiplying 3.5 per centum by a fraction, the numerator of which is the percentage of total playing time utilizing recordings whose copyrights are not owned by the supplier and the denominator of which is 100 per centum, and in addition,

"(1) a fee which will be the property solely of the performers. This fee shall be established by multiplying the supplier's gross receipts from subscribers for the last year by a royalty rate. The royalty rate shall be established by multiplying 3.5 per centum by a fraction, the numerator of which is one-half of the percentage of total playing time utilizing records which copyrights are owned by the supplier and the denominator is 100 per centum.

"(3) SECONDARY TRANSMISSION.—All users who are secondary transmitters, as that term is used in section 111 of the Act, shall pay a royalty fee in accordance with section 111.

"(4) OTHER USERS.—All other users who perform publicly copyrighted sound recordings, unless otherwise exempted by this Act, shall be entitled to secure a blanket license, entitling the user to perform publicly any and all copyrighted sound recordings which are subject to compulsory licensing under the provision of section 117(a), by paying a royalty fee of \$25 per year for each location at which such sound recordings are performed.

"(d) DISTRIBUTION OF ROYALTIES.—

"(1) After the first day of July in each year, following notice and hearing, the Register of Copyrights, after deducting his reasonable administrative costs under this section, shall make a determination as to an equitable distribution of the royalty fees received during the preceding year under this section as well as the royalty fees retained by him pursuant to the provisions of section 116(c) (1) (a). This determination shall be made pursuant to the provisions of subsection (e) of section 117. Thereafter, in accordance with such determination, he shall distribute such fees to the copyright owners and performers entitled, or to their designated agents. As a part of such determination and except as herein specified, the Register shall decide upon the time of distribution.

"(2) The Register's determination is in all respects final unless, within sixty days after it is released to the public, any person claiming a right to share in the distribution institutes an action for review of the determination in the United States District Court for the District of Columbia, which court has exclusive jurisdiction of said ac-

tions. In such an action the determination of the Register shall be sustained unless the court finds that it constituted fraud, malfeasance, or gross abuse of discretion.

"(3) While any such action as provided in subsection (2) is pending, the Register shall withhold from distribution an amount sufficient to satisfy all claims subject to judicial review, provided that the Register may proceed to distribute, in accordance with his determination, any amounts that are not in dispute and any amounts indisputed upon which an adequate supersedeas bond, the terms of which comply with the provisions of rule 73(d), Federal Rules of Civil Procedure and in a form suitable to the Register, has been posted by the recipient of such amount.

"(e) DISTRIBUTION OF ROYALTY FEES AMONG OWNERS AND PERFORMERS.—

"(1) To be entitled to receive royalties under section 117, the copyright owner must file the names and addresses of the owners and the performers in the registration or other public records of the Copyright Office.

"(2) All royalties received by the Copyright Office for the public performance of sound recordings under sections 116 and 117 are the property of the copyright owner and the performers. One-half of the royalties shall be segregated for distribution to the copyright owners and one-half for the performers, except that portion of the pro rata license paid under section 117(c) (2) segregated solely for performers.

"(3) The distribution of the applicable portions of the royalty fees among copyright owners and among performers shall be made upon the basis of an appropriate sampling of the relative use in public performances of each copyrighted sound recording. Pursuant to regulations promulgated after consultation with copyright owners and performers, including and not limited to requiring all new copyrighted sound recordings to carry inaudible signals to assist in identifying the records, the Copyright Office shall make such calculations and determinations as are necessary for an equitable distribution of performance royalties to copyright owners and performers. In the absence of a written agreement authorizing a representative or representatives to receive the performers' share of such royalties, the Register of Copyrights may make distribution to the performers entitled to such royalties as provided by regulations that the Register of Copyrights shall prescribe.

"(4) No agreement or hiring prior or after the effective date of this Act shall be operative to deny any performer his one-half interest in the royalties for the public performance of any sound recording after the effective date of this Act.

"(f) FAILURE OF COPYRIGHT OWNER TO PERFORM CERTAIN ACTS.—

"(1) The willful failure of a copyright owner of a sound recording to comply with the provisions of subsection (e) (1) shall render such copyright owner liable upon the suit of any performer in the sound recording to the injunctive relief of section 502 and for the amount of public performance royalties to which such performer would have been entitled if the copyright owner had complied with such provisions.

"(2) The willful failure of a copyright owner of a sound recording to enforce the rights provided by section 111, section 116 (b) (2) and section 117 (b) (3) for payment of royalties hereunder, shall render such copyright owner liable upon the suit of any performer in the sound recording to the injunctive relief of section 502 and for the amount of public performance royalties to which such performer would have been entitled if the copyright owner had complied with such provisions. The copyright owner shall not be liable to any performer for failure to enforce the rights specified in this

subsection (2) if he shall theretofore have provided notice to the Register, in accordance with regulations prescribed by the Copyright Office, that the copyright owner has determined not to enforce such rights against a class of users or against any individual user. Such notice shall serve to assign the cause of action to the performer.

"(3) If any performer notifies the copyright owner of a sound recording of an alleged failure to enforce the rights provided by section 111, section 116(b)(2), and section 117(b)(3) for payment royalties hereunder, the copyright owner shall thereupon either enforce such right or assign the cause of action to the performer; thereupon, the copyright owner shall not be liable to any performer for failure to enforce that right. All such notices and assignments shall be in compliance with procedural regulations therefor that the Register of Copyrights shall prescribe. This subsection does not limit the rights and obligations created under subsection (2).

"(4) For the purpose of subsection (f), royalties shall include such actual and statutory damages and profits, if any, collected by the copyright owner.

"(g) DEFINITIONS AS USED IN SECTION 117.—
"(1) 'Gross receipts from subscribers' is the total amount paid to suppliers of background music for the privilege of having such music transmitted to their physical locations.

"(2) 'Net receipts from sponsors' is an amount equal to 85 percent of the receipts from time sales of an individual radio or TV station or network, less advertising agency commission.

"(3) 'Commercial time' is any program of a radio or TV station, the time for which is paid for by a commercial sponsor or any program of a radio or TV station which is interrupted by a spot commercial announcement at intervals of less than 1½-minute periods.

"(4) 'Composite week' is the composite week used by the Federal Communications Commission in the consideration of applications filed with it during the most recent year.

"(5) 'Total revenues' consist of the receipts from time sales of an individual radio or TV station or network less commissions plus receipts from talent and program sales."

SEC. 16. At the end of section 303, insert the following:

"A sound recording created before January 1, 1971, phonorecords of which have theretofore been distributed to the public, shall be deemed first published on January 1, 1971. Copyright in such a work and in any other sound recording created before January 1, 1971, shall subsist and endure as provided by this section for other works."

SEC. 17. In section 402, delete subsection (d), which reads:

"(d) EFFECTIVE DATE OF REQUIREMENT.—The requirements of this section apply to all phonorecords publicly distributed on or after January 1, 1971."

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by the distinguished Senator from Tennessee (Mr. BAKER) relative to copyright revision.

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

STATEMENT OF SENATOR BAKER

A major item of legislative action left undone in the 90th Congress was copyright revision. In the current session, the Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary will be considering S. 543, which is a proposal for general copyright revision. Today the distinguished junior Senator from New Jersey (Mr. Williams) has submitted an amendment to

the copyright bill to correct an inequity that exists in the payment of royalties when recordings are broadcast.

At the present time, composers and recorders of songs are entitled to a royalty payment each time a recording of their composition is broadcast. The performing artist and the record company are not so entitled, even though the performing artist may take the original composition and work out his own arrangement which may be substantially different from the original. As we all know, the artist's arrangement and his name are often the primary attractions, and the success of the recording on many occasions is dependent on these factors. Nevertheless, both the recording company and the artist are denied the same economic benefit that accrues to the composer and publisher.

Composers and publishers are justifiably granted performance royalties because radio stations and other users make a profit on the use of their talents. To deny similar benefits to the creative talent which produces a recording is blatantly unfair. I commend the distinguished junior Senator from New Jersey in his endeavor to correct this inequity.

While I am firmly in support of the principle embodied in Senator Williams' proposed amendment, I do have some reservation concerning some particulars of the measure. The copyright bill presently contains a provision which requires the payment of an annual fee of \$8 for each jukebox in operation to the composer and publisher of a recording. The proposed amendment would not affect this overall amount but would require that 25 percent of this total fee be distributed to the recording artist and the recording company. I am not fully convinced that the better approach would not be to increase the overall amount rather than to divide the present \$8 fee by a 75/25 percent ratio.

Further, I have some reservation concerning the amount of the royalty that should be made available by the radio and television industry to the recording artist and the recording company. I am not altogether sure that requiring payment of 3.5 percent of net receipts received from sponsors is the most equitable figure for all concerned. Finally, I have some difficulty with the provisions of the bill relating to CATV.

Mr. President, I want to emphasize that I am not necessarily opposed to these provisions to which I have referred, but I do, at the present time, have some reservation concerning them. In any event, I am in firm support of the attempt to entitle performing artists and record companies to the benefits to which composers and publishers are entitled, and I shall lend all assistance possible to correction of this existing inequity.

BROADENING THE DEFINITION OF BANK HOLDING COMPANIES—AMENDMENT

AMENDMENT NO. 10

Mr. SPARKMAN. Mr. President, on March 24 the senior Senator from Utah (Mr. BENNETT) introduced for himself and for me a bill (S. 1664) to broaden the definition of bank holding companies and for other purposes.

The provisions of the bill were drawn by the Department of the Treasury. After S. 1664 was introduced, the Department of the Treasury discovered that its provisions did not accurately reflect the intentions of the Department. It was the intention to make the "grandfather" clause applicable only in those cases in which both the banking and nonbanking assets of a corporation owning both were owned prior to June

30, 1968. In other words, a corporation which owned a bank prior to June 30, 1968, and subsequent to that date acquired unrelated businesses, should be in neither a more nor a less favorable position than a corporation which owned businesses unrelated to banking prior to June 30, 1968, and subsequent to that date acquired a bank.

The draft legislation submitted by the Department inadvertently fails to make clear that in the latter situation the grandfather clause is inapplicable, and that if the company retains its banking interests, it must divest itself of its unrelated interests. The Department has now suggested that an amendment be offered to S. 1664 which would make its original intent clear, and I am today introducing that amendment for myself and for the senior Senator from Utah.

Mr. President, I submit the amendment to S. 1664 that I have just discussed.

The submission of this amendment, as well as the bill which we originally introduced, is not to be construed necessarily as our support of every provision in the bill or in the amendment.

The VICE PRESIDENT. The amendment will be received, printed and appropriately referred.

The amendment (No. 10) was referred to the Committee on Banking and Currency and ordered to be printed.

NOTICE OF HEARINGS

Mr. MUSKIE. Mr. President, I should like to announce that the Subcommittee on International Finance of the Banking and Currency Committee will hold hearings on April 23, 24, 28, 29, 30, and May 1, 1969, on S. 813, a bill to extend the Export Control Act and related subjects.

The hearings will be held, beginning at 10 a.m., each day, in room 5302, New Senate Office Building.

Persons desiring to testify before the subcommittee should contact Mr. Hugh H. Smith, room 5306, New Senate Office Building, telephone 225-7391.

ANNOUNCEMENT OF HEARINGS ON NOMINATIONS AND POSTPONEMENT OF PREVIOUSLY ANNOUNCED HEALTH HEARINGS

Mr. YARBOROUGH. Mr. President, for the information of my colleagues and the press, I wish to announce that on April 15 the Committee on Labor and Public Welfare will hold public hearings on the following nominations:

James E. Allen, Jr., of New York, to be Commissioner of Education and Assistant Secretary of Health, Education, and Welfare;

Robert D. Moran, of Massachusetts, to be Administrator of Wage and Hour Division, Department of Labor;

Lawrence H. Silberman, of Hawaii, to be Solicitor for the Department of Labor;

Arthur Fletcher, of Washington, to be an Assistant Secretary of Labor; and William Hill Brown III, of Pennsylvania, to be a member of the Equal Employment Opportunity Commission.

I also wish to announce that due to the hearings before the Subcommittee on Health concerning drug abuse, including the proposed closing of the Fort Worth narcotic treatment facility, which are scheduled to begin on April 17, the general hearings on health which were previously announced to begin on April 15 have been postponed.

NOTICE OF HEARINGS ON INVESTMENT COMPANY AMENDMENTS ACT OF 1969

Mr. SPARKMAN. Mr. President, I wish to announce that the Committee on Banking and Currency will hold hearings on the bills, S. 34 and S. 296, to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters.

The hearings will be held on Tuesday, Thursday, and Friday, April 15, 17, and 18, 1969, and will begin at 10 a.m. in room 5302, New Senate Office Building.

Persons desiring to testify or to submit written statements in connection with these hearings should notify Mr. Stephen J. Paradise, room 5300, New Senate Office Building, Washington, D.C. 20510; telephone 225-7391.

NOTICE OF HEARING

Mr. HRUSKA. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, April 16, 1969, at 10:30 a.m., in room 2228, New Senate Office Building on the nomination of John B. Hannum, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania, vice Francis L. Van Dusen, elevated.

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

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

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

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

Brian P. Gettings, of Virginia, to be U.S. attorney for the eastern district of Virginia for the term of 4 years, vice Claude V. Spratley, Jr.

John W. Stokes, Jr., to be U.S. attorney for the northern district of Georgia for the term of 4 years, vice Charles L. Goodson.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Thursday, April 10, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to ap-

pear at any hearing which may be scheduled.

NOTICE OF HEARING

Mr. HRUSKA. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, April 15, 1969, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of Otto F. Otepka, of Maryland, to be a member of the Subversive Activities Control Board for the remainder of the term expiring August 9, 1970, vice Edward C. Sweeney, deceased.

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

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

NOTICE OF HEARINGS

Mr. MUSKIE. Mr. President, on behalf of Senator RIBICOFF I wish to announce that the Subcommittee on Executive Reorganization will hold a hearing on S. 293, S. 66 and S. 328 on April 15, 1969, at 10 a.m. in room 3302, New Senate Office Building.

In addition, hearings on S. 860 will continue on April 17, and 24, 1969. On the 17th, the hearing will be in room 3302, New Senate Office Building at 10 a.m., and on the 24th, it will be in room 6202, New Senate Office Building at 10 a.m.

ADOPTION OF RESOLUTIONS PROVIDING FOR PRINTING OF SENATE DOCUMENTS

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of resolutions reported today by the Committee on Rules and Administration. These resolutions—Senate Resolution 171, Senate Concurrent Resolution 15, Senate Resolution 89, Senate Resolution 169, Senate Resolution 178, and Senate Resolution 165—authorize the printing of Senate documents, and their immediate consideration has been cleared on both sides of the aisle.

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

By unanimous consent, the resolutions were considered and agreed to, as follows:

S. RES. 171

Resolved, That there be printed for the use of the Senate Special Committee on Aging two thousand nine hundred additional copies of its report to the Senate, "Developments in Aging—1968", pursuant to S. Res. 223.

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 docu-

ment. Such additional copies shall be for the use of the Committee on Foreign Relations.

S. RES. 89

Resolved, That there be printed as a Senate document a study entitled "The New Left," prepared at the request of Senator Thomas J. Dodd for the Senate Subcommittee on Internal Security; and that there be printed three thousand eight hundred additional copies of such document for the use of the Committee on the Judiciary.

S. RES. 169

Resolved, That there be printed as a Senate document the report by the Subcommittee on Roads, Committee on Public Works, entitled "Equal Employment Opportunity With Regard to Federal-Aid Highway Projects", relating to the implementation of section 22, Federal Aid Highway Act of 1968, and that there be printed two thousand additional copies of such document for use of the Committee on Public Works.

S. RES. 178

Resolved, That there be printed with an illustration as a Senate document, the prayers by the Reverend Frederick Brown Harris, Doctor of Divinity, the then Chaplain of the Senate, at the opening of the daily sessions of the Senate during the Eighty-ninth and Ninetieth Congresses, together with any other prayers offered by him during that period in his official capacity as Chaplain of the Senate; and that there be printed one thousand eight hundred thirty additional copies of such document, of which one thousand thirty would be for the use of the Senate and eight hundred would be for the use of the Joint Committee on Printing.

Sec. 2. The copy for the document authorized in section 1 shall be prepared under the direction of the Joint Committee on Printing.

Senate Resolution 165, as amended by striking the words "in four parts" in line 4, was considered and agreed to, as follows:

"S. RES. 165

Resolved, That a report of the Small Business Administration entitled "Crime Against Small Business," submitted to the Congress pursuant to Public Law 90-104, the Small Business Protection Act of 1967, be printed with illustrations as a Senate document; and that there be printed one thousand four hundred additional copies of such document for the use of the Select Committee on Small Business."

REV. MARTIN LUTHER KING, JR.

Mr. MUSKIE. Mr. President, tomorrow marks the first anniversary of the death of Dr. Martin Luther King, Jr., one of the great Americans of our time.

We have not recovered from the shock of his slaying, and I doubt that we ever shall. It should be a constant reminder of the terrible wages of hatred and the frailty of man and his society in the face of evil.

We should also remember at this time the title and the message of the Urban Coalition-Urban America report on the aftermath of the Kerner Commission report—"One Year Later."

One year later we have not done enough to correct the inequities Dr. King sought to correct in Memphis and in other cities and towns across the Nation.

One year later we have not done enough to insure the rights and dignity

of full participation in our society for those Dr. King led.

One year later we have not done enough to bring the peace to which Dr. King was so passionately committed.

One year later we have not achieved a national commitment to a free and open society, for which Dr. King died.

One year later, Mr. President, and every day of every year ahead, we must remember Dr. Martin Luther King, Jr., with deeds of compassion and commitment which are worthy of the leadership of this great American, who should be a leader for us all.

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

Mr. MUSKIE. I yield.

Mr. SCOTT. Mr. President, I should like to join in the recognition of this anniversary and state that the example of all our fallen leaders, as prayed for by our Chaplain this morning, will always be an inspiration to all of us.

We have lost in this body, in the memory of most of us, two of our beloved colleagues. We have lost a great leader in Dr. King, and we have recently, this week, lost our beloved former President.

There is a common thread which runs through all our losses and that is not alone our personal experience with them but our recognition of what they meant to this country as they developed their leadership and appealed to that which is best in human nature.

Therefore, I speak with sympathy for the bereaved, for those who have gone, with respect for the memory of our fallen ones, with compassion for the things which they symbolized, and with the hope that their inspiration will live long with us and lead us to do those things the Republic expects of us, with honor, dignity, and all necessary dispatch.

J. GEORGE STEWART'S LATEST FOLLY

Mr. YOUNG of Ohio. Mr. President, the Architect of the Capitol has struck again. In the proposed legislative budget for fiscal year 1970, there is a \$1,250,000 request for the acquisition of a 95,000 square foot parcel of urban property, the site of the old Providence Hospital, to be used as the site of a new headquarters for the Capitol Police force. Mind you, Mr. President, this is merely for the land and does not include the cost of the marble monstrosity that J. George Stewart, the Architect of the Capitol, who is in fact not an architect, plans to build on it following its purchase at the extravagant price. Architect of the Capitol Stewart was a one-term Congressman from Delaware who following his defeat for reelection acquired his present prestigious position.

This proposal is the most recent of a string of absurd follies recommended by Mr. Stewart. The fact is that the Capitol Police force does not need a building of its own, costing untold millions of dollars.

Our police force is already provided with numerous rooms in the Capitol and throughout the office buildings of the Senate and the House of Representatives. This proposal to spend millions of tax-

payers' dollars is especially revolting at a time when thousands of Americans, many of them children, are living in slums, hungry, undernourished, and ill-clothed only a few blocks from the Capitol. Also, at a time when crime is prevalent in Washington, D.C., and adequate funds are apparently not available to hire additional policemen. The Capitol Police force is largely made up by appointees of Members of Congress. These in congressional parlance are referred to as "patronage jobs."

The absurdity of this proposal is compounded by the choice of the site requested. It is located between D, E, Second, and Third Streets in Southeast Washington—four very long blocks from the closest entrance to the Cannon House Office Building and a much longer distance to the furthest side of the Rayburn Building. The proposed "police academy" would also include classrooms, assembly halls, and physical development facilities for the Capitol Police force which is composed in large part of young men attending colleges and universities in the Washington area. Just what we need. Physical development facilities—in other words, a gymnasium—when adequate funds cannot be found for needed playgrounds and recreational facilities for the thousands of underprivileged youngsters crowded in the slums of Washington, D.C.

Assuming that this boondoggle were permitted, it would take about 10 minutes in traffic for our policemen to arrive at a Senate office building in event of an emergency, longer if they were enjoying the swimming privileges of the "physical development facilities." Furthermore, if they were compelled to walk to and from the Capitol, has thought been given to arrangements for Metropolitan Policemen to escort and protect them at nighttime?

Mr. President, the fact is that the land in question is owned by a large Washington parking lot company. The owners confronted with vehement objections by officials of local citizens' organizations could not receive zoning approval to develop their investment into a profitable parking lot nor for a high-rise apartment above garage space. In their effort to make a huge profit instead of operating simply as a parking lot, they turned to the Architect of the Capitol who was more than happy to oblige them by recommending that the land be purchased for a police headquarters and at more than four times the assessed value.

Mr. President, during the past 8 years we have witnessed the fruits of the imagination of J. George Stewart. One has only to look at the ugly, wasteful Rayburn House Office Building—quite possibly the worst building, costing the most money in the history of the construction of public buildings—to realize his ineptness. This Mussolini-type monstrosity, which cost at least \$22 million more to complete than originally estimated has been termed the ugliest and poorest planned public building in the United States. It is the most stupendous architectural monstrosity of all time and a monument to the unbridled edifice complex of the Architect of the Capitol.

Then, in 1966 this same architect, so-called, recommended the defacement of the west front of the Capitol. His proposed alteration would provide additional offices for Members of Congress, two auditoriums, two cafeterias, and four dining rooms. In effect, it would make the Capitol of the United States into a king-sized Howard Johnson's.

The Capitol is a national shrine. Each day as I drive to my office I am no less thrilled with a sense of national pride and with a sense of the beauty and grandeur of this building than I was many, many years ago when I first viewed it. I am sure that the same is true for all Members of Congress, for all those who work and live in Washington, D.C., and for the millions of Americans who make the pilgrimage to Washington to visit this revered building, this symbol of the Nation.

Qualified engineers and architects have reported that the walls of the west front can be braced and strengthened without doing damage to the historic building. The Fine Arts Commission said that Stewart's proposal would be a national tragedy and stated that the old walls can be repaired in their present location. It would be virtual sacrilege to destroy the noble west front of the Capitol with its classic walls and its cascading staircases without the most impelling reasons for doing so. Americans can be thankful to date this proposed senseless vandalism on a national monument has been rejected.

What are the qualifications of J. George Stewart for the position in which he has supervised the spending of more than \$200 million of taxpayers' money? He served in the House of Representatives from 1935 to 1937. This certainly does not qualify him as an architect. He attended the University of Delaware, class of 1911, and received his bachelor of science degree in civil engineering 47 years later. He served as a member of the staff of the Senate District of Columbia Committee from 1947 to 1951. Immediately prior to his appointment in 1954 by President Eisenhower as Architect of the Capitol, he was head of the Speaker's Bureau of the Republican National Committee. None of this experience qualifies him for the important post which he has held for the past 15 years, and in which he has supervised the spending of millions and millions of taxpayers' dollars.

Mr. President, if the old adage, "Experience keeps a dear school, but fools learn in no other," has any meaning, then it would be sheer folly to follow this most recent of Stewart's recommendations. His proposal to spend more than a million dollars of taxpayers' money for land for a building to house the Capitol Police force should be allowed to die unwept, unhonored, and unsung.

PRESIDENT NIXON'S GRAVE MISTAKE IN PROPOSING ABM DEPLOYMENT—A SENSELESS PROVOCATIVE ACTION

Mr. YOUNG of Ohio. Mr. President, Americans are fed up with military mendacity. The public revulsion against

the ABM should be taken by Secretary of Defense Laird and Pentagon officials as a warning of growing public disenchantment with military domination of American foreign policy and most particularly with deceptions, misrepresentations and outright lies which our military leaders have resorted to in their unconscionable effort to control our national destiny and shape the foreign policy of our Nation.

A year or so ago this was termed "credibility gap," but the actions of officials in the Defense Department and of the generals of the Joint Chiefs of Staff and their continuing fraudulent representations are such that the phrase credibility gap is too generous and kindly.

Initial funds for the anti-ballistic-missile system were obtained from the last Congress on a tide of falsehood. There was the pretext that this would be a "thin" ABM system simply aimed at the threat from Communist China which might come around 1974 after their present crude nuclear capacity had been developed into an ability to fire an intercontinental nuclear missile on target.

It is now perfectly clear that Secretary McNamara was opposed to construction of any ABM system and only reluctantly compromised for the thin system under great pressure from the Joint Chiefs of Staff and other powerful figures in the military-industrial complex. This was apparent at the time that Defense Secretary McNamara assured us that this "thin" system, the so-called Sentinel ABM, would cost no more than \$5 billion and that if China had the capacity by the midseventies to hurl ICBM's at the United States to the extent of as many as 20, such a thin system would intercept and prevent all of them from striking on target except possibly one or two.

Officials of the Defense Department early this year, in February and early March, proposed ringing certain American cities with the anti-ballistic-missile-defense system. This was abandoned when Senators and Congressmen from Hawaii, California, Illinois, and Massachusetts spoke out sharply in the Congress and in their States denouncing this proposal. In Los Angeles, officials of the Defense Department were preparing to seize 250 acres of land valued at \$100,000 an acre for an ABM site. This area was less than 9 miles from the heart of Los Angeles and about 4 miles from Watts. It was also proposed to take over 250 acres close to Boston, Seattle, and Chicago. Following the outcry and denunciation of Senators and Representatives from these States, and the violent protests of spokesmen for chambers of commerce and civic groups relative to the gigantic economic losses the various States would suffer in taking such vast areas close to large cities from productive use, the President and Pentagon officials precipitately backed up. Also, they were alarmed over the danger of an accidental explosion of a nuclear warhead. Then President Nixon announced the abandonment of plans to ring major cities with ABM sites. The Sentinel supposedly died at that time unhonored, upwept, and unsung.

However look what occurred almost immediately. Bright propagandists and clever public relations men in the Penta-

gon renamed the "Sentinel" the "Safeguard" ABM. Now, Safeguard was proposed for areas far from population centers except for the one proposed for Washington, D.C. That public relations pipsqueak who conceived the name Safeguard to replace Sentinel did not refer to Washington, D.C. by name. His Pentagonese phrase is "National Command Authority," a new euphemism for the District of Columbia. His cockeyed claim is that an ABM is necessary to protect the "National Command Authority."

Mr. President (Mr. HART in the chair), Defense Department officials now propose that 250 acres be seized close to Washington, probably near the Pentagon for establishment of an ABM site. Washington, D.C., is the only city to be so "honored." Of course, the District of Columbia is not represented in the Congress of the United States by any Senators or Representatives. Apparently Secretary Laird concluded that Washington is the only city in the United States where an ABM may be safely installed without a huge outcry from Congressmen and Senators. The outcry of protest has been tremendous from the first two ICBM sites scheduled to have ABM installations.

Public opinion has been loud and clear from the Grand Forks area in North Dakota, fairly close to some hard sites of our intercontinental ballistic missiles. The junior Senator from North Dakota (Mr. BURDICK) has spoken out loud and clear expressing his apprehension of the dangers to citizens of his State if this ABM is erected there. Malmstrom Air Force Base at Great Falls, Mont., is another projected site. Both Montana Senators take a dim view of an ABM to be located there. Majority Leader MANSFIELD spoke out loud and clear expressing his opposition. Among other wise statements he said:

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 be to . . . ?

Prime Minister Trudeau and all Canadian governmental officials are gravely concerned over these proposed ABM installations at bases in our States close to the Canadian border and they expressed fear over the danger over nuclear poison spread over some area in Canada should one of our ABM missiles intercept an oncoming missile from the Soviet Union coming in toward the United States over the northerly circle resulting in death and injury to thousands of men, women and children over wide areas of Canada.

Every reputable scientist in the United States with the possible exception of one who is on the payroll of the Defense Department has testified that the ABM would be utterly useless by the time it was installed. Other knowledgeable men in Congress and out of Congress know that the ABM would be valueless to stop

any first strike in event the Soviet Union attempted to perpetrate a nuclear Pearl Harbor upon our missile bases or cities. Scientists who have studied this say that there is only a slight possibility that the President would have sufficient time to order our ABM's into action and that some minor official in our Army might be the one to trigger our ABM and the disaster of nuclear war could result from such officer's bad judgment. Also scientists state that there is always a real possibility of an accident causing devastation and huge loss of life. The stupidity of even proposing an ABM is so colossal as to be unbelievable.

Very definitely the construction and deployment of ABM bases in 12 different areas of the United States would lessen the security of our Nation. This it would do for the reason that these ABM bases could very readily be penetrated by the Soviet Union. Also, the facts are that if this latest proposal termed safeguard instead of sentinel by public relations men of the Pentagon should be located in the 12 areas of the United States, war contractors of the industrial-military complex would add to the already fat profits, but our relations with the Soviet Union would be worsened and the armaments race between this Nation and the Soviet Union would be escalated. The danger of coannihilation would be increased instead of decreased.

The deployment of a modified ABM system supposedly to protect our offensive ICBM sites may well trigger an escalation of the arms race that will cost taxpayers billions of dollars and in the end leave our Nation and the Soviet Union with no more security than each has today.

There is now evidence that the President's decision has commenced another arms race between the Soviet Union and the United States. Pravda, the official publication of the Soviet Union, recently denounced Defense Secretary Laird's statements supporting the deployment of the so-called safeguard ABM which were termed as "absurd assertions that the United States needs missile defenses against a potential Soviet threat." Pravda very clearly accused the U.S. defense industry of trying to create an "arms race psychosis among the American people." This was the harshest criticism made of the Nixon administration to date in any Russian newspaper. Up to this time, the Soviet press has been restrained on its comments on the new administration.

Mr. President, we should be encouraging arms cutbacks, not increases; encouraging disarmament negotiations, not a new arms race. We should be seeking a course toward coexistence with Communist Russia, as the only alternative is coannihilation.

The Pravda report followed by further adverse comment in the most recent issue of Pravda clearly indicates the alarm felt by the leaders of the Kremlin regarding our deployment of the so-called safeguard ABM and signals the intensification of the arms race between our Nation and the Soviet Union.

Mr. President, there recently appeared

in the Washington Star, and in other newspapers throughout the Nation, an excellent article by Max Lerner entitled "Nixon Faces Liberal Shouts on ABM." Mr. Lerner, one of the Nation's most perceptive journalists, clearly and concisely points out the absurdity of an ABM-oriented philosophy. I commend this column of Max Lerner to my colleagues and ask unanimous consent that it be printed in the RECORD as part of my remarks.

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

NIXON FACES LIBERAL SHOUTS ON ABM
(By Max Lerner)

The honeymoon is over, and the posted antihunting warnings have been ripped down. When Richard Nixon said that his decision in favor of a modified ABM system would be met by a "lively debate" nationally, it was the understatement of the year. Just in as tactical terms he blundered earlier by setting a definite time when he would announce his decision. The suspense buildup proved massive, and politically damaging.

Lyndon Johnson did it much better when he had Robert McNamara announce the original ABM thin-shield decision at San Francisco in September 1967, well insulated within a shield of its own in a speech that stressed an offensive-defense nuclear philosophy.

Since Defense Secretary Melvin Laird has a hawkish reputation, Nixon may have felt he could not delegate the announcement to him. He may also have wanted to show the people his willingness to make and announce the hard decisions himself. He fielded the questions well. Yet on the major problem of the wisdom of the decision he failed to convince most of the ABM opponents, which includes this writer.

Since the Cuban missile crisis, the debates on nuclear policies have been mainly between the technicians and have not become popular national debates, as this one has. Inside the Soviet Union, the decisions to expand the nuclear armory—as with the nuclear submarines and the ABM sites deployed around Moscow—have been in response to the combined pressure of the military leaders and the nuclear technicians.

The remarkable fact in America now has been the solid front of scientists and analysts against ABM deployment. This is one case where the deterrence establishment and the peace establishment have joined forces. In 1950, when President Truman had to make his crucial H-bomb decision, the scientists were split into the J. Robert Oppenheimer and Edward Teller camps. Today even the experts of the Eisenhower regime have joined those of the Kennedy-Johnson regimes against the Nixon decision.

It took hardihood for President Nixon to outface this united front and decide as he did. But to be hardy doesn't mean you have to be foolhardy. I have already heard people calculating how long John Kennedy was in office before he met his Bay of Pigs disaster. The answer is that it was on April 17 to 21 in his first year of office—only a bit later than Richard Nixon's current confrontation.

With his "modified base" for the ABM, President Nixon tried to show himself not as a nuclear hawk but halfway between hawk and dove. But to present the decision as a peace decision was too thin a ploy to be credible. It may be true that the Russians, as realists, had already discounted the decision, but that won't keep their nuclear hawks from using it as an argument for further escalation, nor will it keep their arms-control negotiators from raising doubts about American intentions.

By shifting from an ABM deployment around major cities to a deployment around

Minuteman missile sites, Nixon tried to keep from too sharp a break with the McNamara philosophy. For McNamara had made it clear, in each of his major reports and speeches, that America's best nuclear defense lies not in the impossible task of building enough defense weapons, but in an overwhelming second-strike offensive power. Presumably, the long-range Spartan defensive missiles and the short-range, high-speed Sprints will be there to protect America's offensive weapons and will thus further strengthen America's credible deterrents.

But if McNamara was right, that power was already credible enough even without ABM's, and he yielded to the hawkish pressure for a "thin shield"—presumably facing toward China—against his own better judgment. Neither Nixon nor Laird shares that reluctance. They are shifting to an ABM-oriented defense philosophy, rather than a deterrent-oriented one.

This seems all the stranger at a time when many experts doubt the technical effectiveness of the ABM's and predict that the thin shield is bound to escalate into a heavy one, and the cost from \$7 billion to something more like \$70 billion. Nixon says there will be an annual review of everything, and an annual decision, but a decision is a decision, and it is this one we face. One remembers that Johnson's Vietnam involvement was subject to even more frequent reviews but that the escalation-thrust remained each time.

President Nixon may retrieve some of the right-wing support he has recently been losing, but at a single stroke he is in danger of losing all the liberal support he had seemed to gain. I am still open-minded about his larger policies, but on this front I mean to fight him.

U.S. SUPREME COURT DECISIONS

Mr. McCLELLAN. Mr. President, I have been constantly concerned over Supreme Court decisions in recent years which adversely affect both State and Federal criminal laws and procedures. Too often, these decisions have seriously impeded and impaired efficient law enforcement. One of the Court's most recent excursions in this area relates to the prosecution of cases involving conspiracies.

The attorney general of California, Mr. Thomas C. Lynch, who shares my concern, has just advised me that two recent Supreme Court cases will have a "devastating impact" on the State's administration of justice. I would like to point out, Mr. President, that Attorney General Lynch is one of this country's most respected attorneys. His distinguished career and exceptional ability were recognized by his appointment to the President's Crime Commission.

Mr. Lynch, in his letter of March 31, states that for over 70 years the U.S. Supreme Court approved the rule of evidence which permitted a confession of a defendant to be admitted against him in a joint trial when the jury was instructed not to consider it against his nonconfessing codefendant. Last year, the Supreme Court reversed this long-held precedent in *Bruton v. United States* (391 U.S. 123 (1968)), and held that such confessions violated the codefendant's rights under the sixth amendment. In addition to changing this rule, however, the Supreme Court went beyond all reason by making the Bruton rule retroactive in the *Roberts v. Russell* (392 U.S. 293 (1968)) decision.

The significance of these two decisions is stated by Mr. Lynch in his letter, and I quote:

Thus cases which were conducted fairly, in accord with a rule of evidence specifically approved by the Supreme Court, and which have been closed as final for years, must now be reopened and possibly retried. Since it has been estimated that fully 20% of criminal jury trials have involved more than one defendant, reopening and retrying these cases will have a catastrophic effect on the administration of justice. Not only are these cases likely to involve the most serious crimes, and due to the passage of time afford difficulties of proof on retrial, but the required re-examination and retrial will cost every state as well as the Federal Government millions of dollars.

Mr. President, Attorney General Lynch has forwarded to my office suggested legislation which will, in his words, "avoid potential massive miscarriage of justice." The specific purpose of his proposal is to make the Bruton rule prospective rather than retrospective in application.

I ask unanimous consent to have placed in the RECORD at the conclusion of my remarks the letter and proposed legislation of Attorney General Lynch.

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

(See exhibit 1.)

Mr. McCLELLAN. Mr. President, I have not yet reached a judgment as to whether I shall introduce this bill as proposed. However, it will receive my immediate attention. I have it under study, and I have directed the staff on the Subcommittee on Criminal Laws and Procedures to review Mr. Lynch's proposed Federal reform of this adverse decision, and if appropriate, to approve Mr. Lynch's proposal or to draft remedial legislation along the lines he has suggested. Mr. Lynch has also supplied a very strong statement in support of this legislative proposal, which will be very helpful. Meanwhile, I hope that all of my colleagues will take the time to read Attorney General Lynch's letter and the proposed bill which he has submitted.

EXHIBIT 1

STATE OF CALIFORNIA,
San Francisco, March 21, 1969.

HON. JOHN L. McCLELLAN,
Chairman, Senate Subcommittee on Criminal
Laws and Procedures, Senate Office Building,
Washington, D.C.

DEAR SENATOR McCLELLAN: For over 70 years, the United States Supreme Court approved the rule of evidence which permitted a confession of a defendant to be admitted against him in a joint trial when the jury was instructed not to consider it against his non-confessing co-defendant. In May of last year the Supreme Court changed this long standing rule in *Bruton v. United States*, 391 U.S. 123 (1968), holding that it violated the co-defendant's rights under the confrontation clause of the Sixth Amendment. While not agreeing with this newly established rule, I can see no insurmountable difficulties in applying it to current and future trials.

However, in addition to changing the rule, the Court made its change completely retroactive in the case of *Roberts v. Russell*, 392 U.S. 293 (1968). Thus, cases which were conducted fairly, in accord with a rule of evidence specifically approved by the Supreme Court, and which have been closed as final for years, must now be reopened and possibly retried. Since it has been estimated that fully 20 percent of criminal jury trials

have involved more than one defendant, reopening and retrying these cases will have catastrophic effects on the administration of justice. Not only are these cases likely to involve the most serious crimes, and due to the passage of time afford difficulties of proof on retrial, but the required re-examination and retrial will cost every state as well as the federal government million of dollars.

In order to avoid potential massive miscarriage of justice, my office has drafted legislation to make the rule prospective rather than retrospective in application. There has been no attempt to alter any rule which the Court has established as constitutionally required. As the accompanying statement in support of the legislation sets out more fully, the Court has held that the time of application of a rule is not a constitutional question. See, for example, *Linkletter v. Walker*, 381 U.S. 618, 629 (1965). Thus, the Congress has full power to act in this area.

Because of the devastating impact of this rule if applied retroactively, I urgently request that the proposed legislation and statement be reviewed by your subcommittee and that action be taken to enact the bill as soon as possible. I will greatly appreciate your consideration of the problem and will attempt to provide any additional information you consider desirable.

Very truly yours,

THOMAS C. LYNCH,
Attorney General.

PROPOSED ACT OF CONGRESS
FINDINGS

SECTION 1. Congress hereby finds it necessary to establish by appropriate legislation the effective date of the rule for the admissibility of confessions, admissions, or statements in joint trials established by the United States Supreme Court in *Brunton v. United States*, 391 U.S. 123 (1968) and applied by that Court to the States in *Roberts v. Russell*, 392 U.S. 293 (1968) and upon consideration of the relevant factors, finds that in order to avoid massive miscarriage of justice, the rule must be applied only to those criminal cases, the trial of which commenced after the effective date of the decision, May 20, 1968. Specifically, Congress has considered the following factors and has made findings as indicated.

(a) The purpose to be served by the new standards: Accepting the view of the Supreme Court that the purpose of the rule is to enhance the reliability of the fact finding process, Congress finds that the former procedure did not create a substantial risk of convicting the innocent. Even assuming that a properly instructed jury could not completely disregard one co-defendant's admission implicating the other, such possible minimal consideration cannot be considered to create a widespread risk of miscarriage of justice when weighed against the equally valid assumption that it is common experience to distrust such an accusation to the extent that the person making the statement attempts to shift or share culpability.

(b) The extent of the reliance by law enforcement authorities on the old standards: Congress finds that reliance by courts and law enforcement authorities on the standard specifically approved by the Supreme Court in *Delli Paoli v. United States*, 352 U.S. 232 (1957), followed without question in that Court for over 70 years, and endorsed as recently as 1967 in *Spencer v. Texas*, 385 U.S. 554, 562 (1967), was fully justified and widespread. Despite the fact that a very small minority of state and federal courts, in very recent years, foresaw the change of rule, Congress finds that the overwhelming majority did not, and that prior to 1965, reliance on the rule was virtually without exception. The courts of the United States and of the states are required to apply the law

of the land and are entitled to rely on the decisions of the Supreme Court.

(c) The effect on the administration of justice: Congress finds that the retroactive application of *Brunton v. United States*, 391 U.S. 123 (1968) would have a catastrophic effect upon the administration of justice in every federal and state court system. Congress finds that it is likely that a significant percentage of all criminal trials would require reexamination and possibly retrial; that these cases involve those persons who have acted in concert with other offenders, gang members and members of criminal conspiracies; and that those who would derive the greatest benefit from retroactivity are felons under long term sentences, who have been confined for extended periods for serious crimes, since their cases would afford the least likelihood of successful retrial. To require a general release of such prisoners would cripple the orderly administration of the criminal law.

TIME OF APPLICATION OF RULE

SEC. 2. In any criminal case tried in a court of the United States, the rule for the admissibility of confessions, admissions, or statements in joint trials, established by *Brunton v. United States*, 391 U.S. 123 (1968), applies only to trials commencing after May 20, 1968, the date of the decision.

In any criminal case tried in a state court, the rule for admissibility of confessions, admissions or statements in joint trials, established by *Brunton v. United States*, 391 U.S. 123 (1968), applies only to trials commencing after May 20, 1968, the date of the decision.

REVIEW

SEC. 3. In reviewing a state or federal conviction at any stage of the proceedings, whether on direct review, remand for reconsideration, or collateral attack, a court of the United States or of any state will apply the constitutional rule for admissibility of confessions, admissions or statements in joint trials established by *Brunton v. United States*, 391 U.S. 123 (1968), only to those convictions resulting from a trial which commenced after May 20, 1968, the date of the decision. To all other cases, the applicable constitutional rule for the admissibility of confessions, admissions, or statements in joint trials is that of *Delli Paoli v. United States*, 352 U.S. 232 (1957). In any case, the reviewing court shall determine if the error is harmless in accordance with the test set forth in *Chapman v. California*, 386 U.S. 18 (1967).

CONSTRUCTION OF STATUTE

SEC. 4. Nothing in this act shall be construed to indicate approval of the rule for the admissibility of confessions, admissions and statements established by *Brunton v. United States*, nor shall this act be construed to require the application of the rule in any case unless it is required by the Constitution of the United States.

TRIBUTE TO THE LATE GENERAL
DWIGHT DAVID EISENHOWER

Mr. HOLLAND. Mr. President, there is little that anyone can say to add to the many statements already made in the CONGRESSIONAL RECORD about the Nation's warm affection for the late General Dwight David Eisenhower. Each of us has many nostalgic personal memories about him. I have many such memories, some of them reflected in prized pictures on the wall of my office—some in cherished books on my bookshelf—some simply fond recollections.

His fame as a great national and world leader, the five-star general who, as Supreme Commander of the Allied Forces, led them to victory in Europe, and the 8-

year President who brought back to our Nation relative serenity and greater confidence in our National Government, will always live in the annals of our Nation and in the lasting memories of our people. I have decided that the best contribution that I can make on this sad occasion is to insert in the RECORD three of the dozens of highly complimentary editorials which have appeared in Florida newspapers, which reflect, I am sure, the true feelings of most of our Florida people. I ask, therefore, that there be incorporated in the RECORD as part of my remarks the following editorials written by talented, knowledgeable, and patriotic editorialists:

First. I ask that an editorial from the Jacksonville, Fla., Times-Union of March 29 entitled "Dwight David Eisenhower" may appear in the RECORD as part of my remarks.

Second. I ask that an editorial from the Orlando Sentinel dated March 29 entitled "A Love Affair Ends" may appear in the RECORD as part of my remarks.

Third. I ask that an editorial from the St. Petersburg Times of March 29, entitled "An American's American," may appear in the RECORD as part of my remarks.

Mrs. Holland and I share the grief of Mrs. Eisenhower and other members of their family at this sad time and express to them our deep and affectionate sympathy.

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

[From the Jacksonville (Fla.) Times-Union, Mar. 29, 1968]

DWIGHT DAVID EISENHOWER

Dwight David Eisenhower, gallant to the end, was a man uniquely suited to his times and to the roles which life called upon him to fill.

The family into which he was born in 1890 was to become an outstanding example of the American dream—that of achieving success from humble beginnings through diligence and hard work. His parents were religious, hard working and poor and their six sons were called upon to work hard in their early years doing farm chores and odd jobs. All became successful in later life.

For Dwight David Eisenhower, the path to the White House was through a military career. He entered The U.S. Military Academy at West Point through an appointment achieved by competitive examination.

There followed a long period of slow but steady advancement toward his two early ambitions: to become a colonel before he retired and to have the command of troops.

It was not until after he had passed the age of 50 that he achieved either but then advancement, command and recognition came with lightning swiftness.

A temporary colonel in 1941, he was to become in slightly more than three years Commander of Supreme Headquarters, Allied Headquarters in Europe and achieve the highest military rank as a General of the Army and a year later he became Army Chief of Staff.

To be the architect of victory in Europe during World War II would have left an enduring place in history for General Eisenhower but his nation was to call upon him to play an even larger role.

His mother's comment on his success in World War II was to be prophetic of even greater things. "I knew we would win," she said, "for Dwight always got what he went after."

He went after the presidency of the United States of America and won overwhelmingly in 1952 and again in 1956.

Especially in these days of division at home and war abroad, his presidential terms evoke nostalgia for happier years.

During his retirement, President Eisenhower summed up the feeling himself when he said: "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."

It was noticeable as was the truth of his statement that during his eight years, the nation was strong, prosperous and there were no wars.

We leave to historians and those with better credentials, the assessment of his greatness and his place in history.

Perhaps the reaction of the individuals in this nation on the occasion of his passing will never be recorded in the history books but it is the finest tribute that can be paid to the man himself.

The people of the nation which he served so well did not merely admire or respect him. They felt comfortable with him. They liked Ike. And they will miss him.

[From the Orlando (Fla.) Sentinel,
Mar. 29, 1969]

A LOVE AFFAIR ENDS

Dwight David Eisenhower has been a leader among us for so long the world will be not the same without him.

Unlike the martyred Kennedys, with us so briefly they seemed to flash like meteors across the political skies, we have known Ike in war and in peace; in the prime and vigor of his life and in its sunset years.

Throughout his distinguished career in the military and in government, he enjoyed a rare rapport with the American people. His popularity never dimmed.

There were, to be sure, critics of his military and presidential regimes but, when viewed in the light of the vilification heaped upon other leaders, they were mild and almost academic.

"I like Ike" was the slogan of his first presidential campaign and the American people did and they never stopped. No other national or international political figure enjoyed the sustained love and affection we conferred upon him.

He made a graceful transition from commander in chief of the largest and most powerful military force the world has ever assembled to eight years as president of the United States.

They were years which seem, in retrospect, tranquil.

His election as President continued an American tradition which began with George Washington, that of the all conquering military hero becoming the civilian leader when the battles stopped.

The battle of life itself has now stopped for Dwight Eisenhower, 34th president, and the nation which knew and loved and followed him mourns.

Yet it is mourning of a more gentle nature than that which has racked this nation in recent months for there is the knowledge that this was a life fully lived, a promise realized, a greatness fulfilled.

And however history will judge Eisenhower the soldier and the President, it must write him as a great patriot, a giant in his time.

[From the St. Petersburg (Fla.) Times,
Mar. 29, 1969]

AN AMERICAN'S AMERICAN

In life Dwight David Eisenhower achieved the pinnacles in what are certainly three of

the most important walks of modern American life: the military, the educational and the political.

Yet in his death, Eisenhower probably will be best remembered and most mourned for a fourth, and more personal achievement. More than any other political leader of our time, he won the deep affection of his fellow countrymen of both parties, and of all walks of life.

With his amiable personality, his infectious grin, his dignity of bearing when dignity was demanded, his deep devotion to duty to his country, his brilliance and drive as a military leader, his love for sports and—yes—his sudden flares of temper, he was the very personification of many Americans' concept of what an American leader should be.

Although the policies and record of his administration were subject to partisan attack, it was a curiously impersonal sort of attack which rarely was directed at him as an individual. The stature of his personality was exemplified by the fact that all of his successors, Presidents Kennedy, Johnson and Nixon, freely consulted him in times of crisis and his counsel and cooperation were always freely given.

It has been said by his intimates that Eisenhower never felt completely at ease in the presidency; that in politics he was out of his natural element. As a military leader, he was accustomed to restricting himself to major decisions of strategy and allowing his field commanders to choose the tactics for achieving the strategic goals. And that was the way he ran his administration.

He continued intact all of the major social and economic reforms of the Roosevelt and Truman administrations, despite strong pressure from some of his closest supporters to abandon them. His most far-reaching domestic decision was the appointment of Chief Justice Earl Warren.

In history, Dwight David Eisenhower will go down as one of the great military leaders of modern warfare. But when the somber cortege escorts the caisson bearing his coffin to his final resting place, when the traditional volleys are fired across his grave, he will be mourned and loved through the Western World as a leader who also was a warm and intensely human man.

"VIETNAM AND THE END OF THE AGE OF SUPERPOWERS"—ARTICLE BY PROF. ARTHUR SCHLESINGER, JR.

Mr. FULBRIGHT. Mr. President, the March 1969 issue of Harper's magazine contains a very provocative article by Prof. Arthur Schlesinger, Jr., entitled "Vietnam and the End of the Age of Superpowers."

Professor Schlesinger has written a well reasoned analysis of the meaning of the Vietnam tragedy in terms of America's proper and most effective role in the world as it is today and as it is likely to be in the immediate years ahead.

I think this article will be of interest to my colleagues and readers of the RECORD, and 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:

VIETNAM AND THE END OF THE AGE OF SUPERPOWERS

(By Arthur Schlesinger, Jr.)¹

(NOTE.—Neither the Soviet Union nor the United States can contain by military power alone the surge of nationalism sweeping the

¹ Arthur Schlesinger, Jr., has been Albert Schweitzer Professor of the Humanities at

globe. A new American foreign policy must be developed to meet the demands of a new age and new international relationships.)

The contemporary crisis of American confidence comes in great part from a growing sense of our inability to manage violence. The rise of violence at home has done more than anything else to create doubt about the internal prospects of American life; while, ironically, it has been the failure of violence to achieve our aims in Vietnam which has created equal doubt about the prospects of our foreign policy.

When President Johnson spoke to the nation about Vietnam on March 31, 1968, he did more than suspend military escalation, intensify the search for negotiation, and remove himself from the impending Presidential contest. Though he did not of course put it this way, he announced the collapse of a policy and even perhaps the end of an era. His speech implied a rejection, or at least a drastic modification, of the premises which have governed American foreign policy since the end of the second world war.

Postwar American foreign policy grew from a series of legacies—Stimsonian collective security, Rooseveltian social evangelism, Dullesian anti-Communism. Each bequest had been tempted into universalism—by which I mean the belief that the United States has an active and vital interest in the destiny of every nation on the planet—and even into messianism by the power vacuums left in the wake of the second world war. It was this combination of factors which beguiled America into a course which much of the world today regards as imperialistic and which even Americans must concede as imperial—the course which reached its disastrous climax in Vietnam.

Yet, if there is an American imperialism, it is imperialism of a peculiar sort. The classical theories of imperialism derive from the European experience, and it is hard to fit American policy into the conventional categories. The attempts of pious Marxists, for example, to account for the American presence in Vietnam in Leninist terms—as the result of the need for investment outlets—is self-evidently absurd. The American government has already poured more money into Vietnam than American business could hope to get back in a century. Nor is it convincing to argue that we "needed" to spend \$30 billion a year in Vietnam in order to preserve business profits at home. The effect of the Vietnam spending has been to overheat the economy, to stimulate inflationary pressures, and to require an unpopular tax increase. Except for firms specifically dependent on production for Vietnam, everyone would be happier if the war spending came to an end. Business leaders have not been notably enthusiastic about the war—especially once the Army stopped relying mainly on poor whites and blacks and started drafting their own sons.

A more sophisticated version of the Marxist thesis is that the United States must suppress revolution everywhere because, if revolution succeeds in a country without American investment, the contagion of success may lead to revolutions in other countries with American investment. This Leninist version of the domino theory is faintly more plausible as an argument than the strict thesis, except for the fact that American policy in the Third World, while it has been uniformly anti-Communist, has by no means been uniformly anti-revolutionary. Nor do

the City University of New York since the fall of 1966. He was Special Assistant to President Kennedy, and his book, "A Thousand Days," won the National Book Award and the Pulitzer Prize for Biography for 1965. He is working on the fourth volume of his history, "The Age of Roosevelt."

nationalist revolutions in the Third World invariably lead to Communist rule. Quite the contrary—the Communists have come to power in only three new nations in the last quarter century: China and North Vietnam, because they put themselves at the head of nationalist movements during the second world war, and Cuba, because Fidel Castro for reasons of his own led a revolution undertaken on other grounds into the Communist empire. Actually the American government has accepted nationalist revolutions in most countries which have had them; and it has given surreptitious assistance to progressive nationalist parties and even to non-Communist revolutionaries in a number of countries in Asia, Africa, and Latin America. The objection to the Cuban revolution (at least within the Kennedy Administration) was not to Castro's program of internal reconstruction but to his potential role as an instrument of Soviet policy—an objection which, as the events of October 1962 showed, was hardly without point.

Nor do other classical theories of imperialism work much better. Hanna Arendt's argument (in "The Origins of Totalitarianism") that imperialism was the result of "the alliance between mob and capital" does not apply here; there was no surging popular demand for the adventure in Vietnam. Nor do the theories tracing imperialism to the instabilities and temptations created by disparities in power explain why there were half a million American troops in South Asia rather than in South America.

THE RISE OF THE WARRIOR CLASS

But of the classical theories of imperialism the one which throws most light on American behavior is that proposed by Joseph A. Schumpeter, the economist. Schumpeter saw imperialism as "the objectless disposition on the part of a state to unlimited forcible expansion"—a disposition created and sustained by the habits and interests of a warrior class. There would always be, he said, rational pretexts for military action—national security, spoils, and so on—but the essential urge would come from the sheer momentum of the military machine in motion.

European imperialism of the late nineteenth century, in Schumpeter's view, was the work of martial and feudal elements surviving in bourgeois society. Believing that the instinct for physical combat was fading rather quickly in the industrial world, he felt that imperialism would be a passing phase in a society which had "neither warlike instincts nor structural elements and organizational forms oriented toward war." He was particularly optimistic about the United States, which among all capitalist countries seemed to him "least burdened with precapitalist elements, survivals, reminiscences, and power factors" and would therefore be "likely to exhibit the weakest imperialist trend." But what Schumpeter omitted in his argument, though it was implicit in his theory, was the possibility that war among industrial states might produce new structural elements and organizational forms oriented toward war, a new warrior class and new forms of imperialism.

Has not something like this happened in the United States? The American imperialism of the turn of the century was a clear case of Schumpeterian atavism. Men like Theodore Roosevelt and Henry Cabot Lodge, who as historians had celebrated the Federalist vision of the American role, reached back as politicians and strategists to the Federalist past in the hope of redeeming the new commercial society by giving it a martial purpose. But, lacking a serious institutional base in that society, neo-Federalist imperialism could not, and did not, last. Half a century later, however, two world wars had brought a great military establishment into existence, and the Cold War made it permanent.

During the war, Roosevelt relied more on military advisers like General Marshall and Admiral Leahy than he did on his State Department. After the war, the establishment of the Department of Defense and the National Security Council consolidated the military influence on national policy. For many years the military have absorbed by far the largest portion of the federal budget. Defense contracts have enlisted large sections of the industrial community in the military effort. With America predisposed to foreign involvement by the legacies of collective security and social evangelism and, in a sense, propelled into such involvement by the power vacuums of the postwar world, with, in addition, the unitary Communist movement of the age of Stalin posing a quite genuine threat and generating crusading absolutism in response, the new warrior class became the agency for both the militarization and the enlargement of our interventionist policies.

One must not overdo all this. The military machine suffered a succession of restraints—first, from within, by the second world war generals of the Marshall-Eisenhower-Bradley generation; then, from without, by Presidents Truman, Eisenhower, and Kennedy as well as by civilian elements of the national security bureaucracy, by such men as Acheson (when he was in office, though not so much thereafter), Harriman, Lovett, and, in later times, McNamara.

The National Security Council was never very effective as a source of national decisions. Nor has the military caste always been united in its views. In 1954 the Navy and the Air Force favored American intervention in Vietnam; the Army, forcefully represented by Generals Ridgway and Gavin, opposed intervention and carried the day. In 1962 General Shoup of the Marine Corps dissented from the recommendation of the Joint Chiefs for a surprise air attack on the nuclear missile bases in Cuba. Secretary McNamara was engaged throughout his time at the Pentagon in argument with the Chiefs. By 1967 he had become the particular custodian of the negotiating interest within the government, leading to that peculiar exchange of roles by which the Secretary of Defense sat in his office trying to figure out how to start negotiations with Hanoi while the Secretary of State sat in his office picking out bombing targets (perhaps in part because, as Mr. Rusk revealed in an interview, he was "within three days" of taking his oath as a career military officer in 1946 when General Marshall offered him a civilian post in the State Department.) In the last years of the Vietnam war the CIA and the Secretary of Defense were far more skeptical than the Joint Chiefs or the Secretary of State about the effectiveness of American bombing.

Yet, if the national security bureaucracy is often divided in its views, the warrior caste, as a powerful element in that bureaucracy, has had increasingly behind it the power of sheer momentum—especially in a time when new military technologies, by making America vulnerable to attack from almost any spot on the planet, gave the argument of "national security" an unlimited application, and when duty required the military of one nation to advocate constant growth to forestall adversaries from gaining technological superiority. "Created by wars that required it," Schumpeter wrote of the military establishment in ancient Egypt, "the machine now created the wars it required."

In whatever sense America can be said to be an imperial state, the active carriers of that imperialism are not our bankers or our foreign investors or our traders—not any of the conventional Marxist villains. The carriers are our politicians, our diplomats, and, most particularly, our military leaders. It is our military leaders who—for military, not for economic reasons—have conned both the executive and legislative branches of the

government into voting enormous military appropriations and into building enormous military installations, largely irrelevant in the missile age, all over the world (and who, as the price we must pay, insist we must do nothing to offend such splendid countries as Portugal or South Africa). It is they who argue for military intervention. It is they who forever oppose the agreements, like the Test Ban Treaty of 1963, designed to slow up the arms race, and who forever demand new systems of offense and defense.

The forward role of the military has been notably evident in Vietnam. First, they succeeded in defining the problem in the terms stated by General Wheeler in November 1962: "It is fashionable in some quarters to say that the problems in Southeast Asia are primarily political and economic. . . . I do not agree. The essence of the problem in Vietnam is military." Subsequently, at every point along the way, the generals promised that just one more step of military escalation would at last bring the victory so long sought and so steadily denied. The Pentagon, in addition, has seen Vietnam as an invaluable training and testing ground for new weapons and new techniques.

Here surely lies a major cause of our imperial drift: the incessant pressure of the professional military in an age of international crisis. The warrior group, because of its own internal needs and preoccupations, constantly demands more money, more weapons systems, more military involvement, more military intervention. Its members invoke the emotions of virility and patriotism to strengthen their case. Their importunings affect the way choices are defined and the atmosphere in which decisions are made; the pressure is often effective in amorphous situations and with irresolute leaders. But this is not a question of bureaucratic determinism. The warrior group does not inevitably control United States policy, nor are the warriors evil men or war criminals. They are professional men trying to do a professional job and making exactly the arguments the nature of their profession requires. It is foolish to be surprised by the advice they give or to blame them for it. It is far more to the point to blame those who take their advice.

What matters is not that the military bureaucracy makes certain recommendations but that Presidents take these recommendations seriously. President Kennedy accepted the recommendations of the Joint Chiefs of Staff on one major decision in his Administration—the Bay of Pigs. He rejected pressures for direct military intervention in Cuba twice—after the failure of the Bay of Pigs and again during the missile crisis. He was entirely skeptical of military plans for intervention in Laos. He declined to follow JCS counsel on Berlin in 1961 or on the Test Ban Treaty of 1963. President Johnson, on the contrary, seems to have flinched from overruling the Joint Chiefs, except on occasion by not giving them quite all the troops or bombing targets they wanted.

THE MESSIANIC PHASE

The tragedy of Vietnam is the tragedy of the catastrophic overextension and misapplication of valid principles. The original insights of collective security and liberal evangelism were generous and wise. But compulsive Stimsonianism and compulsive New Dealism, stimulated by the illusions of Superpower, rigidified by an absolutist anti-Communism, and pressed ever forward by the professional demands of the new warrior class, brought American universalism in time into a messianic phase. "History and our own achievements," President Johnson said on February 12, 1965, "have thrust upon us the principal responsibility for protection of freedom on earth. . . . No other people in no other time has had so great an opportunity to work and risk for the freedom of all mankind."

This messianic phase led us to lose our

sense of the relation between means and ends. I do not see that our original involvement in Vietnam was per se immoral. What was immoral was the employment of means of destruction out of all proportion to rational purposes. The wreckage we wrought in Vietnam had no rational relationship to a serious assessment of our national interest or to the demonstrated involvement of our national security.² The messianic phase transcended and transformed the constituent elements of our past foreign policy. Yet the existence of these traditional elements gave the Johnson Administration a sense that it was executing a legacy and endowed it therefore with an overwhelming conviction of the rectitude of its mission, the purity of its motives, and the wickedness of its critics. It was this which must have led Secretary Rusk to say on February 9, 1968, "There gets to be a point when the question is, whose side are you on? Now, I'm Secretary of State of the United States, and I'm on our side!"

Given the perhaps excessive self-righteousness which could lead a Secretary of State to suggest that his critics must be on the side of Ho Chi Minh, given too the reluctance of proud and stubborn men to admit that they could possibly have made mistakes, only the abject failure of the policy could force its supporters to draw back. The failure of the Vietnam policy had long been evident to most detached observers. The evidence against the effectiveness of military escalation was just as strong, for example, on March 31, 1967, as it was on March 31, 1968; and if President Johnson had given his speech a year earlier, many Americans and many Vietnamese, now dead, would today be alive. But in the end the failure of the policy became so plain that even the President had to admit it—everyone had to admit it except, inevitably, General Westmoreland.

What was announced on March 31, 1968, was more than simply the collapse of the American policy in Vietnam. What was announced was the collapse of the messianic conception of the American role in the world—indeed, the end of the entire age in which two Superpowers dominated the planet. To understand the reasons for this collapse we must return for a moment to the Superpowers at high noon.

There were always decisive differences between the United States and the Soviet Union on internal values and policies. But their views of the world outside had remarkable similarities. Each Superpower saw mankind as divided between forces of light and forces of darkness. Each assumed that the opposing bloc was under the organized and unified control of the other. Each insisted that every nation line up on one side or the other and condemned neutralism as anomalous if not as immoral. Each expected its own side to accept its own ideas of political propriety and economic organization. Washington supposed that what was then known as the Free World should reshape itself on the American model, while Moscow, that the Communist World should reshape itself on the Russian model.

But the world itself did not sit still; it began to change. And the most basic change of all was the rise of a new force in revolt

against the reign of the Superpowers—or rather the resurgence of an older force now endowed in the years after the war with new potency and purpose. That force was nationalism; and the rise of nationalism meant growing opposition to the United States in the Western bloc, growing opposition to the Soviet Union in the Communist bloc, and growing opposition to both America and Russia in the Third World.

Nationalism means, first of all, the determination to assert national identity, national dignity, national freedom of action. It can also mean, as the memory of prewar Germany, Italy, and Japan reminds us, the determination to assert these things at the expense of other nations; and in this sense nationalism has been and will be a source of tremendous danger to the world. But the nationalism which arose after the second world war was, in the main, not the aggressive and hysterical nationalism which had led nations before the war to try and dominate other nations. It was rather the nationalism generated by the desire to create or restore a sense of nationhood.

In the years since 1945 nationalism has redrawn lines of force around the planet. Take Europe, which Churchill described twenty years ago as "a rubble heap, a charnel house, a breeding ground for pestilence and hate." Economically shattered, politically demoralized, militarily defenseless, Western Europe in the Forties was absolutely dependent on America for social reconstruction and military protection. Then the Marshall Plan set in motion the process of economic recovery. Economic recovery led to the revival of political self-confidence, and political self-confidence to a determination to assert European autonomy. No doubt the turn given this mood in recent years by General de Gaulle is exaggerated and extravagant. But it would be a great error, I believe, to suppose that Gaullism does not spring from a profoundly real impulse in contemporary Europe: a deep pride in European traditions and capacities, a growing will to reaffirm European independence against the twin colossi. And even those who reject the narrow nationalism of de Gaulle do so in the name of the larger nationalism of Europe.

The contagion of nationalism runs everywhere. Today nationalism is seeking home rule in Scotland and Wales; it is dividing the country of Belgium; it is threatening Canada with the secession of French Quebec; in our own country it finds expression in the mystique of Black Power. And it has wrought even more spectacular changes within the empire which Stalin once ruled so calmly and implacably. The Yugoslav heresy of 1948 represented the first serious rebellion of national Communism against Russian primacy. In another decade China burst forth as an independent Communist state, increasingly determined to challenge Russia for the domination of Asia and for the leadership of the international Communist movement. With the clash between China and Russia, the unified Communist empire began to break up. Moscow long ago had to accept the Yugoslav heresy, and on Yugoslav terms. It has conceded a measure of national initiative to the once cowed and compliant satellites of Eastern Europe. Albania and Romania are going their own way. In a desperate effort to preserve the dominant Russian position, the Soviet Union had to resort to military intervention in order to discipline Communist Czechoslovakia. Even Poland, even East Germany may some day insist on national freedom. "Everyone chooses the truths he likes. In this way faith disintegrates." This was said by Pope Paul VI, but it might as well have been said by Brezhnev.

The unity of Communist discipline, the unity of Communist dogma—all are vanishing as international phenomena, crumbling away under the pressure of nationalism. In

the contemporary age of polycentrism there is no longer any such thing as "world Communism." A Communist takeover no longer means the automatic extension of Russian, or even of Chinese power. Every Communist government, every Communist party, has been set free to begin to respond to its own national concerns and to pursue its own national policies. One Communist state, Cuba, has even performed the ingenious feat of being simultaneously at odds with both Moscow and Peking.

As nationalism has transformed the democratic and Communist worlds, so too it has transformed the Third World. After the war, many people—Communists and anti-Communists alike—supposed that Communism was the wave of the future and accepted the thesis of its inevitable triumph. In particular, it was anticipated that Marxism would sweep through the developing world like a prairie fire. With Asia, Africa, and Latin America shaken by the deep-running demands for economic development and social justice, new states everywhere, it was believed, would turn to Communism, if only as the most efficient technique for modernization. Some in the West became mesmerized by the notion that, when a nationalist revolution began in an underdeveloped country, Communism was bound to win out. This has not happened. There has been an abundance of nationalist revolutions in these years. But the striking fact is plainly the failure of the Communists to ride to power on nationalist upheavals.

The reasons for the failure of Communism in the developing world is the same as the reason for the expulsion of colonialism from that world: what the new nations want more than anything else is the assurance of their national freedom of decision. And this very fact too, while it has endowed the new nations with spirit and audacity, has prevented them from forming, as some once feared they might do, a unified bloc against the West. Today they are unified only in their determination to stay out of the Cold War—and in the hope of shaking down the developed countries, Russia as well as America, for all the economic aid they can get. Beyond that, they too are deeply divided by nationalist resentments and rivalries.

Nationalism has thus changed the relations between America and the Western world and Russia and the Communist world, and it has defeated expectations of Russian and American influence as well as of a unified neutralist bloc in the Third World. It has emerged as the most powerful political emotion of our time. The Age of Superpowers is coming to an end.

A COMMON FRUSTRATION

Or at least this is evident to everyone—except to the Superpowers themselves. A main source of trouble in the world today is, as often before, the failure of Superpowers to recognize a new historical situation. This is natural enough. England and France, though knocked out of the running after the second world war, continued to try and act like great powers as late as their attempt in 1956 to control the Middle East and humiliate Arab nationalism. Superpowers are always slow to realize the decline in their capacity to command events. So America and Russia, operating on the momentum of ideas generated in the immediate postwar years, have persisted, despite a new age and a changed world, in those habits of thought and action which worked more or less between 1945 and 1955. The illusion of Superpowerhood thus lay behind the long American attempt to determine the destiny of Vietnam. It lay behind the Soviet attempt to enter the Caribbean in 1962, as it lies behind current Soviet attempts to dominate the Middle East and dictate the future of Czechoslovakia.

In 1967 Chairman Kossygin visited the United States and had a meeting with President Johnson in New Jersey. He came at a

² The total bomb tonnage dropped on Vietnam, North and South, through October 1968, was 2,948,057 tons. The total tonnage dropped during the second world war in both the European and Pacific theaters was 2,057,244 tons. This means that American planes dropped almost 50 per cent more tons of explosives on this hapless country than were dropped on Japan, Germany, and other enemy territories during the last world war. I owe these figures to the pertinacity of I. F. Stone who elicited them from the Pentagon press office and published them in his highly erratic but sometimes useful *Weekly*.

moment when Russia and America were in sharp disagreement over the two most urgent items on the meeting's agenda—Vietnam and the Arab-Israeli war. Yet, in spite of this disagreement, the meeting itself was surprisingly cordial. This caused puzzlement at the time. In retrospect there is no great mystery why this should have been so. The two leaders were evidently brought together by considerations deeper than conflicts in Southeast Asia or in the Middle East. They were brought together by a common sense of international frustration and a common fear that their mutual interests in world management were under challenge. They shared most of all a deep perplexity and anguished exasperation over the inability of their two countries to run the world any longer. The partnership of Holly Bush was above all a partnership of irritation and chagrin.

The world had for some time been approaching the point when the common American-Russian interest in global management was becoming more important than their disagreement on ideological issues or than the clash of their national interests. The irony, of course, is that these two countries were not at all concerned with collaboration during the Era of Superpowers—at a time when such collaboration might have gone far toward ordering the planet. But, as the recovery of national initiative in the rest of the world began to threaten the very idea of Superpowerism, the tendency grew to consider it more important to share world domination with the other than to open up the game. So, like two cartels which have been competing bitterly against each other for the world's supply of a vital commodity—in this case, power—they now tend to prefer to divide the market between themselves as against the risk and uncertainty which would follow from the admission of new competitors.

The clearest expression of this drawing together can be seen in the attempt to limit the control and availability of nuclear weapons. I do not suggest that the Test Ban Treaty of 1963 and the treaty to stop nuclear proliferation are not excellent things in themselves. They are surely the greatest formal strides toward peace the world has taken in this generation. But it is important also to consider how these proposals look to the non-nuclear nations. Their obvious effect—and, some cynics have suggested, their secret intention—is to exclude the rest from the nuclear club and thus to preserve American-Russian nuclear dominance. This is why, of course, these treaties have been so bitterly denounced by the two great rebel states—France in the Western block and China in the Communist bloc.

Alas, the drift of the Superpowers toward collaboration, generally encouraging as this new mood may be, has come too late, at least too late to save their joint hopes of world domination. "What forces in the world could resist us?" Kossygin said to Life in February 1968. "Nobody." Kossygin is wrong. The pathos of the present situation is that, just as America cannot unilaterally impose its will on Southeast Asia and Russia cannot unilaterally impose its will on the Middle East, so America and Russia together, even if they agreed on very detail of policy and worked together to put a common policy over, can no longer settle affairs in Southeast Asia and the Middle East. The events in the rest of the world have developed a life of their own—a future as well as a past of their own—and they are passing beyond the reach even of joint American-Russian dictation.

Indeed, the very process of Russian-American rapprochement hastens the end of Superpowerism by reducing the fear that independent national action is likely to provoke the great powers into nuclear war; it thereby increases every nation's sense of its own freedom of maneuver. Nothing exhibits more arrestingly the decline of Superpower-

ship than the spectacle in recent years of Superpowers pushed around by their satellites—the Soviet Union by East Germany, Cuba, and North Vietnam; the United States by South Korea, South Vietnam, and Taiwan. Tocqueville's old forecast—America and Russia, each "marked out by the will of Heaven to sway the destinies of half the globe"—has had, in the end, an exceedingly short run.

Ordinarily it takes defeat in war to persuade a Superpower that it has been living beyond its means. Sometimes one defeat is not enough. It took two defeats, for example, to convince Germany it was not a Superpower; there are those who fear that the Germans may not have learned this lesson yet. Great Britain, on the victorious side in the second world war, persisted in the illusion until the defeat at Suez terminated her imperial dream. The American failure in Vietnam has produced a striking reassessment of the world position of the United States. Vietnam has been an expensive and horrible education; but no one can question the fact that most Americans are now determined to have no more Vietnams. Only the Soviet Union, sustained by a dogmatic faith in the infallibility of its ideology, still seems dogged in the pursuit of Superpowerism, and this in spite of spectacular setbacks in Cuba and the Middle East. The world must hope that Czechoslovakia may in time have the same effect on Russia that Suez had on England and Vietnam on the United States.

A NEW AMERICAN POLICY

The last-ditch champions of the American Vietnam policy like to argue that the only alternative to universalism is isolationism. This, of course, is a self-serving definition of the issues; and the debate should not be established in these terms. A headlong dash from the world, a retreat to our own shores, even a retreat to our own hemisphere: all these are impossible options. An isolationist course would be as false to our interests as it would be false to our ideals. The United States cannot resign from the task of helping to build a rational world order.

But what form is this world order likely to take? As Franklin Roosevelt construed the universalist world a quarter of a century ago, it would be a world in which order would be enforced by the great powers. The decline of the Superpowers dooms this world. But it would appear equally to doom the sphere-of-interest world sought by Stalin. Thoughtful people still argue that spheres of influence offer the only alternative to universalism. But is it probable that, in the age after the Superpowers, the sphere-of-interest policy will be as easy to work as it was in the past? Confronted by nationalism in Czechoslovakia, Russia had to use military force to maintain its sphere of influence in Eastern Europe. Confronted by nationalism in the Dominican Republic, the United States had to use (or thought it had to use) military force to maintain its sphere of influence in the Caribbean. Both Superpowers got away with their military intervention in the short run. But both know that, where they are unwilling to use military force, they can no longer count on the automatic compliance of the countries of Eastern Europe or Latin America. It is highly doubtful whether China will be any more successful in putting together a submissive sphere of influence in East Asia.

My guess is that the most realistic evolution in the future would be along the lines of the proposal made by Churchill in 1943—a development of regional groupings within the United Nations, thereby merging universalist and sphere-of-influence conceptions, strengthening the "middle powers" and discharging the great powers from the supposed obligation to rush about putting down every presumed threat to world peace.

This would be a policy neither of universalism nor of isolationism but of discrimination. It would imply the existence of what President Kennedy called the "world of diversity"—"a robust and vital world community, founded on nations secure in their own independence, and united by allegiance to world peace." And it would imply the recognition of the limits of American power. As Kennedy put it in 1961:

"We must face the fact that the United States is neither omnipotent nor omniscient—that we are only 6 per cent of the world's population—that we cannot impose our will upon the other 94 per cent—that we cannot right every wrong or reverse each adversity—and that therefore there cannot be an American solution to every world problem."

Kennedy's profound insight was forgotten when his successor reinstated Dullesism and plunged ahead with the policy of overkill. But today, in the melancholy aftermath of Vietnam, we must at last understand more urgently than ever that "there cannot be an American solution to every world problem," and that we must therefore demand a sense of proportion and priority in the conduct of our foreign affairs.

In light of the Vietnam tragedy and of the current world mood, what would be the basic principles for a new American policy? What are the lessons of Vietnam?

First, that everything in the world is not of equal importance to us. Asia and Africa are of vital importance for Asians and Africans, and they are of some importance to us. But they are not so important for us as they are to Asians and Africans, nor are they as important for us as are Europe, Latin America, and Soviet Russia. In the last three years we have given most of our attention and resources to a marginal problem on the mainland of Asia while our position has steadily deteriorated in parts of the world far more indispensable to our national security.

Second, that we cannot do everything in the world. The universalism of the older generation was spacious in design and noble in intent. Its flaw was that it overcommitted our country—it overcommitted our policy, our resources, and our rhetoric. It estranged our friends without intimidating our enemies. Vietnam should teach us that in the last half of the twentieth century armed white men cannot determine the destiny of a nation on the mainland of Asia. It should teach us, more generally, that any American policies which involve the denial of local nationalism are doomed to failure.

Third, that we cannot be the permanent guarantor of stability in a world of turbulence. Violence is epidemic in the developing world; and we cannot regard every outbreak as a summons for the American fire brigade. "Every country," a wise Englishman said, "has a right to its own Wars of the Roses." Not every revolution, not every change in political and economic systems, not every assertion of belligerent nationalism is necessarily a mortal threat to the security of the United States.

Fourth, that all problems in the world are not military problems, and that military force is not necessarily the most effective form of national power. So long as we continue to define our world problems in military terms, so long will we strengthen our own warrior class and plunge the nation into further military intervention. This is a self-defeating course. We have never had more military power in the world than we have today—and we have seldom in recent times had less influence. As General de Gaulle observed to President Kennedy in Paris in 1961, the French had learned that exerting influence in Southeast Asia and taking military action there were almost incompatible. We should ponder this statement. And, as we free ourselves from the military hang-ups

of our foreign policy, we can begin to combat the militarization of our domestic thought and institutions.

Fifth, that the basis for our international influence in the coming period will lie less in the power of our arms than in the power of our example. As the Superpowers themselves begin to realize that their time is over, then they will recognize that future world leadership will demand persuasion as well as power. Political ties, economic assistance, cultural relations: these we must strengthen as we can. But military intervention is another matter.

We should undertake military intervention only when the national security of the United States is directly and vitally involved, when the people whom we think we are supporting display a capacity for resistance themselves, and when there are reasonable prospects for success—all conditions rejected and trampled on by those who made American policy in Vietnam. We must take advantage of the fact that modern military technology—intercontinental missiles, nuclear submarines, rapid means of airlift—reduces the need for the physical presence of American troops and bases in foreign lands. The time has come for a policy of "selective disengagement."

Of course, it seems easier in the short run to throw military weight around like an international bully than it is to appeal to the reason and conscience of mankind and to validate that appeal by the values we display in our national community. Yet we have exerted our greatest influence in the world precisely when—as in days of Woodrow Wilson, of Franklin Roosevelt, of John Kennedy—American leadership, in great part because of its identification with progressive policies at home, has been able to command the confidence of ordinary people everywhere. Mr. Nixon's goal of "clear-cut military superiority" will never be a substitute for American idealism as exemplified in action.

THE PRICE OF PROGRESS

We can restore our influence only as we contract our military presence around the world and begin to display reason, restraint, and magnanimity in our dealings with other nations. Above all, we can restore our influence only as we live up to our highest ideals in our national community. "Those are not wrong," Carl Schurz wrote seventy years ago, "who maintain that the nation which would assume the office of a general dispenser of justice and righteousness in the world . . . should be held to prove itself as a model of justice and righteousness in its own home concerns." The industrial order is undergoing vast and fundamental changes as the mechanical society created by the first industrial revolution is evolving into the new electronic society. "Because your country is further on the path of industrial development than ours," Jean-Jacques Servan-Schreiber told a meeting of American intellectuals, "many of the crises you are living through today are the ones we shall increasingly have to face in the future." If America is in turmoil, he continued, this was not the proof of decay but the price of progress. America seems in crisis because Americans have reached the point in social transformation where they are raising and debating fundamental questions long buried in tradition and dogma: the relationships between rich and poor, between black and white, between parent and child, between structure and spontaneity. "From the answers that you will find to this new set of questions will come a new 'social contract,' a new definition of the relationship between man and society with this second industrial revolution."

The experience of Vietnam has shown that we cannot run two crusades at once—that we cannot wage even a small war against an underdeveloped country and at the same

time move creatively to meet the problems of our own land. The policy of total involvement in the world is incompatible with the policy of social reconstruction at home. It would appear that in the years ahead America will exercise international influence less by trying to run the planet than by trying to solve the new problems of the high-technology state—the accelerating pace of technical change, the humanization of the city, the dilemmas of racial justice, the reform of education, the plight of the individual in a world of great organizations. In the years immediately to come, the world will follow us less because of our armed might than because of our capacity to heal the disruptions and fulfill the potentialities of the electronic society. If this is so, then we return to an earlier conception of the way America should seek to lead the world. "She will recommend the general cause by the countenance of her voice, and by the benignant sympathy of her example," said John Quincy Adams. ". . . But she goes not abroad in search of monsters to destroy."

"STAFFING WASHINGTON JOBS IN THE DEPARTMENT OF STATE"—ARTICLE BY GEORGE C. DENNEY, JR.

Mr. FULBRIGHT. Mr. President, the March issue of the Foreign Service Journal contains an article entitled: "Staffing Washington Jobs in the Department of State," by George C. Denney, Jr. Mr. Denney, a former staff consultant to the Senate Foreign Relations Committee, is presently a Deputy Director of the Bureau of Intelligence and Research. In his article, Mr. Denney discusses the difficulties of staffing jobs in the Department of State that require continuity, difficulties which revolve around the problem of offering rewarding careers to officers who serve in specialist positions in Washington. He discusses the problem of staffing the Bureau of Intelligence and Research as a specific example and suggests, in conclusion, that the Department of State needs two career systems for its foreign affairs officers—the Foreign Service and a domestic service separately recruited, managed, and promoted.

For those interested in the complicated administrative problems in the Department of State, I suggest a close reading of Mr. Denney's article, and ask unanimous consent that the full text be printed in the RECORD at this point.

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

A COMMENT ON POLICY: STAFFING WASHINGTON JOBS IN THE DEPARTMENT OF STATE

(By George C. Denney, Jr.)

(NOTE.—George C. Denney is Deputy Director of the Bureau of Intelligence and Research. Mr. Denney worked on the staff of the Senate Committee on Foreign Relations for six years, in the General Counsel's office in the Office of the Secretary of Defense for two years, in the office of the Director for Mutual Security, Executive Office of the President for two years, and earlier, in the Executive Secretariat, Department of State, for two years, 1950-52.)

When the American Foreign Service Association held its mass meeting on September 6, 1968 in the Department of State auditorium to express alarm over the newly enacted provisions of law authored by Rep. Wayne Hays which would make it possible for some Foreign Service Reserve officers

(FSR) to be granted "unlimited tenure," the greatest applause was registered when retired Ambassador Riddleberger cried, "There are already too many FSRs!!"

The Ambassador was commenting on a passage, intended to be reassuring to Foreign Service officers (FSO), contained in a statement by Deputy Under Secretary of State for Administration, Idar Rimestad, which was handed out at the meeting. This passage, which was published on page 20 of the September Department of State News Letter, read as follows:

"The second objective, that of strengthening the personnel system of the Department of State, will be achieved through expanding and strengthening both the Foreign Service Officer Corps and the support staff at all levels. In so doing, it is believed that virtually all positions at the officer level falling within the following broad functional categories, except those which may be found to be excessively routine, will be designated for staffing by Foreign Service officers:

- "Political.
- "Political/Economic.
- "Political/Military.
- "Economic.
- "Economic/Commercial.
- "Consular.
- "General Administrative.

"It is expected that Foreign Service Reserve officers will be appointed to the above type positions only in those few instances where a qualified Foreign Service officer is unavailable and the position must be filled."

It is the thesis of this article that the foregoing policy is not wise; that it is not in the best interest of the United States Government or the Department of State or the Foreign Service.

The policy in question, previously followed in the Wriston Program era, has been pushed in the Department since the fall of 1967. It was formally announced as part of the objectives of the new domestic staffing policy in the May 1968 issue of the Department of State's News Letter:

"1. To staff through the Foreign Service all of those positions in the United States which can be staffed properly through the worldwide rotational system."

The question as to what "staffing properly" was to mean—that is as to how hard the administrators would push to fill every position in the United States with rotating FSOs—was revealed in the next to the last paragraph of the June announcement in the Department of State News Letter:

"Recruitment under Civil Service should be discontinued, except when found necessary to fill a position designated as a Civil Service position. The number of positions so designated should be reviewed periodically for the purpose of gradual reduction, the ultimate objective being to staff all positions under the provisions of the Foreign Service Act of 1946, as amended."

In a nutshell, the new policy is to fill every Washington job with a rotating FSO or FSS if he can conceivably do the job, and, by increased training and specialization within the Foreign Service, to continue this policy until virtually all Washington jobs are staffed by officers committed to worldwide service.

What rationale and necessity have been announced for this policy of squeezing out all domestic service employees? The May, June and September announcements are silent as to the reasons. Could it be BALPA? Could it be the "bulge"? Could it be budget cuts? Could it be simplification of administration? Could it be avoidance of the rigidities of employment under the Civil Service Act? The official announcements quoted above did not say.

A BETTER POLICY

The usual approach to personnel management is to analyze carefully the skills needed and the working conditions and then to devise hiring policies and career systems which

will select the best person for each job. It is normally assumed that it is good to be able to choose employees from among all qualified Americans.

The serious weakness of the new policy as so far enunciated is that it would aim to recruit as many professionals as possible from a rather special group of Americans; namely, those who desire to spend half or more of their careers abroad and are willing to do so under the rotational assignment system. An inherent difficulty with trying to fill all or most specialist positions from the Foreign Service pool is that the pool is more restricted in quantity and variety of talent than the larger pool which includes all other intelligent Americans. Two determining considerations for the person who thinks of joining the Foreign Service are whether he wishes to spend most of his career abroad and whether he is willing to have his work assigned under the distinctive Foreign Service system. To forego hiring specialists who do not like these requirements is a big sacrifice for the Department to make if it wishes to ensure getting the best people for all its positions—a sacrifice damaging to the public interest.

SPECIALIZATION IS HERE TO STAY

The needs of the Department of State, both at home and abroad, but especially in Washington, call for more and more men and women with specialized skills: labor economists, monetary and fiscal experts, budget analysts, specialized lawyers, demographers, librarians, historians, intelligence analysts, physical and social scientists, educators, commodity experts, political-military advisers, linguists, security officers and many more. The trend is toward greater specialization and that in turn requires greater continuity in the same field of work. The growing demands for computer experts in the communications field and for management specialists in data and information handling are only the more dramatic and recent examples of the need for specialization in foreign affairs. When the specialist needs of USIA, AID, ACDA and the Peace Corps are added to those of the Department of State—as they should be for wise personnel system planning—the requirements are indeed formidable.

There was a time when it was thought necessary for the Foreign Service officer serving abroad to be able to do any professional task. Everybody was trained and assigned so that he would learn something about everything that might require attention by the head of a large mission. No one today believes that is possible or wise. Specialization even in jobs abroad is believed necessary. The Congress, dissatisfied with the rate of progress shown by the Foreign Service in rewarding officers who pursued specialist careers, imposed section 626 in the Foreign Service Act upon an unwilling Department. Section 626 reads as follows:

"The achievement of the objectives of this act requires increasing numbers of Foreign Service officers to acquire functional and geographic area specializations and to pursue such specializations for a substantial part of their careers. Such specialization shall not in any way inhibit or prejudice the orderly advancement through class 1 of any such officer in the Foreign Service."

The philosophy of section 626 is now accepted. The June announcement in the Department of State News Letter put it this way:

"We believe that the time has come when we must 'take the bit' and recognize in practice that Foreign Service officers, like other personnel, cannot be expected to acquire, by mid-career, a real expertise in every aspect of Foreign Service work in today's world. This concept simply does not promise the level of excellency required."

This principle is sound. No quarrel can be

made with the concept of dividing Foreign Service officers into distinct functional groups for purposes of recruitment, assignment, training, promotion, and selection out. If this is wise for overseas jobs, how much more important it is to apply the principle at home in Washington, where the larger proportion of specialized positions is found. In Washington the trend toward specialization occurred more quickly and the proportion changed more dramatically.

Can the great variety of professional officer skills needed by the Department be obtained best by a system under which recruitment would be made almost entirely from persons willing to obligate themselves to serve most of their careers overseas or by a diversified system which offers a domestic service career as well as a rotating service career?

The answer of the administrators of the Department has been that the Foreign Service Officer Corps can provide a pool of talent that is at once big enough, varied enough, and expert enough.

This is a policy of wishful thinking when it is applied to domestic staffing. The Department has for years been torn between the theoretical advantage of a single personnel system and the practical fact that it needs personnel of two different kinds. No one denies that it needs a Foreign Service of persons who are prepared for a life of movement spent primarily abroad, under a system and a discipline and reward that permit staffing a certain number of quite undesirable positions. With this need as a starting point, the Department has tried various ways of blending in its other need for personnel with specialized skills. The simple expedient of eliminating any system outside the Foreign Service has, in both logic and practice, shown itself to be no answer to the problem.

NEED FOR DOMESTIC SERVICE CAREER OPPORTUNITIES

The Department of State, therefore, needs to be able to offer rewarding careers to officers who serve in Washington specialist positions if it is to obtain and retain recruits from one of the large pools of people best qualified for these jobs. We are competing, of course, for the bright college and graduate students whose services are sought by both private organizations and other government agencies. We have to offer young people at least 10 or 15 years of interesting work. Most college graduates are not thinking of the pros and cons of a full 30 years career, but they do need to have an idea where their first job may lead them for the first 10-15 years.

If we are to recruit the best specialists for Washington service, furthermore, there must be an adequate promotion ladder. An adequate ladder can be assured in two ways. One is to have a number of positions of similar kind but different levels, within the organization where the applicant would start. Another is to develop relations with other nearby organizations to which he could shift. Either way, he sees that the path ahead can be upward. Yet the policy aims to narrow down the number of domestic positions, apparently without regard to promotional requirements.

A college graduate looking at the recent personnel atmosphere in the Department and wanting opportunities for domestic service could only be discouraged. He would find out that for the last five years, with very few exceptions, there has been a series of freezes on any filling of jobs in Washington from outside the Foreign Service. He would see that some non-FSOs in Washington jobs have been able to win promotions but he would note that the rungs of the ladder below senior and middle grades in jobs customarily filled by domestic service employees are now frequently filled by junior FSOs because of the ban on outside recruitment.

How does the future look to a senior GS

employee? He can stay where he is but movement to any other job is difficult. Certainly movement higher is difficult because 63 percent of the supergrade positions which the Department of State used to enjoy have been turned back to the Civil Service Commission as vacancies occurred, in anticipation of the passage of the 1967 Hays Bill. Since hope for that Hays Bill vanished, however, the senior GS has seen no sign of any effort to recover these supergrades, which would be the most obvious proof of an intent to make life and work in the Department adequately rewarding for him. These policies have locked out career domestic civil servants from almost all of the higher paying non-political jobs in the Department; nowadays an FSR appointment must be made or an FSO selected for the job.

THE HAYS COUP

When the original Hays bill was killed in the Senate the Department was left with unsatisfactory choices which it could, under the Foreign Service Act, offer to the college graduate interested in a domestic career in foreign relations. It was technically possible to offer a Foreign Service Staff appointment for work in Washington but the candidate had to be told of two difficulties. Eight years is the longest time that an FSO, FSR or FSS can work without an overseas assignment under present legislation, and no change in the Foreign Service Act was being contemplated. Even if the time limitations were not present, the applicant had to be told that the ceiling on his Foreign Service Staff salary is well below that of the Civil Service or Foreign Service officer ladders and that, again, no amendment to the existing legislation was being sought. Applicants had to be told that, whereas there was a time recently when specialists were appointed as Foreign Service Reserve officers with the hope that they might receive more permanent status under the original Hays Bill, that prospect seemed dead. Moreover domestic FSRs already on the rolls had to worry about their status. They were urged to convert from Civil Service status to Foreign Service Reserve (domestic) status in anticipation of the success of the original Hays Bill. Large numbers did so and, in almost all cases, received a boost in pay upon such conversion. They were now being asked to convert back again or to transfer to the FSS Corps.

It was at this stage, with the "guidelines" well on the way to implementation, with large numbers of additional positions in Washington having been designated for FSO occupancy, and with the only decent domestic professional career route being under the Civil Service Act, that Representative Hays made his move. On his initiative, but with the agreement of USIA and State, amendments were added in the House to the Senate-passed USIA career bill. The added package contained many essential features of the old Hays bill rejected by the Senate, but on the last day before the recess of Congress prior to the political party conventions the Senate concurred in the House amendments. Now there is authority to give FSRs appointments having unlimited tenure. Such a step would be possible, under regulations yet to be drawn, but not required of anyone. There are many questions to be studied and policy issues to be decided but, at least there is now a possibility of offering a college graduate a respectable domestic foreign affairs career under the Foreign Service Act. The eight year limit on assignment in Washington remains a legislative problem. The largest question remaining, however, is the subject of this article: the administrative policy of designating most positions for filling only by world-wide rotating officers.

HIGHLY QUALIFIED SPECIALISTS FORM FOREIGN SERVICE OFFICER RANKS?

The personnel concept paper issued in June says that all but a few specialist jobs in the Department can be filled with over-

seas career officers. No doubt many of these jobs can be filled by FSO and FSS Officers but how well will the work be done? How much sacrifice will there be of the objectives of finding and keeping the best possible man for each job?

The foundation of excellence in any professional work is a partnership of high quality men and long continuity. Other things being equal, the man who spends many years working on a given subject will be more highly skilled than one who spends two-four years, which is the typical FSO assignment. It has already been noted that there are fewer specialized positions overseas compared with the number in Washington. One should not be misled by labels. The kind of work done abroad by FSO "economic/commercial" specialists, as that term is used in the new concept paper, is seldom applicable to the way of, say the international monetary payments experts needed in Washington. Suppose you find the FSO who is willing to get additional university training in economics and suppose you keep him on for an extra year or two in a Washington specialist assignment: then where does he go? And how is he replaced in Washington—by another FSO who has spent a year in special training? In short, the result is a three-way waste: the FSO wastes career time in specialized training and activity which are unlikely to serve him fully in the System's concept of credit for promotion; the System itself wastes valuable officer time in training for a one-shot assignment; the Department wastes talent which, through training and practice, reaches full competence at just about the time it is snatched away to a less relevant assignment. Many difficulties would seem to lie ahead if the attempt is pursued to staff nearly all specialist positions in Washington with rotating FSOs.

LESSONS FROM THE WRISTON EXPERIENCE

Many have noted the similarity and analogy between the present period, when as many jobs as possible in Washington are being designated for FSOs, and the period of the so-called Wriston Program around 1954 when the shotgun marriage of the Civil Service and Foreign Service in the Department was carried out. Then, as now, the mold of every professional job was looked at to see whether an FSO could possibly fit into it; then, it may be said, as now, the effort was built upon a basic confusion between jobs for which experience abroad in some form was helpful and jobs for which it was necessary in the form of Foreign Service assignment.

Some lessons were learned from the Wriston experience, however. We shall apparently escape the embarrassing and even tragic developments of the years following adoption of the Wriston Program when many former highly specialized domestic service officers were "Wristonized," sent abroad and there failed to compete with the more "generalist" regular FSOs.

History may nonetheless repeat itself in other respects. In 1954, the Public Committee on Personnel, as the Wriston Committee was called, proposed that 1464 officer positions in Washington be designated for FSO occupancy. The ratio was about 2 to 1 in favor of FSO designation. By 1959, new surveys initiated in the Department resulted in the redesignation of 284 of the FSO positions. From 1959 to 1967 the ratio of FSOs in Washington officer positions to non-FSOs has been close to 1 to 1. Pursuant to the new guidelines announced in May-June 1968, the bureaus of the Department have decided to designate about 2000 positions for FSOs and about 900 for non-FSOs. Thus the ratio is back to the 2 to 1 Wriston ratio.

LESSONS FROM THE DEPARTMENT OF DEFENSE

In the Pentagon and elsewhere in the Department of Defense there are four elite

career military services whose officers are bound to serve anywhere in the world and who recruit, examine, assign, appraise, promote, and select out each other. Like the Foreign Service, these groups are largely self-managing and self-critical; they have an esprit de corps and an instinct for self-preservation. Military men have as good a sense of command and control as anyone, and it is useful to see how they cope with the proliferation of knowledge and the increasing specializations of functions which are common to all agencies. They have felt the need to train some of their number as scientists, information handling specialists, and financial experts, but, relatively speaking, only a few. They have not tried to fill all of the professional slots in Washington, just the key, higher jobs. Typically, alongside each of these jobs sits a talented long-time civilian deputy who will be there when the next colonel rotates into the top spot, and the next colonel after him.

Now, of course, this is not the whole story; two other factors come into play. One can be laid aside—the question of civilian control over the military. The balance between career military and other professionals in a given organization in the Department of Defense is closely related to this consideration, but it has no parallel in the Department of State.

The other factor is more subtle—the question of making allowance for a special point of view. A Secretary of Defense or a Secretary of State wants to insure that he gets a variety of viewpoints on any problem. Is there a "military mind"? Is there a "Foreign Service attitude"? Do elite, self-disciplined, peer-judged personnel systems based on mutual, detailed annual efficiency reports, tend to breed a predictable approach to problems? It is not necessary to say yes to these somewhat loaded questions to make the point that any Secretary of State should be on guard when he sees a plan to staff all positions in the Department with rotating FSOs and FSSs.

INR STAFFING AS AN ILLUSTRATION OF THE GENERAL POLICY QUESTION

It is appropriate to consider the experience and needs of the Bureau of Intelligence and Research (INR) with respect to officer personnel as an illustration of the principles involved in proper staffing of the Department of State in Washington.

Most officers in INR are engaged in analysis of political, economic and social trends in foreign countries and in making forecasts of relevance to US policies. This function is clearly one for which Foreign Service officers have important qualifications. These research functions can also be performed by domestic foreign area specialists, who have in fact constituted about 50 percent of INR's regional research offices in recent years. Since November 1967, when the campaign began to designate as many Washington jobs as possible for FSO occupancy, INR has successfully fought off proposals to work toward staffing INR research offices fully with world-wide rotating FSOs, FSRs and FSSs. INR has resisted encroachment on the principle that a 50-50 ratio of FSOs to domestic service career specialists is ideal.

As an organization with both basic research as well as current intelligence responsibilities, INR must rely not only upon personnel generally acquainted with foreign service and international affairs but also upon a parallel group of officers who characteristically accumulate wide knowledge in a limited area of field. The professional analyst and the FSA tend not to be the same person. A senior career FSA has expressed the differing qualities of the two in the following way:

"Every FSO has some of the qualities of an analyst, and good analysts very often make effective FSOs. The honest-to-God analyst, however, has something more:

"The ability to deal day in and day out with

paper—stacks upon stacks of ephemera and buckram-bound tomes, or speeches, newsprint, reports at first and third hand, and comments on comments—without losing touch with the reality behind it all. He must live with his head in a cloud of paper, yet keep his feet on the ground. He must have self-discipline the way an FSO must have a good liver.

"The ability to spot the truly novel and significant in a mass of the familiar and irrelevant. . . . The nugget of information that makes the whole story fall in place gleams for him where others see only sand. . . . The accumulation of facts and experience takes years that the FSO cannot supply.

"The ability to communicate the pattern he finds without taking the reader through the long trail of search and discovery that led him to it. The FSO, trained to report from abroad, is encouraged to tell in detail what he sees and hears so that it can be mined for information serving a variety of purposes. The researcher rarely does a favor in recounting his intellectual odysseys. He must keep a sharp pencil despite the dulling pressure of detail.

"The ability to expose reality without being influenced by what should be done about it. The good FSO begins to prepare specific policy recommendations early in his career. He soon finds it difficult to dedicate himself to what is without being haunted by what *should be*. He has found that recommendations without advocacy lose battles that could be won. The analyst must train himself to hold the future, like all else unproven, a bit in contempt. His pride is in creating order from a congeries of facts and inferences, changing or neglecting none of them. The FSO's pride is in having a hand in shaping the future; his is an actionist's kick rather than the researcher's faith that the truth shall set men—on the right path."

In a memo written in December 1967 to defend the principle of having a mix of professional analysts and FSOs in INR research offices, the question was argued in the following way:

"The reasons why we think the 50/50 mixture is ideal are these:

"1. The essence of INR's function is that it has an independent viewpoint. . . . How could a staff of exactly the same kind of people found in other areas—indeed, through the force of rotation, identical people—produce results different in character?

"2. Somewhere in the Department there should be at least a core of officers who are able to accumulate wide knowledge in a limited field, who have opportunity for comprehensive analysis and the long view, who acquire, together with practice in applying their skills to policy problems, the habit of depth research. Individuals of this sort grow by continuity, not rotation, and by work in the Department, not in the academic environment.

"3. Long-continued research is not one of the things people join a Foreign Service for—and it is a serious question whether they *should*. The scheme of loyalties involved in executing policy directives, the attitudes required for operating, the emphasis on rapid decision, among other features of FS life, run actually counter to the requirements of research. FSOs have much to offer—and receive—in a mix, but manifestly to staff INR with FSOs would in time dilute out of sight its research character.

"4. For the Foreign Service itself, service in INR gains its distinctive value from exposure to the research tradition embodied in the permanent staff. Otherwise INR would simply be another Mission or policy Bureau and would offer no new experience.

"5. The relationships which INR maintains on behalf of the Department, on the one hand with other intelligence agencies and on the other with private research groups all over the country, require continuity quite

different from that which, in foreign capitals, is consistent with rotation of personnel. . . . In particular, INR's representation of the Department in the complex processes of producing National Intelligence Estimates would suffer seriously if it did not involve a good proportion of seasoned and familiar research officers.

"6. The fact that CIA and the Defense Intelligence Agency have settled for staffing their headquarters with both rotating and permanent personnel means two things:

"(a) It serves as testimony to the Department that our associates in other agencies have perceived the need for specialization and continuity in the business which INR is supposed to carry on for the Department.

"(b) It would put INR at a serious disadvantage in representing the Department's interests if it could not match these agencies' experts in depth with similar experts of its own."

ORIGIN OF THE NEW PERSONNEL GUIDELINES

What are the sources and inspiration for the current policy of halting Civil Service recruitment except when inescapably necessary to fill a position designated for Civil Service, reviewing such positions periodically to try to reduce them, with the ultimate objective of staffing all domestic positions through the Foreign Service Act? Did the policy come out of a high-level public-Government committee like the Wriston Committee or the Herter Committee? No. Did the policy stem from Congressional initiatives or legislative requirements? No. Did the policy result from the deliberations of an interagency committee representing AID, USIA, and other parts of the foreign affairs community? No. Did the policy arise from a departmental committee representing the geographic and functional bureaus of the Department of State? No.

The new guidelines were fixed in the general Departmental memorandum of November 13, 1967. They were amplified by an ad hoc "Committee on Strengthening the Personnel System" composed, 9 to 1, of FSOs. It was their report which was announced in the June News Letter quoted at the beginning of this article. As far as is known, the ad hoc committee held no hearings, not even to receive advice from Civil Service or Foreign Service employee organizations.

WHAT HAPPENS NOW?

The June announcement said that working groups were being organized to examine in depth each aspect of the concept developed by the "Committee on Strengthening the Personnel System," but nothing has been heard from them. Meanwhile, however, the policy of easing out of the Civil Service and pushing in the Foreign Service in Washington jobs is being steadily implemented by an administrative hierarchy, controlling all assignments, composed from the top well down toward the working level entirely of Foreign Service officers.

It is to be hoped that the surprise enactment of the mini-Hays bill, giving a prospect of administering a domestic career foreign affairs specialist corps through FSR appointments of unlimited tenure, will be the occasion for rethinking the premises of the staffing patterns and position designations now being implemented.

RECAPITULATION

If a process of rethinking the present policy "guidelines" does take place it might usefully take into account these points:

1. The need for professional employees in Washington having specialized skills and long continuity of expertise is going to grow.
2. The Department should seek the best people for jobs requiring such qualities, wherever they may be found.
3. The nature of the job functions should determine whether it is to be filled by a rotating FSO or a domestic service officer.

4. The guiding approach should not be to see how many rotating FSOs can be assigned to Washington jobs but, through objective job content and organization analysis, to find that proper mixture of stay-at-home career officers and overseas career officers which will most creatively and efficiently do the Department's work.

5. The Department of State needs two career systems for its foreign affairs officers: the Foreign Service and a domestic service separately recruited at the bottom and at other levels and separately managed and promoted. The variety of means under Civil Service authority, or the new Hays FSR approach, or both, should make it possible to achieve a flexible domestic career system which will attract a steady influx of bright young foreign affairs graduates for domestic service as well as the mature scarce specialists needed from time to time.

DISSENT—"RESPONSIBLE" AND OTHERWISE

Mr. FULBRIGHT. Mr. President, recently there has been a good deal in the newspapers critical of those of us who have had something to say about the ABM.

The dissenters from dissent have taken up arms again, and, as before, it is not the right of dissent that is objected to, but the exercise of that right. Criticism is fine, we are told—the very stuff of democracy, a blessing of liberty, the true source of our strength—but, as the editorialists intone, it has got to be "responsible" dissent—"responsible" in time, "responsible" in place, "responsible" in form.

That is where all the dissenting about dissent begins. Applied to public criticisms of foreign policy, the term "responsible" usually turns out to mean: some other time, some other place, and some totally different form.

Take this matter of timing. When I criticized the Johnson administration for its intervention in the Dominican Republic, I was criticized not only for the "aid and comfort" I was alleged to be giving to some unnamed enemy, but also because I had waited until after the crisis had abated, with the result—so said my critics—that my observations were "gratuitous" and "irrelevant." Thus enlightened, I did not wait for the Vietnam war to end before revealing my objections to it, and for that I—and many other war critics—became targets for a rich array of epithets, among which "demagoguery" and "irresponsibility" are among the more charitable. What is a dissenter to conclude except that, in the minds of the dissenters from dissent, the only time when criticism is "responsible" is some other time?

Then there is the problem of the way in which you dissent. Mr. Rusk used regularly to invite the Foreign Relations Committee to try to repeal the Gulf of Tonkin resolution and the hawkish press also urged that, if Congress did not like the war, why did it not stop griping and just cut off appropriations. As a politician, and as a student of Br'er Rabbit, I must admit to a certain wariness of an opponent's suggestion as to the tactics I might use against him. I for one would gladly have tried to repeal the Tonkin resolution if I had thought the votes could be found for doing so. But I did

not think the votes could be found—and I suspect the administration shared that assessment of the situation in the Senate.

The unwillingness of Senators to vote to repeal the Tonkin resolution did not mean at all that they supported the administration's war policy. What it did mean was that Senators were unwilling to express their dissent in a particular manner that seemed to them drastic or irresponsible. The same can be said, even more so, for voting against appropriations for the war, which seemed tantamount to taking the guns out of the hands of our fighting men.

The conclusion which I draw is that the proponents of a policy are not really reliable sources of advice on how best to criticize that policy. Just as their favored time for dissent is some time when it will be irrelevant, the forms of criticism which they consider "responsible" turn out to be those with the greatest promise of being ineffectual or self-discrediting.

In the light of this experience, I am not much distressed by recent editorial complaints about the alleged end of the alleged "honeymoon" between Congress and the Nixon administration. One of the leading newspapers of my State credits me with being the first to end President Nixon's honeymoon by jumping on the President "too hard and too fast" for reasons of my "long-standing irascibility about the Vietnam war."¹

In fact, the Democrat does me an undeserved honor. Some days before I spoke out, the distinguished junior Senator from South Dakota (Mr. MCGOVERN) made an excellent speech in the Senate about Vietnam which sent the Washington Evening Star into transports of outrage about "demagoguery in the Senate."²

In similar, though less agitated vein, the Washington Post said that the "striking difference" between my position on Vietnam and that of former Vice President Humphrey was "largely a question of timing," thereupon congratulating Mr. Humphrey on his willingness to allow the Nixon administration the traditional 100 days before the Democratic opposition begins to criticize its war policies.³

I must confess that I just cannot seem to get the hang of this timing problem. Is it the Post's position that we should all keep quiet for 100 days and then let all hell break loose on the 101st? I note that the distinguished minority leader shares my feeling that there is something arbitrary about the hundred days' honeymoon to which a new administration is supposed to be entitled. In his opinion, it is unreasonable to expect the new Republican administration to resolve the war in 100 days when the old Democratic administration was unable to resolve it in 5 years. The distinguished minority leader did not indicate whether, in consequence of his well made point, he would favor extending the

¹ "Wrong man gets cut," *Arkansas Democrat*, March 19, 1969, p. 4A.

² "Demagoguery in the Senate," *The Evening Star*, March 19, 1969, p. A24.

³ "Hubert Humphrey's Good Example," *The Washington Post*, March 25, 1969.

honeymoon to 5 years or eliminating it altogether.

My own view is that the proper time for criticism of what you perceive to be a mistake is when the mistake is made, or when you become aware that it has been made. Mr. Nixon, after all, did not discover for the first time that there was a war going on in Vietnam on the day of his inauguration. He has been a keen observer and articulate commentator on events in Indochina for the last 15 years. With due allowance for the necessary period in which a new President organizes his administration and becomes familiar with the workings of the Federal Government, it must also be borne in mind that the policy questions involved in Vietnam are not new but drearily old and familiar ones; that the President has had long experience in foreign affairs, which, as he said in the campaign, he regards as his "strong suit;" and finally, that, even if it were justified on all other grounds, we can not afford the luxury of delay in ending the war because every week that the war continues some 200 to 400 young Americans lose their lives.

You cannot really win on this matter of dissent, anyway. On March 27 the Foreign Relations Committee had a harmonious public hearing with Secretary of State Rogers, and that occurrence turned out to be hardly more pleasing to the critics of criticism than if the committee had held a field day of polemical fire works. Dismissing the matter of "tone and emphasis"—which were at least as significant in the discussion with Secretary Rogers as the actual words which were uttered—the Washington Evening Star speculated archly and irrelevantly about new techniques for soothing "irascible" Senators. On the other hand, one national reporter was heard muttering about the committee's lack of "courage" for its failure to launch an unbridled attack on the Secretary of State.

It is all very puzzling. "Responsibility," it seems, means silent acquiescence in a policy which you deplore, while "courage" seems to connote an indiscriminating, though highly entertaining, bellicosity. Lacking more reliable guidelines for the discharge of his responsibilities, what can a politician do except to rely on his own fallible judgment?

I ask unanimous consent to have inserted at the conclusion of my remarks a letter from an old friend in Arkansas who was very upset by the hearing at which Mr. Laird was present.

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

SPRINGDALE, ARK.,
March 26, 1969.

Senator J. W. FULBRIGHT,
Senate Office Building,
Washington, D.C.

DEAR BILL: I watched you on the National Broadcasting set the other night, badger Laird until I almost vomited, and then I turned over to Walter Cronkite to get something more pleasant.

Bill, as much as you and Gore and Church; Hatfield, Percy and Javits and Teddy boy,

"Harmony on the Hill," *The Evening Star*, March 28, 1969, p. A-12.

love the communists, why in the * * * don't you just move over to Russia and live there? You'd be a * * * sight more comfortable, although about the only television coverage you would get in this country would be on May Day.

Sincerely,

ULYS A. LOVELL,
Attorney at Law.

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

Mr. FULBRIGHT. I yield to the Senator from Maine.

Mr. MUSKIE. Mr. President, may I say that I have listened with a great deal of amusement to the Senator's comment on the subject of dissent. The one reassurance I get out of it is that there is nothing in the record of the distinguished Senator from Arkansas to suggest that he is likely to be intimidated by these conflicting pieces of advice on how dissent ought to be conducted.

Mr. FULBRIGHT. I appreciate the comment of the Senator from Maine. I hope he is correct, and that I will not be intimidated. It is encouraging to hear of the Senator's confidence.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Vice President, the appointment of the following Senators to attend the 18th Disarmament Conference in Geneva: Senators PASTORE, GORE, BURDICK, COOPER, BENNETT, and COTTON.

AUTHORIZATION FOR THE PRINTING OF EULOGIES ON DWIGHT DAVID EISENHOWER

Mr. MUSKIE. Mr. President, on behalf of the distinguished minority leader (Mr. DIRKSEN), I send to the desk a concurrent resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The concurrent resolution will be stated.

The legislative clerk read the concurrent resolution, as follows:

S. CON. RES. 16

Resolved by the Senate (the House of Representatives concurring), That there be printed as a Senate document the eulogies on Dwight David Eisenhower, delivered in the Congress; the eulogy delivered by President Nixon and the benediction by the Reverend Dr. Elson in the Rotunda of the Capitol on Sunday, Mar. 30; and the text of the funeral service, including prayers and scriptural selections read by the Reverend Dr. Elson, at Washington Cathedral, on Monday, March 31, 1969.

Resolved further, That the copy shall be prepared and bound in such style as the Joint Committee on Printing may direct.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the concurrent resolution (S. Con. Res. 16) was considered and agreed to.

EXECUTIVE SESSION

Mr. MUSKIE. Mr. President, I understand that two unobjected-to nominations reported by the Committee on For-

ign Relations are at the desk; and, once again in view of the extended recess facing the Senate following the session today, I ask unanimous consent that the Senate proceed to executive session for their consideration.

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

UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL

The legislative clerk read the nomination of Glenn A. Olds, of New York, to be the representative of the United States of America on the Economic and Social Council of the United Nations, favorably reported earlier in the day from the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. INFORMATION AGENCY

The legislative clerk read the nomination of Henry Loomis, of Virginia, to be Deputy Director of the U.S. Information Agency, favorably reported earlier in the day from the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

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

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

LEGISLATIVE SESSION

On request of Mr. MUSKIE, and by unanimous consent, the Senate resumed the consideration of legislative business.

THE ANTI-BALLISTIC-MISSILE CONTROVERSY

Mr. MUSKIE. Mr. President, over the past weeks I have listened with increasing concern to the controversy about the administration's proposal for the Safeguard anti-ballistic-missile system.

The American people are deeply troubled that tensions between the United States and the Soviet Union have come to this new turn. They are disturbed by the competition for more and more deadly weapons of destruction. They are distressed by any step to intensify the nuclear arms race and weaken the prospect of relief from the threat of nuclear war.

The administration's ABM proposal represents quantum changes in the weaponry on which the precarious balance of mutual deterrence rests. It represents a major commitment of resources, away from other vitally important national objectives. Its bargain price tag is made suspect by all our experience in weapons building and by the system's own built-in momentum toward a new arms spiral.

The administration's proposal must withstand exhaustive scrutiny before this Nation can accept its enormous risks. We must demand careful evaluation of the Safeguard system—of its premises,

its effectiveness, and its likely consequences—before the recommendations of the President and his advisers can be accepted as a national decision.

The burden of judgment is on the Congress. We are hearing testimony from the administration before the Armed Services and Foreign Relations Committees. We have also heard ringing denunciations from distinguished scientists and other experts familiar with the range of considerations bearing on the decision to construct and deploy an anti-ballistic-missile system.

In the weeks ahead, the Congress will have to determine whether an ABM is needed, whether it will work, and whether it will contribute in a useful way to American security. Only when these questions are resolved can the Congress decide whether we should go forward with an ABM program.

I have grave reservations about the merits of the Safeguard System. The administration's proposal has raised more doubts than it has cured. I had hoped, before the President made his announcement, that the opportunity he took to review the ABM program would yield a prudent, soundly premised decision, representing the best judgment of the Nation. But the administration's case to date has been utterly unconvincing, shedding not light but shadow on the most fundamental aspects of the program.

Mr. President, any decision to embark on such an important and risky course as the Safeguard program must satisfy four primary considerations. I offer these considerations now as the principal areas on which the Senate must base its best judgment in meeting its responsibilities to the American people.

First, we must know what is really proposed to be done within the so-called Safeguard program. To date, the intimations of what is intended have been confusing, contradictory, and ambiguous.

This year, Congress is asked to approve a start on two defense points at Minuteman bases in Montana and North Dakota. But we are also told that an additional 10 sites around the country, including one at Washington, D.C., are involved in the "program."

The President, in his announcement to the Nation, March 14, carefully stressed his options to restrict the Safeguard system according to the results of continuing reviews of the state of technology, intelligence, and arms control negotiations. But Under Secretary Packard's presentations have paid lipservice to the President's restricted concept. Mr. Packard justified the program primarily in terms of full deployment and its potentialities for redeployment to meet evolving threats.

The difference appears to be more than one of shades of meaning. It arises against a background of shifting positions by the Joint Chiefs of Staff on the military "requirement" for an ABM, and changing intelligence evaluations as to the nature of the Sino-Soviet threat. Thus far, those positions and evaluations seem to coincide more with the domestic political climate than with the real world of international security.

What lies in the poke that the Congress is now asked to buy? Is it two batteries of

safeguard, 12 or many, many more in a steady evolution toward the thick ABM system which sends shivers down the spine of everyone concerned with the survival of mankind?

By underwriting a policy of "rolling options"—only one face of which the President revealed in his announcement—would the Congress place itself and the country in a position where the administration has unbridled discretion to "reorient" safeguard at will according to any suitable pretext? Nothing in the record to date reassures me on this point.

Mr. President, these are questions to which the Congress must find answers. These are the questions which may mark the difference between the quick and the dead.

Second, the Congress must determine whether the safeguard system is needed at this time.

We have heard considerable testimony from the administration about the growing Soviet threat to our retaliatory forces. The administration's judgment is based, in very large part, on the dotted lines on its charts, which project a steady deterioration in the security of our deterrent during the first half of the 1970's.

Any such projection of reciprocal actions is somewhat arbitrary, resting on the wisdom that goes into its assumptions. It cannot be accepted at face value. Before we can determine whether these assumptions should be accepted as a basis for decision, the premises of the administration's forecasts must be closely tested. To the extent these projections rest on classified information, these bases cannot be publicly explored. But the Senate must satisfy itself that the intelligence formulations and projections of options available to the United States to counter anticipated Soviet actions have been soundly formulated.

Mr. President, enough is known about the underpinnings of the administration's promotional package to make its reliability dubious. The central villain in the administration's piece is the Soviets' SS-9 missile, which is cast in the role of a deadly first-strike weapon. We know, however, that the SS-9 can serve a perfectly straightforward purpose in the Soviets' nuclear mix as a "city busting" retaliatory weapon, ideally suited to the destruction of very large urban areas, of which the United States has quite a number. We know that the SS-9, regardless of its warhead capability, would have to overcome severe problems of accuracy and be available in very large numbers before any nation in the position of the Soviet Union would stake its very existence on the ability of a weapon to serve effectively as a first-strike weapon—the role in which it is cast by our military publicists.

Grave doubt has arisen about the credibility of these projections. They are by no means universally accepted by the experts in a position to sift the evidence relied on by the administration. Before we could agree that the Safeguard is needed at this time, we would have to have a soundly constructed trustworthy justification on which to base our judgment. We have yet to see such a justification.

Third, we must also have confidence

that the Safeguard will do the job for which it is designed, principally the protection of a significant core of our retaliatory force.

The administration has stressed that the Safeguard system will work, and it would have us stake billions of dollars on that optimistic forecast. That claim can only be thoroughly tested—within the limits of human ability to predict—by access to information we cannot openly discuss. However, the Senate has heard from experts, who have carefully reviewed the program, that Safeguard buys only marginal retaliatory protection in the face of the many capabilities of the offense to overcome an ABM defense.

I am particularly struck by the vulnerability of the system's missile-site radar—MSR—to destruction that would cripple the entire system.

The advocates of Safeguard say that dispersal of Minuteman is not enough to insure security of the force; to provide this security, they ask for an active ABM defense. But Safeguard rests on the functioning of the MSR to provide guidance and control for terminal interception, and to serve this role, the MSR must be above ground and unshielded, making it a prime target for an enemy strike.

How many missiles it will take to knock out the MSR is an unknown quantity, but it is obvious that a concentrated first-wave attack could blind an entire Safeguard battery and leave Minuteman virtually as unprotected as they would have been without an ABM.

This kind of protection strikes me as a very dubious investment.

Finally, Mr. President, we must be concerned about the likely consequences of a Safeguard deployment, both in weapons development and in the progress of arms control negotiations.

Secretary Laird refers to Safeguard as a "building block for peace," painting the system as not being provocative—a judgment that strikes me as illogical and illusory.

Envision, if you will, the following scenario of a likely Soviet reaction: Soviet generals appear before Messrs. Brezhnev and Kosygin and others to discuss the American Safeguard deployment, replete with extensive charts and other briefing aids. Their charts show the rate of predicted American ABM deployment between 1969 and 1973 rising from zero to two sites, and then sharply rising to a level six times greater in the next 2-year time period. A dotted extension rises thereafter to a level marked "First-Strike Capability" at some future year.

The Soviet generals note that the Safeguard system is seriously overdesigned for the defensive purposes stated by the Americans, in that Safeguard utilizes components—the MSR and the high-velocity Sprint—designed for distant terminal interception appropriate to protect cities far in excess of the close-in requirements appropriate for protecting the hardened Minuteman. They conclude that Safeguard is a building-block to a first-strike system.

Harkening back to the dangers of their country's unpreparedness at the time of the Cuban missile crisis, the generals express considerable alarm and request

immediate authority to counteract the intensified "threat" which, they say, the United States is commencing to build.

Mr. President, we can fairly assume that such a scene will have taken place in the Kremlin not long after Safeguard deployment is begun. Can we, with confidence, therefore, conclude that Safeguard will be received as calmly as the administration suggests? Or must we conclude that Safeguard, resting as it does on the premise of an intensifying arms race, will be a prophecy that fulfills itself—at grave risk to all mankind?

It is altogether possible, on the other hand, that the administration is not, in fact, taken in by its own reassurance as to Soviet reactions. It may be that the Safeguard proposal is intended as a blunt challenge to the Soviets to come to the bargaining table and negotiate over strategic weapons, or else the United States will heat up the arms race, counting on our superior technology to protect us if negotiations fail. I cannot believe that this kind of bluster would have any rational justification, and I must caution the Senate and the country that such diplomacy is the very essence of provocation.

In this connection, I must note with some concern that the arms limitation negotiations, to which the United States and the Soviet Union are both committed, have not yet begun, although Secretary Rogers' assurance that the administration would soon be ready is indeed gratifying.

Mr. President, these four considerations about Safeguard—what is intended, why is it needed, how effective it would be, and what results it would produce for American security—are the tests to which the proposal must be put.

From the work of our committees and the debates in the Senate must come the answers. As any lawyer knows in making his case, the proponent of an argument has the burden of proof. In the ABM case, the administration must carry the burden of proof in the four areas I have outlined. In this vital area, the burden of proof requires thorough and prudent judgment, not presumptive reliance on cliché and illusion.

As of today, Mr. President, the administration has not borne its burden of proof.

ORDER OF BUSINESS

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

The PRESIDING OFFICER (Mr. BAYH in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE ARMY'S ANNOUNCEMENT OF RESTRICTIONS ON CHAPLAINS

Mr. THURMOND. Mr. President, it was most distressing and shocking to note the announcement made by the Army which restricted its chaplains. It is beyond my understanding that the Army

would prohibit its chaplains from mentioning the word "God" in their character guidance training. Such a decision shakes the historic foundations of our Nation and its religious institutions.

Mr. President, it is reported the American Civil Liberties Union alleges that the mention of God in a chaplain's message interferes with a person's constitutional rights. In my view, this is another penetration to shatter our country in more divisiveness and disorders under the guise of religious freedom. What is our country coming to, when even the chaplains are forbidden to mention God when talking with recruits about morals? In the words of a distinguished South Carolinian, "evidently the inscription on our coins, 'In God We Trust,' is a big, bold, white-faced lie."

I should like to quote further from George H. Schultz, pastor of the Trinity Bible Church, Rock Hill, S.C. His concern reflects my feelings and millions and millions of other Christian Americans who have not forgotten what our country has stood for under God the last 193 years.

Pastor Schultz said:

The Christians in our country are greatly disturbed at the trend in our country away from God simply because a few hippies, beatniks, demonstrators, or atheists under the guise of "civil rights" take away the rights of the law-abiding citizens.

Mr. President, I endorse this statement. To overcome such divisive forces, our commanders in the Armed Forces more than ever before have a special obligation to present an inspiring program of character guidance. Our weapons are useless without men of character and strong faith, courage, and obligation to our country and Creator. This includes the defense of religious freedom which the American Civil Liberties Union would have one believe is in jeopardy in the Army.

The Army decision to bow to the allegation of the American Civil Liberties Union that constitutional rights are being abridged reminds me of the Supreme Court's ill-advised decision to stop prayer in our schools. The Constitution is to protect the rights of our citizens when, in fact, a right is eliminated. I hold the view, and I am sure that 99½ percent of all clear thinking Americans agree, that the mention of the word "God" and a prayer in school are neither relevant to the charge of interfering with religious rights nor a merger of church and state. In my view, we are violating our Constitution if we continue to permit a few to steer the ship of state away from God.

Mr. President, there is one encouraging note. I understand that the Secretary of Defense is examining the Army decision. However, I believe immediate revocation, not examination, is the obvious decision. It is my firm hope that the order will not be issued as indicated by the Secretary. I have so informed the Secretary of Defense, and I urge my distinguished colleagues to recommend the same to the Secretary.

In my opinion, the President set the religious tone for our country at his inauguration. There was no doubt in the

minds of millions who heard him and the prayers of our clergy that Mr. Nixon would seek to bring God and country closer together. As the Commander in Chief of our Armed Forces, I am sure he will use the word "God" in his messages to the troops whenever he feels it is appropriate. I see no difference in this than the chaplains so far as constitutional rights and religious freedom are concerned. No doubt the American Civil Liberties Union would charge that this is not allowed under the Constitution.

Mr. President, I call upon the Army to withdraw its proposed order immediately, and regain the respect of its military personnel and the American people.

NEW YORK ASSEMBLY BAN ON BUSING

Mr. THURMOND. Mr. President, if there is one domestic issue which is of deep concern to all sections of the country—North, East, South, and West—that issue is education.

There is a great fear throughout the country that the quality of education is declining and that the traditional standards of discipline and authority in our schools are being eroded.

Furthermore, there is a deep concern that the concept of the neighborhood school in which a child attends school with members of his own cultural and peer group is in danger of disappearing. There are many reasons why parents find it desirable to have their children attend neighborhood schools. In the first place, every parent wishes to see his children grow up in his own image and he carefully selects the environment in which his child is being formed. Parents select their neighborhoods with the view towards the kind of community which they want for their children, and they become deeply distressed when their desires and wishes are nullified by abstract ideological decisions made by bureaucrats far from the local problems.

Therefore, the action of the New York Assembly this past week was of great significance in voting overwhelmingly for the ban on busing of students to correct racial imbalance in the schools. The vote of this assembly was 104 to 41 and included members of both parties, Republican and Democrat. This vote obviously reflects the overwhelming sentiment of the people of New York State, and I believe a similar result would appear in any State in the Union. The people of this country ought to have some say over where their children go to school and with whom their children associate and how their own distinctive culture is to be preserved and extended.

This vote is even more significant when one realizes that it was aimed directly at the policy of the New York State Commissioner of Education, Dr. James A. Allen. Commissioner Allen has been trying to ram his policy down the throats of the people of New York State for many months, and this sharp rebuff should be construed as a repudiation of his policy.

Inasmuch as Dr. Allen has been also nominated to the office of U.S. Commissioner of Education, I hope that he will

take this repudiation to heart and recognize that the policy of busing is not desired by the people of the United States, no matter in which area of the country.

Mr. President, the New York Daily News of Friday, March 28, 1969, carried an editorial entitled "Let's Drop Forced Busing." One must reflect that this is the largest newspaper in the largest northern city supporting the policy of the New York Assembly. Once again, it is clear that the people of New York do not want Dr. Allen's policy nor do the leaders of New York, such as the editors of the New York Daily News.

Mr. President, I ask unanimous consent that the editorial "Let's Drop Forced Busing" from the New York Daily News of March 28, 1969, be printed in the RECORD at the conclusion of my remarks. I also ask unanimous consent that the article from the New York Times of March 27, 1969, entitled "Assembly Passes a Ban on Busing for Integration" be printed in the RECORD at the conclusion of my remarks.

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

[From the New York Daily News, Mar. 28, 1969]

LET'S DROP FORCED BUSING

After a hot debate, the Assembly day before yesterday passed by a 104-41 vote the bill to end compulsory busing of school children in the interest of integration.

Any school district whose citizens wanted such busing could go ahead and have it, under this proposed law.

But State Education Commissioner James E. Allen Jr.'s notion that black children should be shipped into white-majority schools and vice versa by order of Doc Allen would be junked.

The Allen idea sounds good at first hearing—mix the races early in life, get 'em to know one another, and so on.

It hasn't worked out that way in practice, and we doubt that it ever will or can.

Let's drop it, via State Senate passage and signature by Gov. Rockefeller of the no-compulsory-busing bill, and soon.

[From the New York Times, Mar. 17, 1969]

ASSEMBLY PASSES A BAN ON BUSING FOR INTEGRATION

(By Bill Kovach)

ALBANY, March 26.—In an overwhelming protest against educational experiments involving integration, the Assembly voted 104 to 41 today to ban busing of students to correct racial imbalance in schools.

The bill was passed after three hours of debate during which Republican sponsors defended themselves against charges by Democrats that the bill was thinly disguised segregationist legislation. When the vote came, however, 32 Democrats joined the Republicans to pass the bill. Only four Republicans voted against the measure.

Senate passage of the bill is expected with little trouble, but Governor Rockefeller has voiced his disapproval of such legislation and is likely to veto the bill.

Assembly Speaker Perry B. Duryea was absent from the chamber during most of the debate as he and other Republican leaders worked on recommendations for Governor Rockefeller's budget of more than \$6-billion. The Republican leaders announced late in the day that they would present the recommendations on budget cuts to a closed G.O.P. conference at 11 A.M. tomorrow, indicating the two-week impasse over the budget and tax proposal was nearing an end.

EFFECT OF MEASURE

As passed by the Assembly, the bill would prohibit the State Education Commissioner or local school boards from assigning students on the basis of race to achieve racial equality. It was sponsored by Assemblyman Joseph J. Kunzeman, a Queens Republican.

Assemblyman Arthur O. Eve, Democrat of Buffalo and a Negro, attacked the bill as the "worst kind of racism and a very dangerous bill."

Mr. Eve, whose 8-year-old son was with him in the Assembly chamber, told his fellow lawmakers:

"I am sorry I had my son with me here today because the speakers on the other side have given him the impression that if he moved into the schools of some neighborhoods the schools would be destroyed."

"It is hard for me to believe," he concluded, "that I am standing in the chamber of the Assembly of the Empire State and not Alabama or South Africa."

It was just the sort of attack the Republicans' supporters had attempted to head off. Mr. Kunzeman went to great pains to paint the bill not as a subject of race, but one of opposition to "orders imposed on local communities from outside" in educational experiments that had little or nothing to do with education.

Transfers, he said, "have proven ineffectual and detrimental to those transferred."

Both supporters and opponents of the measure argued the bill not so much on its content as on the whole concept of educational change—especially decentralization and community control.

"I only hope," Assemblyman Charles B. Rangel, a Manhattan Democrat, said, "that those of you who support this bill because you say local people should decide these questions will remember your arguments and your position when we ask later in this session to control our own schools."

The two leading Republican spokesmen for the bill, George Van Cott of Mount Vernon and George Farrell of Floral Park, L. I., represent areas where busing has been ordered by the State Commissioner of Education, Dr. James E. Allen Jr. They made clear their resentment of these orders from outside officials and Mr. Van Cott warned that if the program was implemented "whites won't stay in Mount Vernon."

As for the budget, indications today were that the Republican party was near its goal of 76 votes to pass the Governor's budget proposal and his requested one cent increase in the state sales tax.

Tentatively, it was understood, the leaders expect to have the budget and tax proposals up for debate in a Saturday session and then recess until April 14. Decentralization and several other controversial items would be taken up when the Legislature reconvenes after the Easter recess.

In other action, the New York State Catholic Committee urged the Legislature to pass a package of 12 bills to end the "inequalities and discriminations which migrant workers have suffered for years."

The committee, which speaks for Bishops of all Roman Catholic dioceses in the state, urged passage of bills that would to the following:

Extend workmen's compensation and labor relations laws to cover farm laborers.

Provide for farm workers written contracts, minimum wages, and unemployment insurance.

Require employers of farm laborers to obtain health certificates on imported laborers, provide adequate toilet facilities and partial pay for idle time caused by equipment failures.

Clearly establish the Attorney General's role to protect laborers from unfair practices by employers.

CUBA

Mr. THURMOND. Mr. President, in recent weeks there has been a rising tide of pro-Castro propaganda in our news media which alleges that things are better in Cuba than ever before and that we might as well accept Castro as a permanent fixture and recognize his government.

The object of this propaganda is to convince the American public and to apply pressures against the administration to legitimize the Communist government off our shores. Thus, 10 years of waiting is supposed to accomplish for Castro what he could not do by force and with the aid of the Soviet military power. I cannot see how the passage of time affects the legitimacy of a totalitarian government.

Two articles in the current issue of Human Events give able refutation to the thesis that Castro's revolution is a success and is welcomed by the people. An article by Paul Bethel entitled "The Rising Tide of Pro-Castro Propaganda" gives ample detail which shows how the pro-Castro elements in the United States are conducting this campaign, and which also shows what the current economic situation is in Cuba.

Of particular interest is Mr. Bethel's catalog of recent instances of arson and sabotage against the Castro regime. Within a period of 1 month, he cites at least eight significant cases.

Mr. Bethel points out that many of the totalitarian regimes of Latin America disappeared with lightning-like suddenness with less evidence of popular discontent and rebellion than exists in Cuba. Why is it then that Castro stays in power? I quote Mr. Bethel's conclusion:

Castro owes his continued existence more than anything else to the fact that agreements made at the time of the missile crisis prevent his opposition from receiving either arms or encouragement.

The article by Mr. Lofton cites figures from the U.S. Department of Agriculture's periodical Foreign Agriculture. He shows how food production in 1968 was 10 percent less than the 1957-59 average. He points out that food production per capita has declined 25 to 30 percent.

Mr. President, I would like to congratulate Human Events for publishing these fine articles giving information which has seldom appeared in print. This is an example of fact-filled journalism which attempts to give an objective appraisal of a serious situation.

Mr. President, I ask unanimous consent that these articles be printed in the RECORD at the conclusion of my remarks.

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

THE RISING TIDE OF PRO-CASTRO PROPAGANDA (By Paul Bethel)

Only the deaf and the blind can be unaware of the rising tide of pro-Castro propaganda appearing everywhere in recent months. And it just happens to coincide with President Nixon's preoccupation with ending the war in Vietnam and shoring up our neglected NATO alliance. Apparently the main purpose of the propaganda is to pressure the new Administration into reopening relations

with Communist Cuba. A secondary objective is to stay President Nixon's hand in dealing more effectively than in the past with the threat posed by the Soviet bridgehead in this hemisphere.

The February 14 issue of *Life*, for example, carried a long piece on Cuba written by Carl Oglesby, former president of Students for a Democratic Society. Oglesby is said by *Life* to represent a "radical American view." But FBI Director J. Edgar Hoover sees the political direction of the SDS in quite a different light. In his year-end report, Mr. Hoover notes that at the organization's conference last summer, "two of the newly elected national officers publicly identified themselves as Communists. . . ." The FBI chief also states that the SDS has been "moved from an anarchistic outlook toward a Maoist-oriented, Marxist-Leninist approach."

First-hand reports on Cuba appearing on the television networks and in such newspapers as the *Wall Street Journal* and the *Christian Science Monitor* have also tried to turn the clock back 10 years to revive the mythologies purveyed by Herbert Matthews of the *New York Times*. But Matthews' personal assessment that Castro wasn't a Communist nor even a Communist sympathizer suggests that on-the-spot reports can be tragically wrong in their conclusions.

Nevertheless, the myths remain; only the message has been altered to reflect the changes wrought by a decade of Castro-Soviet rule. That message is this: The "revolution" may not be a social or economic success, but it is unshakable.

Shortages and misery that cannot be hidden from view (the result of disastrous Communist economic planning and civic resistance) are often explained away as the vestiges of pre-Castro "Yankee imperialism." Reporters are quick to allege that the *campesino* is living better than before Castro came to power. This excuses everything else—the brutalization of both government and the Cuban people.

Huge, tax-free foundations are playing a key role in spreading myths about the Cuban regime. The Ford Foundation, for instance, is the principal source of funds for National Educational Television, whose programs on Cuba have been very favorable toward Castro's rule.

The Center for Inter-American Relations of New York, recipient of a \$500,000 Ford Foundation grant, is also caught up in the resurging Castro myths. The Center is run by William D. Rogers, former deputy assistant secretary of state for Inter-American Affairs. His assistant is David Bronheim, who also served under Rogers at State.

At a meeting held on February 11, a study group of the Center was briefed by Lee Lockwood and Jose Yglesias on Cuba's cultural and economic advances. The commitment of these two gentlemen to pro-Castro causes is a matter of public record. Earlier, the forum had listened to the British ambassador to Cuba extol the virtues of Castro (he could hardly do otherwise and remain ambassador).

The most important meeting took place on February 25, when a "working paper" was presented on Cuba by Prof. Richard Fagan of Stanford University.

The group which was assembled to hear and approve Fagan's thesis seems to have been packed with members from the Left. Though he belonged to the forum, Jay Lovestone, head of the international division of the AFL-CIO, was not invited to attend. At a previous meeting Lovestone had discerned the conscious leftist purpose of the meetings and denounced them, saying that no such purpose could meet with the approval of the AFL-CIO. Former Ambassadors Robert C. Hill and Spruille Braden also did not receive invitations. Other members who were sus-

picious of softening our stance toward Cuba were also left out.

Suffice it to say that the composition of the February 25 meeting was not one to inspire confidence in its probity or objectivity. Among those attending were four members of the *New York Times* reporting staff (including Jose Yglesias), Lee Lockwood, three professors, a member of the Ford Foundation, an unidentified and silent observer and a lone businessman with widespread experience in Latin America. Thus the cards were all stacked on the Left. Prof. Fagan's paper, removed all doubt.

Here is what Fagan proposed:

1. Lift the ban on travel by U.S. citizens to Cuba;
2. Lift the U.S. economic blockade of the island;
3. Let the Organization of American States ease both travel and trade restrictions against Cuba.

A fourth point, which came up in the discussion in the context of trades which U.S. diplomats might be willing to make, was the return of the Guantanamo Naval Base to Cuba.

Points 1, 2 and 3 of the Fagan paper are a collective aberration. Fagan theorizes that if the Castro regime, in his words, "was to be enlaced throughout the hemisphere through trade, travel and diplomacy," then Castroite subversion would diminish. In fact, obviously, by extending aid in the form of trade and facilitating the travel of Castro agents (only Castro determines which Cubans may travel), subversion would not diminish, but increase.

In a transparent effort to gain the support of the U.S. business community, Fagan said: "Arrangements for trade fit well with the American business ethic," drawing a response from one of those present that Fagan's views represented a callous disregard for ethics as well as for American business.

Regarding any "diplomatic trade" of the U.S. Guantanamo Naval Base, only the stupid or naive could doubt that by handing the base over to Castro we would, in fact, be handing it over to the Soviet navy.

The intellectual community (in this instance, as represented by the paper of Prof. Fagan) and much of our news media gloss over the threat which is posed to our security by Fidel Castro and his Soviet masters. From the very beginning, Fidel Castro's goal was to seize and exercise uncontrolled power.

He has not changed. Indeed, his goal is to extend that totalitarian control, by means of his subversives and with Soviet help, to Latin America. For, from the Marxist-Leninist point of view, the Cuban "revolution" can be considered a success only to the extent that it succeeds in enveloping Latin America and isolating the United States in its own hemisphere.

The size and power of the United States always cast a shadow over Castro's ambitions. He hates the capitalist system which lies at the heart of our power and influence. Upon seizing power, capitalism, American and Cuban, became the subject of his fury and the object of his attack. Only by our submitting to Castro's wishes and whims would even a frail coexistence with Castro become possible; it would break whenever the United States refused to do so. This was true in 1959; it is true in spades in 1969.

What are the realities of Fidel Castro's supposedly "unshakable" regime? The current myth is that the people of Cuba, particularly its youth and Negro population, are solidly behind him. It is important to Castro that this message be accepted by U.S. news media and our intellectual community, since it justifies the argument that we might as well learn to live with Castro.

Some of the news media refuse to be moved

by obvious facts, treating them in passing as mere irrelevancies. One fact is that 500,000 Cubans have fled into exile, 10,000 of them braving the cruel seas in 1,017 small boats, even rafts made of the inner-tubes of truck tires, in the greatest mass migration in the history of the Western Hemisphere. Another million and a half are waiting to get out. As applied to the population of the United States, this is the equivalent of the flight of between 40 and 50 million Americans.

Of the 87 Cubans who made it to freedom through a hail of Castro bullets last January 6, three-quarters of them were Negroes and mulattoes and most of those were youths. Almost exactly one year ago—on April 14, 1968—18 Cubans hijacked a train, drove it close to our Guantanamo Naval Base and, dodging machine-gun fire from Castro guards, made it to safety. *All were Negro youths.*

What is the root cause of these desperate flights, this mass migration? The answer is to be found in the lack of food and clothing, a stagnant economy, terror in the form of the most repressive policy apparatus known to this hemisphere and no future in a life being drained away in unending slogans dedicating the individual to the service of the state.

Using a scale of 100 for the year 1958, Cuban industrial production 10 years later stands at 63.9; beef and pork production stands at 46 per cent of the 1958 figure—and so it goes.

The much-touted youth support for the regime has been placed in doubt by none other than Fidel Castro. When 1.5 million youths were forced to work in the sugar cane fields, their reluctance to do so was scored by Castro, who accused them of "not having shown the revolutionary fervor expected of them."

They have been found by people tearing down or despoiling pictures of "Che" Guevara and have come under vicious and increasing attack in *Verde Olivo*, *El Mundo*, *Revolucion y Cultura* and other government organs for "capitalist corruption," "apolitical tendencies" and many other "crimes" in Castro's totalitarian Communist state.

Escapees from Cuba tell of anti-Communist slogans which appear with increasing frequency on the walls of high schools and at the University of Havana. *El Mundo* newspaper was burned to the ground a few weeks ago. Journalism students operated the paper and, in the aftermath of its destruction, many were arrested on suspicion of sabotage.

On January 5, Castro revealed that the malaise of youth had reached significant proportions. Students seem to have little interest in school and, according to the Cuban dictator, 621,000 elementary students out of a total of 1,444,000 failed to pass to the next grade. With only 172,000 students attending secondary (where is Castro's vast educational program, anyway?) Castro revealed that more than half failed to pass. Furthermore, he admitted, another 400,000 school-age children are not going to school at all.

Cuba's youths are becoming a serious threat to the Castro regime (as youths were to the Communist regime in Hungary in the mid-1950s). Despite the mobilization of spy cadres which operate within the school system and inform on "counterrevolutionary activities" of the students, and despite get-tough orders to the police in dealing with suspected sabotage activities, the defiance of Cuba's youth is growing, not diminishing.

Castro's reaction to this increasing opposition among Cuba's youths exploded in a March 13 speech at Havana University. So that he can punish minors under the adult penal code, he lowered the age of maturity from 21 to 16, an age, as he put it, "where they will face penal responsibilities." Minors who are "delinquents" (a term used to describe anyone who disagrees with him), he thundered, "raises the possibility that we'll have to eliminate them, radically!"

One means of controlling rebel youths, Castro continued, will be for the government to incorporate the military into the senior high school system (thus turning his propaganda line around, from "converting barracks into schools" to converting schools into barracks).

He said he would eliminate Havana University (a stronghold for anti-Castro student leadership) by splitting it up and scattering its various schools throughout the countryside where, he said "students can more easily fulfill their work and study responsibilities." In fact, he has eliminated the name "Havana University," in an attempt to destroy its tradition as a center for intellectual opposition. The resistance these recent changes will meet from aroused Cuban youths is not difficult to imagine.

Likewise, assertions made by "eyewitnesses" that the Cuban farmer is better off than ever before are open to serious challenge.

Why doesn't the on-the-spot reporter ask why it is necessary for the regime to empty schools, factories and shops and even close down whole cities and herd the population out to cut sugar cane, harvest rice and pick coffee? This massive and nonsensical dislocation of a precarious economy is often romanticized as "volunteer labor." But behind this phenomenon lie some facts that need exploring. Cuba has traditionally suffered from a surplus of farm labor, the *campesinos*. What it may logically be asked, has happened to them?

The answer is as simple as it is obvious. When Castro reneged on his promise, made back in 1959, to give each *campesino* his own piece of land, they rebelled en masse and have not worked for the regime in any significant number since. As a result, they are persecuted and harassed through every conceivable method available to the government. A typical monthly "ration" allowed to these stout rebels is 16 plantains (or the equivalent in sweet tubers) a month, supplemented by sugar mixed with water to give them energy!

Indeed, Cuba's *campesinos* provide the core of the anti-Castro rebels. Among their guerrilla leaders were Thondyke, "Machetero," "Yayo" Estevez, "Chungo" Ramirez, "Perico" Sanchez, "Cara Linda," Bernardo Corrales and others. As they were captured or shot, others took their places. Four of them were Negroes.

As late as July 22, 1967, Armed Forces Minister Raul Castro made this eye-opening statement regarding internal resistance: "To liquidate bands [of guerrillas], 179 in total, has cost us the precious lives of our youths and the equivalent of between 500 and 800 million U.S. dollars."

It is not known how many of the groups merely disbanded and still remained on the alert, as was the case with "Yayo" Estevez, and how many were actually "liquidated" in the literal meaning of Raul Castro's term. But by halving or even quartering the number of 179 anti-Castro guerrilla bands, it is obvious that organized resistance existed on a very large scale and may, in fact, exist today. Certainly, things are worse in 1969 than in 1967.

Further evidence of latent anti-Castro resistance came out at the famous trial of Anibal Escalante one year ago.

Escalante was accused of leading a coup against Castro. Russia's top security chief in Cuba, Rudolf Shilapnikov was quoted by Raul Castro in the course of the trial as follows: "In Cuba, conditions are present for a new Hungary . . . dissension is great," and, "In Hungary it was not the peasants that crushed the revolt . . . it fell on the State Security forces," which, in Cuba, Shilapnikov noted, was filled with "petit bourgeois."

There are two points here: One is that

Cuban *campesinos* cannot be trusted (Raul Castro needed no reminder that this is so); the other is that Shilapnikov registered doubts about the loyalty of Cuba's police apparatus. Nothing could be clearer than that.

It may be significant, in this regard, that Castro's militia and his Vigilance Committees have had their arms taken away from them, while those conscripted into the Obligatory Military Service never even see a rifle. Described by most intelligence sources as "massively against the regime," conscriptees (about 150,000) are given only close-order drill. Their real job is to work in the fields doing only slightly disguised slave labor (they are paid \$7 a month.)

Here is a partial list of recent sabotage, and government directives to deal with it:

January 23, a shipyard was destroyed by fire at the southern Camaguey port of Santa Cruz del Sur. Radio Havana placed the loss at \$400,000.

January 25, the government announced "a 45-day revolutionary vigilante drive" against sabotage and mingled agents of the G-2 (secret service) into the civil population forced to cut sugar cane.

January 25, Havana Radio called "for information by revolutionary vigilantes leading to the discovery and unmasking of enemies of the revolution. . . ."

January 26, a warehouse containing machine parts was burned in Santiago. A Leyland bus (from England) was also burned.

February 12, a government machine shop at Macareno sugar mill was burned out. Two weeks later a warehouse filled with sugar bags went up in smoke. On March 1, Radio Havana revealed another fire in a warehouse at Senado sugar mill.

February 19, the government announced even more stringent measures "for intensifying collective revolutionary vigilance . . . the prevention of counter-revolutionary, anti-social and criminal acts against the state. . . ."

February 20, *El Mundo* newspaper burned to the ground.

Many small railway stations in the interior of the island have been burned down.

The point is that "evidence" produced by some reporters in on-the-spot investigations is not accompanied with more serious research to examine their conclusions that the Communist regime of Fidel Castro is solid. The regimes of Juan Peron, Rafael Trujillo, Marcos Perez Jimenez, Gustavo Rojas Pinilla, Fulgencio Batista, Joao Goulart and many others disappeared with lightning-like suddenness, typical in Latin America, with less evidence of popular discontent and rebellion than exists in Cuba.

Actually, Castro owes his continued existence, more than anything else, to the fact that agreements made at the time of the missile crisis prevent his opposition from receiving either arms or encouragement.

However that may be, the history of revolt in Communist countries warns us that even Cuba's status as a sanctuary against attack may not save Fidel Castro. The revolts in East Germany, Poland, Hungary and Czechoslovakia teach us that after a certain length of time, people under the heel of a Communist dictatorship *do* rebel.

At some not-too-distant date in the future, we can almost predict that the Cuban people will join their European brothers in trying to throw off the yoke of their oppressors. The point then will not be to lament how wrong we have been, but how well prepared we are to help them.

Now there is something positive that a huge, tax-free foundation might undertake to study! Or are they, and a certain element in our press, trying to forestall a revolt by salvaging Castro before it happens?

HOW CASTRO'S RECORD IS DISTORTED BY PRESS

(By John D. Lofton, Jr.)

In their stories about life in Cuba after 10 years under the dictatorship of Fidel Castro, most national news magazines told it as it is. But a couple did not and, just for the record, they ought to be corrected.

Both *Newsweek* and the *New York Times Magazine*, while acknowledging such things as a decline in per capita income from \$422 a year in 1958 to \$415 in 1968, felt constrained to point out that despite this drop in income the lot of the average peasant is better than ever.

Said *Newsweek*: "While the quality of life in Cuban towns has plummeted in the past 10 years, the lot of the *campesino* in the Cuban countryside has unquestionably improved. If nothing else, the country's small farmers and cane cutters are healthier today than ever before."

Echoed the *New York Times Magazine*: "Outside Havana everyone eats better and the students and farm workers are well fed."

The fact of the matter is that this is simply not so.

Writing in the Jan. 6, 1969, issue of the U.S. Department of Agriculture's periodical "Foreign Agriculture," food expert Wilbur F. Buck says: "When the Castro regime came to power in 1959 the Cubans were one of the best-fed peoples in Latin America. Excessive and indiscriminate livestock slaughter in 1959 and early 1960, however, caused a sharp drop in meat supplies. A decline in the out-put of food crops, especially rice, during Castro's early years in office was precipitated by rapid nationalization of farm properties and the shift in direction of trade.

"The past decade has witnessed a deterioration in the average Cuban's diet, particularly in its quality, as grain protein has replaced much of the animal protein.

"Food production in 1968 is estimated to have been about 10 percent less than the 1957-59 average. But food production per capita has declined some 25 to 30 percent from that of a decade earlier, necessitating heavy imports of food products, such as wheat and wheat flour from Canada on Soviet account."

Castro's troubles at home, however, are not solely economic. For quite some time there have been indications of social and domestic discontent in Cuba. Castro himself confirmed these rumors in a speech last year marking the eighth anniversary of the establishment of his committees for the Defense of the Revolution. In this talk he spoke of a wave of sabotage and of the rising rate of prostitution among girls in the 14 and 15-year-old age bracket.

He spoke of the opposition of many Cuban university students to his policies, specifically his backing of the Russian invasion of Czechoslovakia. He cited their destruction of photographs of Che Guevara and their burning of the Cuban flag.

And although the Cuban government officially announced only four acts of sabotage during the six-month period prior to Castro's speech, Castro himself admitted in this speech that there had been more than 70.

It is true that under Castro, illiteracy has been reduced. But what good will it do for one to learn how to read, then die of starvation or malnutrition?

This point was made most succinctly on a radio show in the Dominican Republic, "You Be the Jury," in which a Cuban exile asked about life under Castro replied: "Under Fidel's regime, despite what he says about the peasants, it is not so. Things are not the same as he tells the peasants. There is no clothing, no shoes, no nutrition, no entertainment. Then what does it matter if the literacy rate is increased? There is no

freedom, no money to spend and nothing to read but Communist propaganda."

OTTO OTEPKA

Mr. THURMOND. Mr. President, it has come to my attention that a major newspaper is in the process of writing a lengthy article or articles on the nomination of Otto Otepka to the Subversive Activities Control Board. According to reports which have reached me from many sections of the country, it is obvious that this newspaper is leaving no stone unturned in a fruitless endeavor to find material which could be twisted somehow so as to reflect adversely upon Mr. Otepka's character and judgment. The scope of this effort, the length of time which the newspaper has allotted to it, and the number of reporters involved all suggest that this newspaper suddenly is attaching great importance to the Otepka case.

This same newspaper recently described the Otepka appointment editorially as "revolting," and said that his name "recalls immediately some of the worst abuses of the Joseph R. McCarthy era—particularly the reckless use of raw security files." This is a most remarkable statement from a supposedly responsible newspaper. Mr. Otepka was never in any sense an associate of the late Senator McCarthy, whatever one's opinion of that Senator's goals and methods. Furthermore, Mr. Otepka is the last person who might be charged with the reckless use of raw security files, since he was precisely the person in the State Department who was charged with the statutory responsibility of evaluating raw security files—which he did entirely within the closed confidentiality of the security system. Mr. Otepka has never at any time discussed security cases in public, nor did he ever testify or transmit information concerning specific cases to any unauthorized agency.

If anything, Mr. Otepka's name recalls another era and the problems associated with security in that period. Certainly no one would sanction calling our late colleague, Senator Robert Kennedy, a McCarthyite when, as is well known, he was a longtime associate and prominent staff member of the McCarthy investigating committee? Yet, how much more plausible it would be to refer to someone as an associate of Senator McCarthy who was actually an associate of Senator McCarthy, rather than someone like Mr. Otepka who never had any connection with Senator McCarthy in any respect whatsoever. There are some who define "McCarthyism" as "guilt by association," yet this newspaper finds Mr. Otepka guilty without any association whatsoever.

It is, therefore, disturbing when a newspaper that lacks common decency and truthfulness suddenly awakens to the need for "in depth" coverage of Mr. Otepka, and at the very moment when Mr. Otepka's actions have been vindicated by appointment to one of the highest security posts in the Government. This same newspaper never showed great interest when the substantive matters of

the Otepka case were being played out in the drama before the Senate Internal Security Subcommittee. At that time, its coverage was perfunctory, or nonexistent, when matters of great concern to this Nation's security were being revealed. Instead of spending its money in transcontinental telephone calls and putting a crew of reporters to work, this newspaper would be better off examining the printed hearings of the Senate Internal Security Subcommittee, and making up for lost ground.

In these hearings, this newspaper would find much which should be of great concern to a newspaper which professes liberal attitudes. This newspaper would find there documented cases of wiretapping and eavesdropping, a practice which has been roundly condemned in its editorial columns on nearly any other occasion.

This newspaper would find documented cases of the statutory rights of civil service workers abrogated contrary to law, a practice which I doubt would find editorial approval.

This newspaper would find documented cases of apparent perjury by high Government officials, another situation which should raise its journalistic ire.

This newspaper would find documented cases of denial of due process, and other fundamental constitutional rights, a subject which has always caused its editorial writers to whet their lips.

This newspaper would also find documented cases of the collapse of the State Department's security system. However, judging from its recent editorial, the newspaper could not be better pleased. Its unreasonable prejudice on this issue seems to have caused blindness on every other aspect of the case.

Mr. President, Mr. Otepka has long suffered at the hands of those who believe our security systems should be destroyed, and it is time that he received the justice due to him as a faithful civil servant and loyal patriot. It is time also that his country makes good use of the special talents and loyalty which he has brought to Government service in the past. I am confident that, whatever attacks are made upon him now by irresponsible journalism, the Senate will speedily confirm him when his nomination is brought to the floor.

AMERICAN CASUALTY FIGURES IN VIETNAM

Mr. BYRD of Virginia. Mr. President, it was 1 year ago this week that President Johnson ordered a halt in all bombing north of the 19th parallel in North Vietnam. In October he eliminated all bombing of North Vietnam.

President Johnson's reasoning for his April restrictions and his October prohibition was the hope that this would result in a negotiated peace.

Peace talks began in Paris in early May. It was only recently that the conferees came to agreement on the shape of the table. So far as is known, no other conclusions have been reached. There is no evidence that peace is any nearer today than it was a year ago.

Yet while this country has eliminated

all aerial action against North Vietnam, American casualties continue to mount.

It has been my belief for some months that the Paris talks have lulled the American people into a false sense of security—and have caused our troops to become the forgotten men.

Let us look at the facts.

During the 1-year period beginning last April, the United States has suffered 95,879 casualties in Vietnam, of which 12,866 were killed.

This is 39 percent of all the casualties the United States has suffered during its long involvement in Vietnam.

To state it another way, of the total casualties suffered in Vietnam, 39 percent occurred during the past 12 months. Of the 33,641 who have been killed in Vietnam, 38.2 percent met their death during the past year.

During the first 3 weeks of the last month—as recently as that—the United States had more men killed in Vietnam, and more men wounded in Vietnam, than in any 3-week period during the history of the war.

From the beginning, I have felt that U.S. involvement in a ground war in Asia was a great error of judgment. But since our Government decided to draft men and send them to Asia to fight, I feel we must give them full support.

That is why I want to emphasize and reemphasize the severe casualty figures in the hope that this will focus attention on the difficulties facing our troops in Vietnam.

NATIONAL GOALS AND THE MILITARY

Mr. PROXMIER. Mr. President, on Tuesday of this week, the Joint Economic Committee filed its report. I think it was a good report, one which has received substantial consideration by the press.

There is one segment of the report especially significant, which may easily be overlooked, because it was not emphasized in the releases, and because it is a long report and the segment appears back in the body of the report. I am referring to the defense-related recommendations in the committee's report which I think are the toughest in this field in the committee's entire 23-year history.

I rise today, Mr. President, to urge Congress to give special attention to those recommendations. The committee has called for a substantial increase in the critical scrutiny given the defense budget both within the executive branch and in Congress.

In our annual report, we urged the Council of Economic Advisers and the Bureau of the Budget increase substantially their efforts to analyze and evaluate issues related to defense spending. And we urged that the Executive Office of the President undertake ongoing and comprehensive investigations of defense procurement matters and submit their findings to the Joint Economic Committee as part of the annual economic report.

As our report states:

The Bureau of the Budget should strengthen its defense review capacity so

that it can adequately scrutinize Defense Department budget requests. The Council of Economic Advisers should focus its attention on defense expenditures and their impact on the economy. Agencies such as the Department of Labor and the Department of Commerce should begin studying the effects that defense spending is having on wages and prices. The annual economic reports to Congress should present the results of these analyses.

There is now substantial evidence that improved efficiency in defense spending could free much needed resources for reallocation to higher priority civilian programs.

In developing policy to resolve in a satisfactory way the collision of demands for investment in education, cities, labor retraining, and the elimination of poverty as against the unquenchable desire of the military establishment for more weapons systems and more sophisticated armaments, it is necessary that the Federal Government establish a meaningful set of national priorities. To do this Congress must have an explicit set of priorities and objectives to guide it in shaping new legislation and making appropriations.

That means Congress must have improved information on the economic effects of both existing programs and new proposals. Data on both benefits and costs and the distribution of these among groups in our society is now being generated on an ongoing basis by the planning-programing-budgeting system. But so far the Congress has not obtained access to this information.

It is obvious that this data is essential to Congress for distinguishing productive expenditures from those of little worth when all agencies and interests claim that their programs and projects are essential to the Nation and of highest priority.

Mr. President, I ask unanimous consent that excerpts from the report on National Goals and Priorities be printed in the RECORD at this point.

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

PART IV—NATIONAL PRIORITIES AND EFFECTIVE PUBLIC POLICY

NATIONAL GOALS AND PRIORITIES

The budget of the Federal Government accounts for over 20 percent of the Nation's total output of final goods and services. The allocation of this nearly \$200 billion budget among the multitude of Federal programs has an enormous influence on both the structure of outputs produced by the U.S. economy and the distribution of the Nation's income. Because of this impact of Federal revenues and expenditures on the society, it is essential that allocation decisions be based on a clear statement of national goal and priorities. This necessity is reinforced by the rapid growth in Federal expenditures over the past several years.

We urge that the Congress, with guidance from its leadership, and the administration undertake a formal and comprehensive study of national goals and priorities with a view to establishing guidelines for legislation and expenditure policy.

We recognize the serious difficulties which plague efforts to seek general agreement on these basic questions of national direction. Indeed, the vitality of this Nation's political system stems from the diversity of opinions

and values held by the populace. We have, however, recently witnessed a period of intensive study of a large number of issues which pertain to national goals. While many of these issues were related, the task forces which were responsible for the analysis and recommendations properly viewed their mandate as being limited in scope. It is now time to seek a broader perspective: an overview in which the urgency of the individual demands generated by these reports can be subjected to a comprehensive appraisal. We believe that the following considerations are basic to any serious discussion of national priorities.

1. The study of goals and priorities should determine the dollar costs required to attain each of the substantial number of objectives which are often cited as being primary social goals. It is important that public decisionmakers have before them an estimate of the costs of each item in the array of social objectives, all of which would be chosen if they could be afforded. This information, by demonstrating that the devotion of resources to one objective implies a foregone opportunity to support another, leads to improved public decisions by clarifying the real costs associated with any decision.

2. The study of goals and priorities should evaluate the output and financial resources which the economy and the Federal Government can call upon in attaining social objectives. It is now possible to project with some accuracy the future output of the economy and, given the existing tax structure, the budgetary resources which will become available to the Federal Government. Moreover, it is possible to estimate confidently the future expenditures in a substantial number of Federal governmental programs which, for all intents and purposes, are beyond the annual control of the appropriations process. By ascertaining the difference between these two flows—projected revenue increases and increases in unavoidable Federal outlays—we obtain what is sometimes called the fiscal dividend. This figure provides both the Congress and the executive branch with meaningful information on the future availability of resources which can be allocated among the various social objectives. Such estimates should be developed for a range of plausible assumptions and should be updated and published on an ongoing basis. This information, it should be noted, is the complement of the data on the total costs required for attainment of each of the objectives.

3. The study of goals and priorities should focus on the allocation of Federal revenues between the military and civilian budgets. Because the defense budget is substantially less visible than budgets for civilian programs and because of our past experience with national security costs which have substantially exceeded initial estimates, this allocation question should not be neglected in an analysis of national priorities. Information concerning the budgetary implications of a number of possible national security postures is essential to meaningful public policy decisions and a rational allocation of the Federal budget among its competing claims.

THE ECONOMIC APPRAISAL OF PUBLIC PROGRAMS

Quantitative information of the economic effects of the expenditures which we are now making is as essential to an effective and efficient government as a clear sense of priorities and objectives for future action. Because of the rapid rise in Federal expenditures in the last decade, the experimental nature of newly legislated social programs, and the current period of budget stringency, implementation of procedures for the accurate economic analysis of spending programs is most urgent. It is also essential that information on program effectiveness now possessed by the administration be transmitted to the Congress.

This committee welcomed President Johnson's Executive Order issued in August of 1965, establishing the Planning-Programing-Budgeting System. In our judgment, the PPB System provides a meaningful framework for improved policy analysis and program evaluation. From information presented to the committee's Subcommittee on Economy in Government, we judge that a substantial amount of valuable economic analysis and information has been generated by the operation of the system in the executive branch. Many expenditure programs can now be evaluated by decisionmakers in terms of the relationship between social benefits and social costs. Moreover, the social characteristics (race, income level, age) of the people who receive the benefits of Government programs are now known by decisionmakers in the administration in substantial detail. As President Johnson stated in his Directive, this information can assist the Government to: "choose among those goals the ones that are most urgent * * * search for alternative means of reaching those goals most effectively at the least cost * * * [and] measure the performance of our programs to insure a dollar's worth of service for each dollar spent."

We urge the new administration to make every effort to strengthen the PPB System, increase the capability of the Bureau of the Budget and executive agencies to implement this system, and provide incentive for its effective functioning.

While urging a renewed effort to make careful program evaluation an integral part of the budgetary process, we are aware of the complex and, to some extent, intractable problems which confront attempts to modify a process steeped in tradition. Nevertheless, we believe that there are a number of steps which can be taken to improve the effectiveness of program evaluation and to encourage the Federal budget to produce more of the kind of information essential for appropriate policy decisions. Because the Bureau of the Budget has been given responsibility for this program evaluation task, our recommendations are addressed primarily to it.

Currently, the PPB System is generating a substantial amount of data and information on the benefits of programs relative to their costs and on the distribution of the beneficiaries of these programs by their race, income, and region. To the decisionmaker who is interested in the objective appraisal of the impact of his program, this sort of information is essential. Yet it is widely recognized that substantial progress has yet to be made by the program evaluation system in bringing this information to bear on budget allocation decisions. The Director of the Bureau of the Budget should undertake wide consultation with those knowledgeable in the techniques of policy analysis in both academic and business life and with high-level decisionmakers in previous Federal administrations in a search for procedures by which to make program evaluation information more central to the budget allocation process. The impact of competent analysis is negligible if it is not brought to bear directly on the bargaining process through which public decisions are made.

The procedures for undertaking the appropriate economic analysis of public spending programs are still in an early stage of development. This fact has, in substantial measure, accounted for the unsatisfactory evaluation efforts undertaken by a number of executive agencies. Because of its responsibility for directing the PPB system, the Bureau of the Budget should, without delay, formulate more specific and detailed guidelines for agency analysis of their expenditure programs. One area in which guidelines are necessary is in the application of discounting analysis to public investments with benefits and costs which extend into the future. The

committee is concerned with the erratic nature of the discounting analysis currently performed in the executive agencies and with the wide range of discount rates applied in such analysis. While recent changes in discounting policy in evaluating natural resource and defense expenditures are to be commended, there is much that can yet be done to improve discounting analysis throughout the Federal Government. We judge that the Bureau of the Budget can be of substantial assistance in improving the appropriate use of this technique as well as in developing improved procedures for measuring the national economic benefits and costs of various public expenditures.

We urge that the Director of the Bureau of the Budget develop proposals for submitting the results of program analysis and evaluation performed in the executive branch to the Congress.

Until now, analyses of the impact of programs on the economy and on program beneficiaries have been largely retained in the executive branch. Consequently, the Congress has made many of its decisions, especially as regards budgetary appropriations, without either the information on program benefits and costs or the information on the characteristics of program beneficiaries which these analyses provide. This problem is a serious one. Clearly, the quality of decisions in both the executive and the legislative branches depends upon the amount of information which is available to the decision-maker. Significant improvements in the legislative and appropriation processes could be achieved if a sizable proportion of the information now available to the executive branch were available to the Congress as well.

The committee recognizes the effects which the publication of the results of program evaluation studies might have on the internal evaluation process in the executive agencies. Nevertheless, we believe that the flow of evaluative information to the Congress could be substantially increased without jeopardizing the evaluation system itself. In particular, the Congress should be provided on a regular basis with summary reports which analyze the value of project and program outputs relative to their cost and describe the social and economic characteristics of the beneficiaries of these programs. Without question, such information would generate the kind of discussion necessary to improved decisionmaking in the legislative branch.

In this same context, we recommend that the Congress develop its own capabilities to use such program evaluation information effectively. This would involve appraisal of staff skills required by the various committees, and addition of qualified personnel as recommended in the report of the Subcommittee on Economy in Government in December 1967.

Vietnam Costs and the Defense Budget

This year's Economic Report of the President contains a separate report from the Cabinet Coordinating Committee on Economic Planning for the End of Vietnam Hostilities. The Cabinet Coordinating Committee, composed of the Secretaries of Treasury, Defense, Commerce, and Labor, the Director of the Bureau of the Budget, and the Chairman of the Council of Economic Advisers, was appointed by President Johnson in 1967. Its purpose was to coordinate post-Vietnam economic planning.

The report describes plans for sustaining prosperity during the period of post-Vietnam demobilization. On the basis of projection models, both Federal revenues and expenditures are forecast for the 1969-72 period. Because revenues are expected to expand more rapidly than built-in spending commitments, there is expected what the report

described as a "peace and growth dividend." This dividend is smaller than many anticipate, largely because built-in expansion of existing expenditure programs is expected to pre-empt about one-half of the growth in revenues. While the decline of defense spending will provide some opportunity to reallocate manpower and material resources to peacetime uses, the size of the dividend is discouragingly small. Because of the increasing demands to begin new Government programs, strengthen existing ones, or reduce taxes, the key problem is establishing longrun priorities as a guide to important policy decisions.

Analytical efforts of this sort are most useful. The administration is to be commended for undertaking the task of planning for reduced spending and analyzing the needs of the postwar economy. The kinds of projections presented in the report and the relation of these projections to the menu of alternative Federal spending alternative is a first step in the hoped-for national discussion of objectives and priorities.

This notwithstanding, we feel that there are some limitations in the analysis of defense spending and the allocation of the fiscal dividend in the reports submitted to Congress. The Annual Report of the Council of Economic Advisers, for example, confines its analysis of defense spending to less than 2 pages, in which problems of Government procurement, including military procurement, are discussed. The Economic Report of the President, itself, makes only a brief reference to financing military efforts in Vietnam and a short statement about the work of the Cabinet Coordinating Committee on Economic Planning for the End of Vietnam Hostilities. None of the Special Analyses of the Budget cover defense spending. This committee is concerned about the failure of the annual economic reports submitted by the executive branch to Congress to sufficiently analyze the present defense budget and its policy implications.

We urge that the Council of Economic Advisers and the Bureau of the Budget increase substantially their efforts to analyze and evaluate issues related to defense spending.

The outgoing Chairman of the Council of Economic Advisers, while urging continued fiscal restraints through 1969 and 1970, testified that the Council accepts, without questioning, the figure which the Bureau of the Budget "and the people in the Defense Department develop, present to the President, [and] get his approval on * * *". He also stated that the Bureau of the Budget and not the Council of Economic Advisers has jurisdiction over questions of efficiency in defense programs and in defense planning. This demurrer from the Council of Economic Advisers is accentuated by the admission that the Bureau of the Budget does not attend to defense spending matters with anything like the thoroughness given to civilian programs. Both the outgoing and incoming Budget Directors conceded that only limited critical attention is given to the defense budget. In view of the fact that about 80 percent of the \$100 billion of relatively controllable Federal outlays is accounted for by national defense, the quality of this review is disturbing. In light of this evidence, there is a serious question as to whether the defense budget proposed by the Pentagon is adequately analyzed elsewhere in the executive branch.

While an important effort, it should be noted that the report of the Cabinet Coordinating Committee does not attempt to analyze the defense budget. Instead, its work with the defense budget is done largely on the basis of hypothesis and assumption. As such, it is a significant guide to macroeconomic planning, but of only minor assist in meeting the needs of the Congress and

the public in their attempts to frame critical judgments on national objectives and their relationship to defense spending. Effective policymaking requires information on matters such as the profitability of defense contracts, the movement of wages and prices in the defense industry, and the extent to which they contribute to inflation, the effects of defense procurement on small business, the influence of defense procurement on industrial concentration, and the "brain drain" on nondefense industries and universities and many other important economic problems related to the defense budget. The Executive Office of the President, the Council of Economic Advisers, and the Bureau of the Budget have responsibility for undertaking this kind of analysis and presenting their conclusions to the Congress.

We would also emphasize that each of the economic reports to Congress assume implicitly that the present level of defense spending is the desirable minimum essential to maintain national security. However, we have been impressed by the evidence of widespread waste, mismanagement, and inefficiency in defense spending brought to light in recent months. It now seems clear that the present level of national security can be maintained on a substantially smaller defense budget.

Much of the inefficiency, it appears, is found in defense procurement. While over \$44 billion was spent on the purchase of weapons and other military goods last year, only 11 percent of the contracts were awarded through formal advertising. Sole source procurement accounts for 57.9 percent. It is in the sole source procurement of major weapons systems where much of the problem of excessive costs and cost overruns have occurred. Cost increases of 200 percent and more over original estimates have been common.

One of the most serious problems, as shown by the recent hearings by this committee's Subcommittee on Economy in Government, is the absence of uniform accounting standards for the reporting of costs by defense contractors. Due to the fact that contractors must comply only with "generally accepted accounting principles," and the fact that they are not required to maintain books and records on most defense contracts, it is often not possible as a practical matter, for the Government to determine the accuracy or reasonableness of cost estimates.

We urge that the Executive Office of the President undertake ongoing and comprehensive investigations of defense procurement matters and submit their findings to this committee as part of the Annual Economic Report.

In the area of defense procurement, there are a number of matters about which we are especially concerned. The exercise of inventory and management controls by the Department of Defense over the property for which it is responsible appears inadequate. This is reflected in the fact that the DOD now holds \$202.5 billion in real and personal property and, in fiscal year 1968, held 29 million acres of land. The Department of Defense has placed more than \$13 billion of Government-owned property in the hands of defense contractors. The Subcommittee on Economy in Government has documented the existence of inadequate property accounting records, deficient inventory practices, absence of financial controls, and other serious departures from good property management practices.

Just as fiscal restraint must be exercised on the civilian budget, there is a need that fiscal restraint be exercised on the defense budget. The Bureau of the Budget should strengthen its defense review capacity so that it can adequately scrutinize Defense

Department budget requests. The Council of Economic Advisers should focus its attention on defense expenditures and their impact on the economy. Agencies such as the Department of Labor and the Department of Commerce should begin studying the effects that defense spending is having on wages and prices. The annual economic reports to Congress should present the results of these analyses. There is now substantial evidence that improved efficiency in defense spending could free much-needed resources for reallocation to higher priority civilian programs.

HIGH INTEREST AND THE HOUSING SHORTAGE

Mr. PROXMIRE. Mr. President, we are in the middle of the most severe housing shortage in 20 years. The cumulative impact of tight money policies has severely depressed the homebuilding industry. While some observers point to the current level of housing starts as having increased over last year, when starts are measured against our needs it is clear that we are falling far below our needs.

Recent press reports have indicated the extreme difficulty home buyers have in finding new housing. In fact, the National Observer reports that in New York City prospective home buyers or apartment renters had even bribed employees of the New York Times in order to receive advance copies of the real estate classified section.

Chairman Preston Martin of the Federal Home Loan Bank Board, in testifying before recent Senate Banking Committee hearings, gave further evidence to the housing shortage. According to Chairman Martin, the strength of our housing demands can be seen by a rental vacancy of 4.9 percent in the fourth quarter of 1968, the lowest since 1957. The homeowner vacancy rate, at 1.1 percent in the fourth quarter, was the lowest since 1960. The inventory of newly completed unsold homes has also been extremely small in recent months.

The leveling off of housing starts has come at a time when our household formations have been increasing and will continue to increase sharply in the future. Moreover, the deterioration of existing substandard housing creates an additional demand for new construction.

Milwaukee homebuilders have indicated to me that persons with incomes of less than \$10,000 a year could simply forget about buying a new home in the foreseeable future. There just was not that much mortgage credit available, and in rationing the limited supply, those who make less than \$10,000 are just out of luck.

Mr. President, this fact was confirmed by William McC. Martin, our leading financial expert. In recent Senate Banking Committee hearings, Mr. Martin, the Chairman of the Federal Reserve Board, said that it was "entirely logical" that persons with incomes under \$10,000 were not able to obtain mortgage credit.

While such a situation may be "entirely logical" to our money managers, I believe it is a deplorable situation for the American people. When one stops to think that the vast majority of our citizens earn less than \$10,000 a year, the

impact of monetary policy becomes clear. Tight money and tight mortgage credit mean that the vast majority of the American people are unable to realize the American dream of owning their own home.

While nearly everyone agrees on the need to cool off the economy, the essential question remains—at whose expense? The money managers of the Federal Reserve Board and the Treasury seem to be taking the view that it shall be at the expense of the average home buyer. I think this is wrong and unfair. We must find a better way to fight inflation without placing all of the burden on the average American family earning less than \$10,000 a year.

TIGHT MONEY CLOGS HOUSING

While monetary policy is an esoteric and difficult subject, the meaning of high interest rates is quite clear to the average home buyer or small businessman or consumer. When a home buyer borrows \$20,000 on a 30-year mortgage at 8 percent interest, he must pay nearly \$33,000 in interest over the life of the mortgage. This is a tremendous burden for a young couple to be saddled with over the next 30 years. In many areas of the country home buyers are paying 8 percent or even more.

In addition to the high cost of money, the availability of mortgage credit is also a serious problem. We all recall the disastrous credit crunch of 1966 when mortgage credit simply could not be had on any terms. Interest rates rose so high and so fast that thrift institutions were unable to obtain deposit inflows and were forced to bring their mortgage lending to a virtual halt. Governor Maisel of the Federal Reserve Board has estimated the housing sector accounted for about 70 percent of the drop in expenditures dictated by the 1966 tight money policy. When an industry comprising only 3 percent of GNP must take 70 percent of the cutback, something is wrong with the way monetary policy works.

Today we are faced with a potential repetition of the 1966 credit crunch. If the Federal Reserve Board maintains the same policies it has thus far pursued, I do not see how we can avoid another disastrous year for the housing industry. Other borrowers highly dependent on credit are also likely to suffer, including small business firms and State and local governments. If the rapid rise in interest rates continues, funds may be once more siphoned away from thrift institutions.

Today, many interest rates have hit all-time highs. The Treasury bill rate is 6.108 percent, up 62 basis points from last November; the rate on Treasury bonds is 6.06 percent, up 70 basis points; triple A corporate bonds are 6.75 percent, up 56 basis points and tax-exempt municipals are at a record 5.30 percent, up 62 basis points. The commercial bank prime lending rate was raised three times since last December, when it was 6¼ percent, to an unprecedented 7½ percent, up 125 basis points.

The recent reports of the Kaiser and Douglas Commissions both highlight the importance of monetary policy in achiev-

ing the Nation's housing goals set forth by Congress in the 1968 Housing Act. Tight money not only frustrates the achievement of our total housing goals, but it hits low- and moderate-income housing the hardest. This can be shown by comparing the percentage change in new homes sold during the tight money year of 1966 with 1965. The sale of homes priced under \$12,500 dropped 51 percent; homes priced between \$12,500 and \$15,000 dropped 42 percent; homes priced between \$15,000 and \$17,500 dropped 20 percent; but the sale of homes priced \$30,000 or over actually rose 10 percent.

Not only does tight money discriminate against housing, but within housing, it discriminates against the poor. Just as minority groups are the first to be laid-off during a recession, so low-income housing is the first to be cut during a credit shortage. Another credit crunch will condemn thousands of low-income families to still another year of living in rat-infested slum tenements.

In theory, a tight money policy is supposed to cool down an overheated economy by raising the act of credit, thus discouraging new investment financed through credit markets. In practice, the corporate-business sector of the economy has been able to evade tight money and transfer the entire burden of adjustment to the housing sector.

THE INFLATIONARY BUSINESS INVESTMENT BOOM

This would not be so bad if corporations had a shortage of plant and equipment, and housing were overbuilt. But in 1969, just the opposite is true. We are in the middle of an unsustainable investment boom while housing markets are extremely tight, as evidenced by low vacancy rates and rising household formations.

The main inflationary component of our economy is not housing, but rather corporate spending on plant and equipment and Government spending on military and public works.

While other sectors have moderated inflation, business planned expenditures for plant and equipment have skyrocketed. A survey by the National Industrial Conference Board last October showed that corporations planned to increase their expenditures for plant and equipment in 1969 by 6.3 percent. Another survey by McGraw-Hill in October put the increase at 8 percent. Still another survey by the Department of Commerce and the Securities and Exchange Commission in November showed planned expenditures for plant and equipment rising by 9 percent in the first half of 1969. And the most recent Commerce-SEC survey of February shows a whopping 13.9 percent increase in planned business investment spending for 1969. In terms of dollars, this will add about \$9 billion to final demand, and to inflation, or about as much as the surtax is taking out of the economy.

There are several points which should be noted about this inflationary business investment boom:

First, monetary policy has utterly failed to restrain corporate investment demand. During the period from November 1968 through February 1969 when

monetary policy was tightening, corporations were more than doubling their planned percentage increase in investment spending. One reason for the increase in planned spending might be due to the expectation of even tighter credit conditions in the future. If this is true, a tight money policy is not merely ineffective it is perverse.

Second, the rampant increase in interest rates has no significant deterrent effect on corporate investment because the higher costs can always be passed on to the consumer. This in itself is inflationary. A recent article in the Wall Street Journal following the hike in the prime rate carried the following headline: "Businesses Indicate they Must, and Will Maintain Borrowing Pace Despite Price."

That was the very day on which the banks in New York, the big money market banks, announced they were increasing their prime interest rate to 7.5 percent.

Third, an increase in investment demand of the magnitude planned by corporations has serious repercussions on financial markets. Much of the added spending must be financed externally since corporate cash flow will not grow nearly as fast. In fact, corporations have been relying more and more on external financing in the last few years. In 1963 and 1964, only 20 percent of total corporate investment was externally financed. In the next 4 years, the figure jumped to 28 percent. The added pressure on credit markets will leave less credit available for housing, State and local governments, and small business.

Fourth, the inflationary investment boom seems completely unsustainable in view of the fact that we are only utilizing 84 percent of our industrial capacity.

In 1964, we cut taxes to get the economy working, and at that time we were operating at 85 percent of our capacity. Now we are operating at a lower level, and the reason is that we have so tremendously increased our plant and equipment. We are operating at far below the level at which we should operate.

This is why it seems so wrong for us to follow policies that encourage business to go ahead and invest so very much in plant and equipment. Because of the investment tax credit, we may have reached the saturation point for new business investment, but nonetheless, the boom goes unchecked.

LACK OF BANKING RESTRAINT

Part of the reason why the inflationary business investment boom has gone unchecked has been due to the ability of large commercial banks to circumvent the monetary policy established by the Federal Reserve Board. For example, during the last 3 months the Fed cut the annual growth rate in Federal Reserve bank credit to 0 percent compared to a 10.6 percent growth rate during the first 11 months of 1968. Likewise, the annual growth rate in the money supply dropped to 4.0 percent in the last 3 months compared to 6.4 percent for the first 11 months of 1968. But despite these tightening actions, commercial bank loans expanded at an annual rate of 12.0 percent during the last 3 months com-

pared to an annual growth rate of 11.7 percent during the first 11 months of 1968. In other words, tight money has had absolutely no effect on bank lending.

How can commercial banks circumvent the Federal Reserve's monetary policy? The following figures will tell the story. During the period from December 4, 1968, to March 12, 1969, large commercial banks with deposits of over \$100 million lost a total of \$6.9 billion in deposits, both demand and time. This period roughly coincides with the period of tightening monetary policy. The deposit loss indicates the Fed's policy was partially effective. If all other conditions remained the same, these large banks would have had to curtail their lending by a similar amount.

But all other things did not remain the same. These banks were able to obtain \$10.2 billion from other sources to more than offset the \$6.9 billion deposit loss. Where did they get the money? One, they got \$4.5 billion by dumping Treasury securities; two, they got \$2.4 billion by borrowing in the Euro-dollar market; three, they got \$1.6 billion by borrowing from others including the Fed itself; and four, they got \$1.7 billion from all other portfolio adjustments.

The difference between the \$6.9 billion deposit loss and the \$10.2 billion offset is \$3.3 billion. All of these funds were used to increase industrial and commercial loans. The ready availability of bank credit is one more reason why corporate treasurers are confidently planning to increase their investment spending by 13.9 percent in 1969.

I do not want to point the finger of blame at the large banks. After all, they are profitmaking institutions responsible to their stockholders and have no duty to carry out monetary policy. Instead, I am concerned as to how policy can be more effective. The argument is not between a tight versus easy money policy. Granted the need for a tight money policy, the question is, How can that policy be made more effective, how can it be more selective in its impact, how can it work to restrain the inflationary elements in the economy without sending interest rates skyhigh, without clobbering the housing industry and without creating a disastrous credit crunch similar to 1966?

There are a number of steps which the Federal Reserve Board could take to restrain commercial bank business lending so that more of the burden of adjustment falls on the corporate business sector of the economy. First of all, the Board could curb the inflow of Euro-dollars which permits commercial banks to continue their business lending even in the face of a restrictive monetary policy.

Second, the Board could ask for authority, as it once did in the late 1940's, to prevent commercial banks from dumping Treasury securities in order to maintain their volume of business lending.

Third, the Federal Reserve Board could adopt a tougher attitude with respect to banks and to deny access to the discount window on the part of those banks which fail to curb their business loans.

Fourth, the Federal Reserve Board could send a letter to commercial banks as it did in September of 1966, urging a cut-back in the volume of business lending, and

Fifth, the administration itself could call in top corporate executives in order to urge a policy of restraint with respect to investment spending.

This past week, when the Under Secretary of the Treasury in Charge of Monetary Affairs, Mr. Walker, appeared before the Committee on Banking and Currency, I asked him, on each of these measures, whether the administration would support them, and his answer was "No."

The Federal Reserve Board indicates that it will not support any of these measures, not one. Unless some action is taken, however, Mr. President, the disastrous effects of the credit crunch we suffered in 1966 on housing may be repeated.

Mr. President, Federal deficit spending has been rightfully singled out as being responsible for inflation. But, today corporate deficit spending is the main cause of inflation in our economy. Unless we can restrain the business investment boom, we will continue to have inflation. If we continue to attempt to fight inflation through general monetary policy, the burden of adjustment will not center on the sector causing inflation; namely, large corporations, but rather on the home buyer, the small businessman, the farmer, and on State and local governments. It is time we adopted new techniques of monetary policy in order to curb inflation while at the same time achieving national goals laid down by the Congress and the American people.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "The Pinch Tightens for Home Hunters," published in a recent issue of the National Observer, and an article entitled "The Housing Shortage," published in Newsweek magazine of March 31, 1969.

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

[From the National Observer]

THE PINCH TIGHTENS FOR HOME HUNTERS (By Morton C. Paulson)

In desperation, Robert Popp ran this advertisement in a San Francisco newspaper: "Newsmen, wife, and impotent cat wish to rent one two-bedroom house at \$175."

It worked. The Pops and their pet were soon sequestered in a cozy cottage in suburban Mill Valley north of the city.

The Pops' droll, eye-catching notice is by no means unique these days. A National Observer survey of housing conditions in a dozen areas turned up many examples of the resourcefulness displayed by many Americans—in San Francisco and elsewhere—in their frustrating search for a place to live. Today's homeseekers are faced in most areas with the worst housing shortage in two decades and the highest costs in history.

Hardest hit, in many areas, are middle-income groups. The wealthy have a wide freedom of choice. The very poor have no realistic hope for home ownership and can in some situations look to the Federal Government or to local housing agencies for rental-housing assistance. The rest are caught in an economic cross fire—inflation

on one hand and on the other the surtax used to fight it.

Along with land and construction costs, mortgage-interest rates and property taxes are at record levels. The Advance Mortgage Corp. of Detroit, a major mortgage lender, reported following a recent survey that, in just the past year, home prices have risen about 10 per cent, mortgage rates are up 0.75 of a percentage point to a national average of 7.5 per cent, and property taxes have increased about 5 per cent. Thus, today's buyer may pay at least 15 percent more in monthly payments than he would have a year ago for a similar house. Moreover, Advance said, "builders keep moving to larger, costlier homes to compensate for the shortage of labor and high land costs. Apartment builders continue moving toward luxury units. Depending on the market, a medium-price home now costs from \$30,000 to \$50,000." Housing costs accounted for a good share of last month's 0.4 per cent rise in consumer prices.

Even if he can afford the sky-high costs, a prospective buyer may not be able to get a mortgage. Legal ceilings on home-loan interest rate have all but dried up the mortgage markets in some states. In areas where funds are more plentiful, many banks have made it difficult for individuals to get loans by raising interest rates and down-payment requirements, and by reducing the length of loans.

PINCHING THE POCKETBOOK

Rents are jumping too. In Chicago, buildings now under construction will charge \$220 a month for one-bedroom apartments that are identical with units now renting for \$180. In luxury high-rises now under construction, two-bedroom units are expected to cost \$600 or more. A woman who rented a studio apartment for \$152 in 1964 is now paying \$160 and has just been notified of a \$30 increase.

But while higher prices pinch the pocketbooks of the homeowner and renter, the home seeker is the one who must resort to the unusual and sometimes ingenious approach to escape his predicament. In metropolitan New York, tightest of all U.S. housing markets, the vacancy rate is 1 per cent, far below the national average of 2.4 per cent. Apartment hunters comb the obituary pages of newspapers for leads to forthcoming vacancies. Falling in this approach, they slip a few dollars to doormen, superintendents, mowing men—anyone who is likely to know about tenants who are planning to leave.

"There are simply many more clients than apartments," declares an agent in Greenwich Village, "and I can fill only one of every 100 applications. People are desperate. They come in here begging—even crying."

In the past, a few bold New Yorkers were able to get a head start over house-hunting rivals by buying bootlegged copies of the fat real-estate advertising section of the Sunday New York Times prior to publication. No more. After landlords and rental agents complained that people kept pestering them before their property was ready to show, the Times hired a guard to end the smuggling.

Adding to the difficulties of some searchers is the increasing selectivity being exercised by Manhattan landlords. "Most of them don't want hippies, singles, people with pets, musicians, and nonconformists," says one New Yorker. So many apartment-house owners don't advertise; they simply list their offerings with real-estate brokers.

In booming Houston, a young securities broker and his pregnant wife took to wining and dining their real-estate agent in hopes that he would think of them first when a suitable home went on the market. "This Sunday we're taking him to the best restaurant in town," said the wife, hopefully.

The couple has scouted the suburbs every week end since September—to no avail.

INSTANT DECISIONS

"People who find an apartment here have to decide right away whether they want it," declares the secretary of The Key, a Houston apartment locator service. "If they wait, they will probably lose it."

In the affluent bedroom community of Darien, Conn., a young scientist from England signed a lease on a \$35,000 house after sitting on the doorstep for hours waiting for the owner to show up. An hour later he moved in—with cots and blankets borrowed from the owner.

A Minneapolis realty dealer, P. C. Smaby, says housing in that city is in the "shortest supply I have seen in 23 years in business." Because houses are often sold before fact sheets on them can be printed for multiple-listing services, more and more brokers are using computerized house-finding systems to speed the search.

The housing crisis is causing anguish in corporate board rooms. Increasingly, promising executives have been turning down promotions to company headquarters because of reluctance to move to big cities. The high cost of housing is only one reason for this antipathy, but it can be the one that tips the scales.

When C. R. Farnsworth, 43, was controller at Dresser Industries, Inc., in Bradford, Pa., he was offered a job as a financial executive with International Telephone and Telegraph Corp. in New York City.

WHERE MR. FARNSWORTH WOUND UP

"I came up to look for a house in [suburban] Connecticut," he relates. "What I needed cost about \$35,000 in Pennsylvania, but I couldn't find anything comparable for less than \$55,000 up there." Then, after checking the commuting time, and adding up other living costs, Mr. Farnsworth chose a job with the Pure Carbon Co. in northwestern Pennsylvania. He figured he would be better off financially—even though the starting salary with Pure was 20 per cent lower than ITT's offer.

In a few places, however, the situation is reversed. A buyers' market in single-family dwellings exists over much of Florida because of overbuilding in past years and a sharp increase in the number of apartment units. Houses in Jacksonville that sold for \$20,000 eight years ago can be picked up today by assuming the mortgage, which may be for \$15,000 or less.

But for most homeseekers elsewhere, the outlook is grim. What's the solution? Halting inflation would accomplish the most, of course. But the problems in housing are many and complex. The basic difficulty, says Advance Mortgage, is inadequate transportation. "The near-in land is almost completely built up, and transportation over long distances is unreliable or frustrating," the survey concluded. "In the long run, our housing problems may be insoluble until our transportation problems are solved." Whatever it takes to bring relief, it can't come too soon for the harried homeseeker.

[From Newsweek magazine, Mar. 31, 1969]

THE HOUSING SHORTAGE

On almost any sunny Sunday he and his wife can be found trudging through the penant-draped model homes of any housing development. If he isn't doing that, he is roaming the streets with real-estate agents, ringing strange doorbells and shaking hands with smiling sellers. He is middle class—both in viewpoint and income—and never in U.S. history have there been so many like him. He is the harassed U.S. house hunter, and if he ever finds what he wants and can afford, he can consider himself lucky.

"We feel we've been bushwhacked," moans a young Midwestern husband whose year-

long house-hunting efforts have produced only frustration. Small wonder. Last week bankers pushed their prime interest rate to 7½ per cent, the fourth increase in three and a half months and a move that certainly meant a continuation of tight money and the woes it produces—bigger down payments and even stiffer mortgage-interest rates. In some areas, down payments were hitting 30 per cent, with added 2 to 4 per cent service fees (sometimes called "points") amounting to \$500 to \$1,000 on a \$25,000 mortgage. Mortgage-interest rates themselves hit a record national average of 7.39 per cent in February, bumping up against the legal usury ceilings in many states.

PRICES UP

Land prices jumped 7 per cent during the last half of 1968—an increase of more than 300 per cent since 1950. Plywood was selling for twice its price of a year ago, and increased lumber costs generally have boosted the price of a \$25,000 home by \$1,268 in fourteen months. Construction workers generally were receiving an average of more than \$5 an hour, up 6 per cent in a year, and craftsmen such as carpenters were earning a whopping \$7 in some areas. February housing starts showed an 8 per cent decline—modest enough in itself but taken by some as a sign of worse things to come by summer and early fall. Warned an official of the National Association of Home Builders: "I don't see any relief in the markets ahead."

It all bears a dismal message for the house hunter. Unless he is very rich, finding a place to live today is just about the toughest problem he can face. He must grapple with the worst national housing shortage in two decades—an unhappy phenomenon that includes not only single-family houses but apartments, co-ops and condominiums. The U.S. vacancy rate for all types of housing has, according to the Advance Mortgage Corp., dropped to a scant 2.4 per cent, with even lesser rates for such metropolitan areas as Philadelphia, Detroit, Cleveland and San Francisco. In New York City, hub of the tightest housing market in the nation, the rate is a nightmarish 1 per cent—and even lower for some types of new apartments.

NEW YORK MARKET

The result is a wild seller's market where supply and demand are totally out of equilibrium. Prices skyrocket but demand follows right along, and there appears to be no limit to what the traffic will bear. Nowhere is this truer than in the New York metropolitan area. In suburban Larchmont, N.Y., an executive accepted an offer of \$65,000 on a 25-year-old Tudor house for which he paid \$49,500 less than two years ago. Elapsed time between listing (at \$67,500) and bid: 48 hours. In nearby Harrison, N.Y., a real-estate agent pointed to a \$110,000 house the other day and said: "You'd be surprised how many people come in with cash to swing a deal that big." Manhattan, of course, is where all the pressures come to bear to an extent approaching the ridiculous. A house-hunting bride asked an agent last week if she knew of any three-bedroom apartments that could be purchased for under \$60,000. "Well, I'll try dear," the agent said. "But I'm afraid you'll probably never hear from me."

It is proportionately the same in other major metropolitan areas. Rising construction costs have driven the price of new homes up as much as \$4,000 to \$6,000 during the last 24 months—and there is no lack of customers. The real-estate sections of major Sunday newspapers (above) show what has been happening. Plain, four-bedroom houses, in good neighborhoods but with few frills, are routinely going for \$40,000, \$50,000 and \$60,000. Anything remotely special about a house—a pool, proximity to natural water—can drive the price to \$100,000 and far beyond. In Manhattan, tacky brownstones with little to recommend them save a nice East

Side address, routinely go for well over \$100,000. As for rentals, New York just concluded a bitter row with landlords who agreed to limit increases to 15 per cent over two years.

THE PINCH

Clearly, the going is rough for home seekers who can't afford the fat prices—and that appears to be the majority. Many are in the predicament of Catherine and John Trumbull of Royal Oak, Mich. They have outgrown their two-bedroom bungalow, bought five years ago for \$14,000, and want, as Cathy Trumbull puts it, a "four-bedroom colonial, a nice size living room, a formal dining room, a small library and fireplaces." On the plus side; their house would bring about \$20,000 now, and Trumbull's salary as a chemist for Chevrolet has increased from \$8,500 to \$11,500. But they find that the dream home they want now sells for not \$29,000, as they had thought, but for \$35,000 or perhaps even \$41,000. By dropping out of GM's stock-savings plan and using the \$6,000 or \$7,000 they would clear from the sale of their present home, Trumbull figures he could swing something near his wife's dream by assuming a \$25,000 mortgage and payments of \$200 a month. But it would be a squeaker, especially with growing children who, as Trumbull acknowledges, can "eat you out of house and home." It has been tight all along on payments of \$120. Says Trumbull: "We don't go out very often. We haven't been to a movie in two years. We've really been sacrificing." In any case, time is running out. Cathy Trumbull has given birth to her third child, and some sort of a decision must be made soon. Trumbull puts it bluntly: "We feel the walls closing in."

Similar pressures are felt by families earning more money. A Los Angeles lawyer, Irwin (Chip) Chasalow, 36, earns well over \$30,000. His wife, Judy, 33, is expecting their third child. The family would like to move from their \$37,500, three-bedroom home into something with more room costing \$60,000. But even if they get the \$47,500 they are asking for their present home, it will be rough going, perhaps impossible. First there will be the \$15,000 down payment. On top of that comes \$900 in mortgage "points," \$50 for a salesman's special fee, \$300 in tax-escrow fees, a \$900 early-payoff penalty fee, a title-insurance policy fee of \$125 and additional expenses of about \$300. All of it means that to spend the first night in their new home, the Chasalows will have to scrape up, in cash a whopping \$17,575. Says Chasalow: "I don't have the cash." The family spends every Sunday afternoon looking for something better that they can afford, but Chasalow is pessimistic. "All I can see," he says, "is more grief."

Most house hunters can look forward to the same. They find themselves in the uncomfortable position of being hurt not only by inflation but by the cures offered by Washington. The income-tax surcharge, designed to cool the economy and slow inflation, also has the effect of making it more difficult for many taxpayers to put together a down payment.

MAN IN THE MIDDLE

Moreover, the average house hunter is left largely to fend for himself. For the genuinely poor there is at least the promise of a new Federal program under the Housing Act of 1968—although even that is becoming bogged down in indecision and uncertainty. The rich, of course, already have the luxury of choice. But for the man in the middle there is only the occasional bone—such as the one President Nixon threw last week to cut lumber prices, which account for more than a third of construction costs. He told the Pentagon to keep lumber purchases to a minimum, ordered the Agriculture and Interior depart-

ments to soften the market with timber from government lands. Even the tool that in the past helped make Everyman a homeowner—the FHA-insured mortgage—has become almost snooty. In December 1967, an income of from \$10,600 to \$12,700 was needed to qualify for an FHA guaranteed loan on a \$25,000 home. Now it takes an income of \$11,150 to \$13,400. And as always, there is nothing that says a bank must go along even if the requirements are met.

But the biggest problem remains the housing shortage. It persists in the face of production that has increased generally during the last year, despite recent weak signs. Currently in the U.S. there are 65 million dwelling units. But that will have to be doubled in the next 25 years. Says Joshua Muss, a Chicago builder: "Nationwide our capacity to sell exceeds our ability to produce. The only solution I see is the Pill."

Developers are working overtime to meet the demand. To the dismay of some planners, they have stacked people and building materials together indiscriminately and produced "slurbs"—a favorite term of former Housing Secretary Robert Weaver. But some builders and businessmen are more farsighted. In an effort to cut costs, some have turned to modular-construction techniques and assembly-line methods. Yet costs have not been reduced by as much as some had hoped. Techbuilt Homes, Inc., of Cambridge, Mass., pioneered "pre-engineered" houses, but prices for its homes in New England areas can hit \$75,000. Currently the company is considering a new approach—cheap town houses for suburbia. Says Techbuilt president Franklin W. Hobbs, 44: "These are the type of homes that will help us get ready for the zoning changes that will have to come about because of the scarcity of land."

CHRYSLER'S ANSWER

Others are applying sheer economic muscle to the task. Chrysler Corp. has hired famed architect Minoru Yamasaki to oversee development of 1,700 acres of company land near Troy, Mich. The expected result: a self-contained community, with commercial, retail and research facilities, and some 4,000 housing units.

In North Carolina, Grover Cleveland Robbins brings a touch of evangelism to the job. His Carolinas Caribbean Corp. is planning a 2,500-unit development on 3,120 acres near Charlotte. To skeptics who noted that Robbins was not building on the prestigious side of town, Robbins snapped: "We'll create it." He spent \$3.5 million for the land alone. But the eventual price could hit \$8 million to \$10 million—with all the planned golf courses, swimming pools, clubhouses—and open areas for "just walking and meditating." Says Robbins: "There's a big sickness in the suburbs. And it's boredom."

Still, the critics moan that progress is only patchwork. The over-all problem, says American Builder magazine, is not the lack of money or the lack of credit or high prices or inflation. What's wrong, it says, is that nobody gives a damn about housing. It simply doesn't rank as a top national priority, as do the space program and the war in Vietnam. The magazine recommends a radical fourteen-point relief program—including a national land-use policy, removal of zoning powers from suburbs to permit more building, elimination of all local building codes and abolition of all local property taxes in favor of a "site-value" tax to discourage feverish land speculation. It also recommends organization of big multi-builder companies to spread construction risks and take on bigger projects.

Whether any of it becomes a reality remains anybody's guess. Meanwhile, the U.S. house hunter can expect only rough going, and lots of hectic Sunday afternoons.

S. 1782—INTRODUCTION OF A BILL TO AMEND THE SMALL BUSINESS ACT TO PROVIDE FOR NEW INTEREST RATES ON THE ADMINISTRATION'S SHARE OF DISASTER LOANS

Mr. PROXMIRE. Mr. President, I am introducing today a bill to amend and modify the Small Business Act to provide for a more workable system of making Small Business Administration disaster loans available to those who need them.

Severe flooding has already taken place in California. Equally severe flooding is expected this spring throughout the Midwest and the Northern Plains States. It is essential that the Small Business Administration have a viable program for making loans to disaster victims. As a matter of fact, the latest estimate I have seen is that the floods this year are likely to be the worst we have ever suffered in the Midwest, particularly in Wisconsin, Minnesota, Iowa, Illinois, and Missouri.

We now have a limitation on loans to disaster victims, which could prove to be very serious. In the past, Small Business Administration disaster loans have been made across the board at a maximum interest rate of 3 percent. In an era of rapidly rising interest rates, such as we have now, this has put quite a squeeze on the Small Business Administration, since loans at a 3-percent rate involve a considerable loss to the Government.

In an effort to stem the outflow, the Administration last March adopted stringent restrictions on the availability of disaster loans—restrictions which virtually require a pauper's oath as a prerequisite to eligibility. Among other things, Small Business Administration required an applicant for a personal loan to use cash and liquidable assets down to \$600 per dependent before applying for the Small Business Administration loan. Small Business Administration's definition of liquidable assets has been extremely rigid.

In addition, Small Business Administration requires the applicant to show that he has exhausted all avenues of available credit. A disaster victim may thus be forced to obtain private credit on highly disadvantageous terms in lieu of a Small Business Administration loan.

In adopting these regulations, the Administration bent over backward in an effort to stem the flow of SBA money. Unquestionably, the 3-percent rate for all SBA disaster loans is no longer feasible, and some adjustment is necessary. But by compensating for the too-low interest rate with restrictions such as these, the Government has deprived itself of the ability to remain responsive to the legitimate needs of disaster victims.

We have seen this in California, where a very small, I should say insignificant, fraction of the disaster victims have qualified for the kind of disaster loans which Congress designed for them.

The legislation I am introducing would remedy this situation. It would

leave in effect the 3-percent interest rate for those applicants whose lack of available credit or liquid assets is determined by the Administrator to warrant the low rate. However, it would make other disaster victims also eligible for loan assistance at the average rate currently prevailing on U.S. Government interest-bearing obligations. This would allow the Government to make loans available to the many disaster victims who are now deemed ineligible by the SBA, but without any interest loss to the Government.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD at this point.

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

The bill (S. 1782) to amend section 7(b) of the Small Business Act to provide for new interest rates on the Administration's share of disaster loans introduced by Mr. PROXMIRE (for himself and Mr. BAYH), 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. 1782

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7(b) of the Small Business Act, as amended (15 U.S.C. 636(b)), is hereby amended by striking "The interest rate of the Administration's share of any loan made under this subsection shall not exceed 3 per centum per annum," and inserting in lieu thereof the following: "The interest rate of the Administration's share of any loan made under this subsection shall not exceed 3 per centum per annum: *Provided*, That whenever the Administrator determines that an individual or a small-business concern is ineligible for such a loan on the basis of availability of credit or the existence of liquid assets, the Administrator may make a loan under this subsection at an interest rate not exceeding the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan and adjusted to the nearest one-eighth of 1 per centum."*

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

Mr. PROXMIRE. I yield to the Senator from Indiana.

Mr. BAYH. Mr. President, I congratulate the Senator from Wisconsin for the continued effort which he has made, and the interest which he has shown once again today, in behalf of the disaster victims of this country. He was one of the original 14 cosponsors of a major effort to revise the Nation's disaster laws, as he well knows, after the tragic series, first of tornadoes and then of floods, that

seemed to dwell primarily on the mid-western part of our country.

About half of that measure, Mr. President, was passed. The other half has not yet been able to work its way through the legislative channels.

One of the particular inequities which remains on the books today is the matter of the small business loans to which the Senator from Wisconsin has referred. This inequity, it seems to me, exists not only in small business, but in FHA disaster loans. Of course, the Senator from Wisconsin is very familiar with the FHA problem also.

It seemed to me, from our study, patently unfair to have two businesses side by side—here we are talking about disaster loans, not normal loans—and to have a businessman who had worked hard, who had paid all his bills and managed, by following scrupulous and acceptable business practices, to maintain a pretty good credit rating at the bank, turned down at the bank and denied SBA disaster loan assistance; whereas his neighbor, who might have been a bad businessman and had no credit at the local banks, was given an SBA loan for disaster assistance.

I think the Senator from Wisconsin is to be complimented for his continued effort. If the Senator has any further suggestions as to what we can do together on this matter, I will certainly join him in the continued effort he is making.

Mr. PROXMIRE. Mr. President, I thank the Senator from Indiana. The Senator has taken the leadership in this matter.

The difficulty as I see it now is that the 3 percent interest rate is perfectly appropriate for people who have very low incomes, and people would pay it back. However, we recognize that at a time when the prime rate is 7½ percent so even the strongest business corporations have an effective rate of 9 percent on loans and mortgages already have a rate of 8 percent and 9 percent, we should recognize a 3-percent rate for SBA borrowers is not realistic.

So, the Senator from Wisconsin is proposing, in order to make it possible for people to borrow without discrimination, to maintain the present 3-percent rate so that those who would qualify as being in a virtual welfare status may have the opportunity to borrow from the Small Business Administration if they are disaster victims at the rate the Federal Government has to pay for its money. Based on a 20-year average, that would be in the area of 5½ percent.

That would mean that the Federal Government would not lose money on it. We know that the loans have been paid back in the past. This would meet the objection on the part of the Budget Bureau and others who feel that we cannot permit people to borrow money, even disaster victims, at a 3-percent rate because the cost to the Federal Government over the years would be too much.

This is a practical approach toward doing what we can. While we can make a strong case for making a 3-percent rate, we cannot get that through this year. The floods are threatening to break forth at almost any hour in the Midwest.

We will need legislation that we can act on quickly.

Mr. BAYH. Mr. President, we certainly have had tragedies on the west coast.

Mr. PROXMIRE. The Senator is correct.

Mr. BAYH. It seems to me that we will always have a disaster threatening one part of the country or another.

I think the approach of the Senator is a step in the right direction and that it has a better chance to pass. It would put everyone on the same basis.

I do not believe we want to get into the business of subsidizing those who have access to ready capital through the normal, commercial market under equal circumstances.

The example referred to a moment ago certainly concerns me considerably. I refer to the example where there are two businesses side by side, one of which has been scrupulous and has made his payments. If he were hit by adversity over which he had no control, he would be denied access to financial assistance, whereas his neighbor, who is not a good businessman, would be given financial assistance.

It seems to me that one should have an incentive to carry on a good, workable, and profitable business.

If the Senator is willing to accept cosponsors in this effort, I ask permission to have my name listed as a cosponsor.

Mr. PROXMIRE. I would be delighted.

Mr. President, I ask unanimous consent that the name of the Senator from Indiana (Mr. BAYH) be listed as a cosponsor of the measure.

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

Mr. PROXMIRE. The argument of the Senator from Indiana is absolutely correct. Why in the world should we penalize efficiency? That is what we are doing under the present circumstances. It would mean that a good businessman, one who has been providential and careful in maintaining adequate credit, cannot get credit when it is needed, and the other man, one who has not worked as hard or not been as careful or efficient, can do so.

Everyone should be treated alike.

Mr. BAYH. Mr. President, the validity for doing this is that normally the SBA and FHA loans are made on a business basis, and the arrangement we have discussed here would involve the borrowing of money in the event of disasters. Nobody can anticipate when acts of nature are going to lay someone low and make it impossible for him to continue business.

Mr. PROXMIRE. Mr. President, I thank the Senator from Indiana for his contribution.

PLACEMENT OF ANTIBALLISTIC SYSTEM

Mr. BURDICK. Mr. President, on Tuesday of this week the distinguished majority leader of the Senate (Mr. MANSFIELD) expressed his views on the proposed placement of an anti-ballistic-missile system in Montana. As a Senator from North Dakota, another State to have these nuclear weapons placed on

her soil if this program is approved, I commend the Senator from Montana for succinctly expressing his views and the views of many Montanans on this issue. If I might humbly add, his address expressed my views, as well.

One Washington newspaper described the Grand Forks, N. Dak., area as an isolated area where the population was not likely to oppose placement of such a system. Could this possibly be the reason for construction of an ABM in North Dakota and Montana?

For months we heard of the thick and thin shields so necessary to protect our huge population centers. We needed to protect our cities from a future Communist Chinese missile attack. Then we were informed it was to protect our cities from a limited Russian missile attack, then an accidental missile attack. Finally, some advisers informed us we must protect our offensive nuclear capability. They contend the ABM must be placed near the Minuteman missile silos in North Dakota and Montana.

Is it any wonder the American citizen doubts the validity of these statements and of the system itself? Is it any wonder that what the late President Eisenhower termed the military-industrial complex worries clear-thinking men everywhere in this Nation, including many Members of Congress.

Now we are told that locating an ABM shield in North Dakota will bring an economic gain to the State through new construction, jobs, and purchasing of land and equipment. We need economic gain in North Dakota, but not through a system which cannot stand on its merits.

We need economic gain through an end to the rural-urban imbalance. We need a strengthening of our farm economy to end the decline in the number of family farms, with the resulting movement of farm families to the major urban areas. We need industry to provide long-term jobs for our young, not 1- or 2-year laboring positions that end as quickly as they start.

North Dakota is an agricultural State. We need help to raise agriculture from the bottom rung of the economic ladder. We do not need the short-term economic benefits from the placement in North Dakota of a nuclear system which many leading independent scientists believe is unworkable.

In conclusion, I should like to quote the closing statement of Senator MANSFIELD:

The people of Montana do not put profits before peace.

As a Senator from North Dakota, I believe the people of North Dakota would agree.

DWIGHT DAVID EISENHOWER

Mr. CHURCH. Mr. President, I shall remember Dwight David Eisenhower as a general who brought war to an end and as a President who kept the peace.

What more could be asked of a man in service to his country? What more could be given?

For the misadventures he avoided, for

the interventions he refused to undertake, for the foreign wars he decided not to fight, I shall remember this President as one who possessed the wisdom to temper power with restraint.

SUPREME COURT DECISIONS RELATIVE TO USE OF PRAYER IN PUBLIC SCHOOLS—RESOLUTION BY SOUTH PARISH CONGREGATIONAL FELLOWSHIP, AUGUSTA, MAINE

Mrs. SMITH. Mr. President, for myself and on behalf of my colleague from Maine (Mr. MUSKIE), I ask unanimous consent to have printed in the RECORD a resolution relative to decisions of the Supreme Court of the United States concerning the use of prayer in public schools.

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

SOUTH PARISH CONGREGATIONAL FELLOWSHIP, AUGUSTA, MAINE

At its regular monthly meeting, March 13, 1969, the evening program of this fellowship was devoted to a discussion of the problems created by the 1962 and 1963 decisions of the United States Supreme Court relating to the use of prayer in public schools.

Col. Hibbard Richter reviewed these decisions and dissenting opinions, and also cited State of Maine laws covering the subject of prayer and Bible reference which had held for our schools up to the time of the handing down of these decisions:

"Whereas it was the considered opinion of the Members of the Fellowship that these decisions have had a seriously adverse effect upon attempts to maintain a school atmosphere conducive to holding spiritual values in high regard—

"That indeed they tend to foster among our youth the impression that concern for spiritual values are unimportant, thereby robbing them of an important part of that heritage to which they are entitled,

"That the U.S. Supreme Court treads on questionable ground when it assumes the power to make decisions in the area of how the People of the States shall decide whether or not they want to encourage their children to take part in any spiritual, nondenominational exercises,

"And whereas the Senator Dirksen Amendment, S.J. Res. 6, 91st Congress—already cosponsored by Senator Margaret Chase Smith of Maine and more than forty other Senators—appears to us to be a much needed step towards offsetting these adverse effects, and a means to put back into the hands of American citizens the powers that have to do with freedom of worship.

"Therefore it was voted, unanimously, that the South Parish Congregational Fellowship go on record as giving its full support to the passage of said Amendment, that the Secretary be instructed to send a copy of this Resolution to each of Maine's Senators and Congressmen in Washington, and that publicity be given to the action taken."

TRYGVE HEISTAD, President.

Resolved March 13, 1969.

SENATOR CRANSTON AND OUR WATER RESOURCES

Mr. MUSKIE. Mr. President, the Subcommittee on Air and Water Pollution has been considering legislation to deal with the general problems of oil pollution for several years. Unfortunately, our previous efforts to avert problems such

as the recent disaster off the coast of Santa Barbara were defeated in the House of Representatives.

Hearings on this year's bill, the Water Quality Improvement Act of 1969—S. 7—have been completed, and the committee plans to report the proposed legislation to the Senate in April.

At this time I should like to commend the Senator from California (Mr. CRANSTON) for the interest he has shown in the bill, particularly in the section dealing with oil pollution. His participation in the hearings and the perspective he has brought to the committee concerning the Santa Barbara incident have been invaluable.

In addition to its general consideration of the problem of oil pollution, Congress also has a responsibility to deal with the specific question of halting oil operations in the Santa Barbara Channel. There is significant evidence that suggests that the benefits from the oil operations may not be so great that they justify the risks inherent in these particular operations.

Senator CRANSTON has introduced a bill, S. 1219, which provides for the termination of all drilling in the Santa Barbara Channel and for a study of the methods of operation on all other Outer Continental Shelf leases.

I commend the Senator for his initiative in offering this approach, and I hope that the Committee on Interior and Insular Affairs will hold hearings on the bill as soon as possible.

WEST VIRGINIA HAS TRADITION OF HIGH ELECTION PARTICIPATION

Mr. RANDOLPH. Mr. President, I am gratified to report that West Virginians once again took seriously their right to vote in last year's Presidential election.

In a recently published report, the U.S. Bureau of the Census listed the voting turnouts of the States and revealed that 69.9 percent of the eligible voters in our State voted for President last November. This record placed West Virginia ninth among the States and continues its tradition of active interest in the political process.

West Virginians have always shown a concern for their Government, and this concern is reflected in the large turnouts of citizens on election day.

A free election is not readily available in many parts of the world, and I am pleased that the people of West Virginia consistently take advantage of the accessibility of the ballot box in this country.

LITHUANIAN INDEPENDENCE—RESOLUTION OF BROCKTON, MASS., LITHUANIAN COUNCIL

Mr. BROOKE. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution relative to the observance of the 51st anniversary of the Declaration of Independence of the Republic of Lithuania, adopted by the Brockton, Mass., Lithuanian Council.

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

RESOLUTION OF THE BROCKTON LITHUANIAN COUNCIL

A resolution adopted by Americans of Lithuanian descent, at a meeting held on February 23, 1969, at Brockton, Mass., to observe the 51st Anniversary of the Declaration of Independence of the Republic of Lithuania, reads as follows:

"Whereas, the ancient Lithuanian nation proclaimed the restoration of the independence of its State after World War I, and thereafter led an orderly and exemplary independent State existence, having de jure recognition of all the Great Powers and diplomatic relations with all its neighbors; and

"Whereas, the Soviet Union, in violation of all its solemn treaties and agreements with the Republic of Lithuania, in 1940 invaded and occupied Lithuania by military force, through its occupation agents forced a mock parliamentary election, then claimed that Lithuania had of her own free will requested admission into the Union of Soviet Socialist Republics; and

"Whereas, the Soviet Union continues this military occupation of Lithuania to this day, and is systematically carrying out a planned program of annihilation of the Lithuanian nation by various means, including deportation of Lithuanians to Siberia and elsewhere in Russia, appropriating the real and personal property of the Lithuanians, and bringing in Russians and other citizens as colonial settlers in Lithuania;

"Now, therefore, be it resolved, that the American Lithuanians attending this meeting unanimously decided to request the President and the Secretary of State of the United States to do everything in their power to investigate the situation in Russian-occupied Lithuania; to stop the genocide being perpetrated in Lithuania by Soviets to bring to a halt the present-day russification being carried out in Lithuania; to restore freedom and the rights to self-determination to the Lithuanian people and their territory;

"Be it further resolved, that we request the President and Secretary of State of the United States of America to use all the diplomatic and other peaceful means at their command to demand an immediate end of Soviet colonialism in Lithuania and territorial integrity of the Soviet Russian occupation and administrative agencies;

"Be it also resolved, that this Resolution be sent to the President of the United States, and copies thereof to the Secretary of State, Senators and Congressmen from our State, and to the Press."

Adopted at Brockton, on the 23rd day of February.

BRONIUS BURBA,
Meeting Chairman.
VLADAS JAKIMAVICIUS,
Secretary.

SUPPLY AND PRICE OF SOFTWOOD LUMBER

Mr. SPARKMAN. Mr. President, I address the Senate today on a subject which is vital to the success of our Nation's housing program—that is, the supply and price of softwood lumber.

Skyrocketing lumber prices in recent months have reached such serious proportions to threaten our basic housing program and our efforts to meet the national housing goal established by the 1968 Housing Act.

On March 19, 20, and 21, the Subcommittee on Housing and Urban Affairs held hearings to determine the reasons for the current crisis in lumber and what could be done about it. We received verbal testimony from a large number of witnesses representing all segments of

private and government groups involved in producing and distributing lumber for homebuilding purposes, as well as consumer and conservation groups.

The witnesses were excellent, and I believe that the hearing record is the best ever recorded on this very involved subject. Although we do not pretend to be experts on the subject, we feel that we were able to get to the bottom of the issue and to understand it well enough to identify the problem and to make recommendations on its solution.

Mr. President, I bring this matter to the attention of the Senate because I believe that it is a nationwide issue covering not only those States having large timber resources, but every State in the Union involved in housing programs and the rebuilding of our cities. In my statement today, I will explain the issue briefly and make some tentative recommendations. Later on, the Housing Subcommittee will submit a report containing a more thorough explanation of the subject and final recommendations on the best course of action to take to remedy this serious problem.

The committee undertook the hearings primarily because of our concern that mounting lumber prices and shortages could frustrate our endeavors to meet the Nation's housing goals. A few days after we announced the hearings, I was pleased to see that the President had established a task force to make recommendations for a course of action to meet this serious problem. The day before our hearings started, the President announced a four-pronged program to relieve the current pressure on lumber prices. Also a few days after we announced the hearings, we learned that plywood prices had taken a 20-percent drop.

These actions may represent only temporary relief, and it is obvious that our problem is more than a temporary one. Nevertheless, I am satisfied that our hearing did prompt forthright action to help solve the current crisis.

In the past year, softwood prices have increased by 100 percent for plywood, and by 50 to 80 percent for 2 by 4's and other softwood lumber products used in homebuilding. The National Association of Home Builders reported that the increased lumber prices pushed up the cost of a \$25,000 house by \$1,268 on a national average. However, in one area, the homebuilders reported to us that the lumber increases have caused a \$2,000 rise in a \$20,000 house. Furthermore, we are told that, not only are the lumber prices exorbitant, but the entire marketing system for lumber is in a state of chaos. The lumber dealers will not commit themselves on advance prices and, in many cases, the homebuilders are unable to rely on deliveries of this essential product at any price. Obviously, such conditions cause serious delays in production schedules, disrupt labor forces, and place many small homebuilders in serious financial difficulties.

Not only is this a serious matter for industry, it is even more serious for the American people who are seeking decent housing at reasonable costs. Furthermore, it may represent a critical blow to

attaining our national housing goals as spelled out so forcibly in the 1968 Housing Act.

To get to the bottom of the price issue, the Housing Subcommittee looked into the functioning of the entire marketing process of lumber from the forests to the mill and to the wholesaler, to the retailer, and to its use in the construction of a home. We learned that the final price was a product of each step in this process, but that the price rise to the consumer was basically the result of rising stumpage prices established by auction. Furthermore, because the government is by far the largest single seller of sawtimber, the current auction prices are those set in connection with the sale of Government-owned logs. The Government has a procedure for establishing an appraised value of logs and will not accept a bid for less than the appraised value but has no compunction about the bid going far above this value. In fact, in recent bids, the final selling price of Government-owned timber has been 2½ times the value established by the Government itself as the appraised value.

I understand that this system has been used for a long time and has years of experience behind it, but I believe that the appropriate committee should look into this process. The result is truly inflationary causing higher prices all along the line. Furthermore, now that our Government is committed to subsidizing housing, I wonder if we are not going around in circles. In the long run, the profits of one agency of the Government are borne by subsidies paid by another agency of the Government.

Another important factor related to the sharp price increase is the disappearance of many small lumber mills which traditionally have been the balance wheel in the lumber industry. For example, the number of lumber mills in western Washington and western Oregon, the center of softwood production, has dropped to about one-quarter of the number in existence 20 years ago. In previous periods of lumber shortages, these mills would quickly come to life because of the improved economic climate and often, with their increased production, would be very effective in making up the shortage.

Secretary Romney showed his concern about the high lumber prices and the closing of so many small sawmills and has requested the Department of Justice to determine whether there is a cause for action in connection with the absorption of so many mills by the giant lumber interests.

The Secretary's conclusion, however, in which I heartily concur, is that the solution to the problem does not rest on the issue of prices. The price structure is a product of supply and demand and the sure way of correcting excessively high prices is to increase the supply in proportion to the demand.

Last year, in the Housing Act of 1968 we established a 10-year goal of housing construction and thus have, in fact, established the level of demand for lumber products for the next 10 years.

The 10-year goal calls for an average of 2.6 million units built annually. This

compares with current production of about 1.6 billion units, so you can see that we need to increase production by more than 60 percent in the years ahead. This 2.6 billion units goal was not haphazardly arrived at and should not be taken lightly. It is the law of the land to use this Nation's resources to meet this goal.

Unless we develop new substitute materials for homebuilding, the demands for lumber in the next decade must match the 60-percent increase in housing starts. I believe that we have no choice but to match the supply to meet this demand.

This can be done. It is not an impossible task. We have the basic resources and it is now a matter of aggressively working to improve the efficiency of these resources. It seems to me to be a simple matter of economics and good business practices to invest in our national forests the same kind of research and up-to-date cultural and management practices that we so successfully used in developing our agricultural lands.

Amazing success has already been demonstrated through the latest techniques of "tree farming" or "silviculture." The important thing is to use these techniques nationwide, particularly in Government-owned forests, and there would be no doubt about meeting our production goals.

The trees are there to produce the amounts of lumber and plywood we need but, for the most part, they are in national forests and other Federal timberland owned and operated by the Government. It was evident to us that the increased production required of our Federal timberlands is impossible under the presently restricted appropriations in the U.S. Forest Service in the Department of Agriculture and the Bureau of Land Management in the Department of the Interior.

Industrial forests operated by private companies, and the other timberlands in private ownership, are now producing to their full capacity, if not perhaps a little over their true capacity, under prudent forestry management. In fact, we were a little startled to learn that the forest industries, with ownership of 17 percent of softwood sawtimber, is harvesting 33 percent of the total softwood, that other private ownerships with 18 percent of softwood standing timber are producing 28 percent of the total output, but that the Forest Service, with ownership of 54 percent of all softwood timber in the Nation, is only producing 30 percent of total output.

To put it another way, the forest industries are harvesting 3.8 percent of their standing timber inventory annually; other private ownerships are harvesting at the rate of 2.8 percent of inventory, but the Forest Service, the greatest forest owner of all, is able, under present conditions, to harvest only nine-tenths of 1 percent of its huge inventory.

The imbalance in the harvesting between Government and private lands has many explanations. One is that many private owners are overcutting their forests and destroying their use for the future.

It is obvious that this condition cannot continue for long. Mr. Edward Cliff, of the U.S. Forest Service, said:

The softwood resources in private ownership are being overcut. . . . Log supplies from these lands must decline substantially over the next few decades. . . . Any sustained increase in log harvests in the West thus must come from public lands.

There are many reasons why the National Forests, comprising the greatest reservoir of timber in the Nation, can account for only one-third of the production of softwood. Chief among them seems to be the fact that the Forest Service has been obliged to operate with insufficient funds to reach the necessary softwood output to support our housing programs.

I am not being critical of the Forest Service. It has some of the most dedicated foresters in the world. Within the limits of the funds made available, it has protected and managed the great forest empires under its jurisdiction. But it simply has not been given the funds necessary to meet our overall national wood requirements and, in particular, to make available and market the sawlogs required for the housing programs we have authorized.

It was because of the handicaps imposed on our housing programs by the critical shortage of softwood lumber and plywood and consequent price spurts that we conducted our hearings.

We heard a large number of witnesses, representing every element in the picture—homebuilders, contractors, Federal agencies, the forest industries, the carpenters' and sawmill unions, conservation groups, foresters and others concerned with the available sawtimber and housing dilemma confronting the Nation.

The Secretary of the Department of Housing and Urban Development, George Romney, put the problem clearly in his appearance before our subcommittee. Secretary Romney told us that, in order to sustain the housing programs we have established, we will need an additional annual production of 15 billion board feet of softwood lumber and plywood by 1978. Softwood lumber consumption last year ran to a record 35.1 billion board feet.

The Secretary said that there are three ways to increase the supply domestically.

He would have the private companies do a more efficient job without jeopardizing the future supply. He gave the private companies credit for doing better with their harvesting practices than public managers, but believes there is further room for improvement. Furthermore, he recognized the vast areas of privately owned woods and forests in the hands of farmers and small plot owners which, if efficiently managed, would make a significant contribution to make up the shortage.

Secondly, Secretary Romney believes that we should look at the Alaskan supply which is now all going to Japan. This is a transportation problem complicated by the Jones Act, which requires the shipment of Alaskan lumber or logs in American bottoms.

Third—and this is by far the most

important—Secretary Romney says we must take steps to make the harvest of our publicly owned lands more efficient. It is obvious that the 15 billion board feet that the Secretary reports is needed by 1978 can come out of the nationally owned forests without jeopardizing the protection of the natural resources necessary for recreation or conservation purposes.

Secretary Romney also informed us that the President, acting on the recommendations of the special White House task force on the problem, has directed the Departments of Agriculture and Interior to increase immediately the sales of Federal timber for manufacture into lumber and plywood by 1.1 billion board feet.

The President is to be commended for his prompt action. But, with a need for 15 billion more board feet per year, it is obvious that the President's action is only a first step, and that other actions are required to bring the production of softwood lumber and plywood up to the annual 15 billion additional feet required for housing for our people.

The Chief Forester of the United States, Mr. Edward Cliff, confirmed to our subcommittee his previous testimony before the Senate Committee on Small Business, on which I serve, last November, that on many national forest lands, production could be increased by two-thirds if the Forest Service were given sufficient funds, on a continuing basis, to build needed forest access roads and trails, and to employ sufficient personnel to intensify forest management. Many witnesses pointed out to us that forest management performance on industrial forest lands is superior to those presently possible on Federal lands, but that Federal management practices can be upgraded if assured long-term funding is provided.

The Chief Forester told us that, in response to the rapidly increasing needs for lumber and plywood, the Forest Service is seeking shortrun increases in timber sales through salvage and thinnings, but that this would require additional funds and personnel. It is worth noting that, in his directives to the Departments of Agriculture and Interior, the President instructed both Departments promptly to present to the Appropriations Committees supplemental budget estimates to enable them to speed up their operations and make more sales of Federal timber possible.

Chief Forester Cliff indicated that appropriations for the work of the Forest Service have been running far behind authorizations. For example, in fiscal 1970, the Forest Service requested \$170 million for access roads and trails, but only some \$91 million had been appropriated.

He said that more access roads are needed to make increased timber harvest possible and that other management tools are needed, such as, use of genetically superior planting stock for reforestation; commercial thinnings which would utilize timber otherwise lost to mortality; noncommercial thinnings to release trees in stagnated stands; increased salvage of fire-and-insect-de-

stroyed timber, and closer utilization of the timber that is harvested to use residuals not now used commercially.

Mr. Cliff reported that, in 1970, his budget would be only 29.5 percent of the level that he said was needed to carry out an effective reforestation and stand improvement program. With such limited funds, his agency could not nearly carry out the intense forest management program so badly needed.

Mr. Cliff, in answers to questions from members of the subcommittee, said that the reduced appropriations for his agency have had an adverse effect on the availability of timber. Furthermore, he said increased spending is absolutely essential to increasing the output. However, it is not money lost but is, in fact, an excellent investment. He said that for each \$1 million invested in planting and timber culture, we can add 11 million board feet of annual production, worth \$215,000 yield annually at current sales prices.

On the consumer level, the most significant witness appearing before us was Mr. Eugene Gulledge, president of the National Association of Home Builders, which represents 75 percent of all housing constructed in the United States.

The residential construction industry, of course, represents the largest single consumer of softwood lumber and wood products in the country. Shortage of supply and uncertainty of lumber and plywood deliveries, Mr. Gulledge stated, is seriously affecting the ability of the homebuilding industry to produce the volume of housing required by the ever-expanding demand for new homes. Other types of construction, he said, also are being held back by the crisis.

The problem of price increases and shortages of lumber and wood products in recent months, he said, have become the No. 1 problem of his industry. He also reported to us that the homebuilders have been working cooperatively with the forest industries in a joint effort to get at the facts and to develop possible solutions to the immediate and the longer range problems of timber supply and lumber production.

He informed us that, together with representatives of the forest industries, a Joint Coordinating Committee on Housing and Forest Products is at work to seek solutions. Interestingly, the homebuilders agreed with forest industry witnesses on the general short- and long-term actions that seem to be required. Mr. Gulledge estimated that, normally, 20 percent of the direct construction cost of the structure of a house is composed of various wood products derived from softwood lumber.

This fact, of course, is ample justification for the Housing Subcommittee to take a look at the overall picture. Without sufficient supplies of softwood lumber and plywood at a reasonable price, our housing programs are severely impeded, and we cannot reach the housing volumes we have set as national goals.

Mr. Gulledge also expressed apprehension that the present situation, bad as it is, will deteriorate further as we get into the spring building season.

While the housing industry's projection of private nonfarm housing starts for 1969 was, at the beginning of this year, in the range of 1.6 million new housing units as compared to 1.5 million starts in 1968, it now appears, according to Mr. Gulledge, that we may not reach the 1.6 million unit figure, which itself is one million units short of our national housing production goal.

This is a serious situation, when the need for new housing is at an historic peak.

The National Association of Home Builders declared that it appears that a shortage in available lumber of about 10 percent may already have developed. If this is true, Mr. Gulledge testified, then we are heading for even more serious price and supply problems as we undertake to reach higher housing production levels.

A clear, reasoned, and convincing case was presented to us by representatives of the Nation's lumber and plywood manufacturing and timber-growing industries. Spokesmen who formed a panel in presenting statements and answering questions included expert witnesses from the National Forest Products Association, Western Wood Products Association, American Plywood Association, Southern Pine Association, North West Timber Association, Industrial Forestry Association, Western Lumber Manufacturers, Inc., National Woodwork Manufacturers Association, and Western Forest Industries Association. In addition, we also received testimony from representatives of the Architectural Woodwork Institute, National American Wholesale Lumber Association, and the National Lumber and Building Materials Dealers Association.

We therefore had evidence from virtually every sector of the forest industries and the principal distributors and users of lumber and plywood. All expressed great concern about the problems we face, and made many suggestions for short-term and long-term solutions.

Basically, the forest industry spokesmen asserted that the current domestic situation can be blamed mostly on an inadequate supply of logs to meet growing domestic requirements and pressures for exports. Increased demand for lumber and plywood for house construction, they said, to meet needs for the 1.6 million new housing units projected for this year, plus a record export volume of 2.2 billion board feet of logs in 1968, have resulted in shortages of logs and timber available for immediate harvesting. They emphasized that the 1968 total softwood log production of about 38 billion feet, a record, was less than 2 percent of the total softwood timber inventory of more than 2 trillion board feet. Higher total log production to meet current demand levels, they testified, is justified by present timber inventory and growth rates.

Industry witnesses were unanimous in pointing out that since privately owned forest lands are now operated at peak capacities, the necessary increase must come from the great timber reservoirs of the Federal forests which are being operated at far below capacity. As one witness put it:

The federal government holds the key to the log supply and to domestic wood prices in the way it chooses to manage this timber.

He declared that the additional timber required for our housing goals will not be available for cutting unless national timber policies are adjusted.

Testimony the committee received from industry witnesses and others about Alaskan forests as a possible source of some relief from the shortages was disturbing. There is a fairly extensive federally owned timber resource in southeastern Alaska, but it is unavailable to the domestic market because of the Jones Act requirements on intercoastal shipping.

The Jones Act requires that products moving in coastal and intercoastal shipping—see section 27 of the Merchant Marine Act of 1927, as amended—between U.S. ports be shipped in American ships. This imposes a disadvantage of substantially higher freight rates than the rates prevailing for foreign registry shipping. The cost effect on lumber and plywood appears to be about a \$20 per thousand board feet increase. The lack of a U.S. merchant fleet compounds the issue.

Consequently, the sizable amount of available Alaskan lumber that can be produced is unable to reach consuming markets in the United States without a prohibitive competitive disadvantage.

Consequently, Alaskan timbers and lumber are sold to Japan, thus depriving domestic users of this untapped domestic source of timber supply.

Suggestions were advanced by industry witnesses that the Jones Act should be repealed, or at least modified. Their objective is to allow Alaskan lumber to be moved to market in this country at the same rates, for example, as are enjoyed by Canadian lumber producers, who can, and do, move their lumber to Eastern United States markets in foreign flag ships.

The industry witnesses recommended six short-term proposals to relieve lumber and plywood availability problems:

First. Immediate sale offerings of the billion board feet of unsold allowable cut on national forests.

Second. Sale offerings of the full current annual allowable cut by stepping up road construction and timber preparation activities on national forests.

Third. National Forest timber sale offerings where little or minimum access road construction is needed.

Fourth. Exemption of Forest Service personnel from replacement restraints to assure the staff required for timber sale administration.

Fifth. Establishment of a team of specialists within the Forest Service to devise and execute an accelerated national timber sales program.

Sixth. Support for the Interstate Commerce Commission's recent general order for the return of boxcars suitable for lumber and plywood shipments, which has been a chronic to acute problem for forest products manufacturers.

On a long-term basis, the witnesses agreed that the only practical solution offering lasting relief from supply-demand crises is a national determina-

tion to utilize the Nation's forest resources in a way directly related to other national goals established in the interest of all the people—mainly, intensive and scientific management of our Federal timber.

They also emphasized that the Forest Service should have assurances of the long-term financing needed for roads and intensive management practices. In the past, they said, with ample or surplus availability of forest products, funds to apply intensive timber management on the national forests have been denied. Now, they pointed out, with untold millions of dollars in scarcity premiums at stake each year, a new look at providing the means for long-term financing for such intensive timber management is imperative.

The same point was stressed by the homebuilding industry in its presentation. The national goal of 26 million housing units over the next decade by new construction or rehabilitation, and a goal within this of 6 million units for low- and moderate-income families, as set forth under title XVI of the Housing Act of 1968, necessarily implies compatible and concurrent national timber policies and resource requirements. Mr. Gullede, the housing industry representative also added that the current experience of lumber and plywood shortages shows the need for far more perceptive timber and resource management planning in conjunction with national housing needs. They are convinced, he told our subcommittee, that strong protection can be given to our conservation and preservation interests in the continued life of our national forests, which they fully support, at the same time that the forests are put to work much more usefully for the interests of all the people in the Nation.

Conservation interests were represented before our subcommittee by witnesses from the Sierra Club, a large organization devoted to preserving wilderness and scenic areas throughout the country. They raised no objections to the proposals that the Forest Service increase its output of sawlogs from the commercial forest areas, provided this increase is carried out within the limits of sound forest management. Mr. Brock Evans, the Club's Pacific Northwest representative, stated that it would approve Federal commercial forest lands development to a greater extent if the best type of intensive forest management was pursued.

Testimony was also received from a representative of labor, Mr. Peter E. Terzick, general treasurer of the United Brotherhood of Carpenters and Joiners of America. Mr. Terzick was forthright in his statement that wages have very little effect on the dramatic increase in lumber and plywood over the last year. In reply to a question he pointed out that the union's 3-year contract expires this year but that, based on past experience, labor's wage demands are very small in relation to other prices. He also replied that there is no shortage of labor for the mills nor for lumbermen who do the cutting and logging in the forests. He also urged a study of pricing policies and the development by the government of a

mechanism for maintaining stability over a period of time.

A further suggestion was advanced by several witnesses that some way should be found to permit the Forest Service and the Bureau of Land Management to plow back a substantial part of their receipts from timber sales into more intensive timber management. This, of course, is a matter requiring legislation that is within the jurisdiction of the Agriculture Committee, but we are convinced the proposal has high merit. We feel that it should be done, that this is one of the basic, necessary steps to put the forest policies of the Nation into phase with our housing programs and national requirements for softwood products.

We therefore strongly recommend that Congress carefully study this matter and consider bringing about the necessary adjustments through legislation.

The conclusion is inescapable that our Federal forests, containing such vast amounts of sawtimber, are woefully under-producing the amounts of logs the Nation needs, and are perfectly capable of stepping up their outputs to the necessary levels if sustained, long-term funding for intensified forest management is made available—funding that can be repaid to the Federal Treasury from timber sales.

This is what is done in industrial forests and on certain State-owned timberlands. It is also the system used on Department of Defense forest lands. It has enabled them to reach excellent production levels far above the production levels of Federal forests. As I understand it, Senator RICHARD RUSSELL sponsored a provision in the Defense Department's 1961 Appropriations Act which authorized the Department to use a portion of its timber sales revenue to effect management costs. As a result of this authority which, in effect, provided assured funds for up-to-date management of Department of Defense forests, the income from these forests has increased 2½ times and has resulted in a substantial return to the U.S. Treasury.

Another unfortunate fact that was developed in our hearings is that lack of funds has hampered construction of access roads in the Federal forests, with the result that in many areas, overmature trees, or stands damaged by windstorms, fire, disease, or insects cannot be harvested or salvaged and simply go to waste, reaching an estimated annual loss of 10 billion board feet of timber, nearly as much as is produced. This is a form of gross waste of a valuable natural resource. Not cutting trees that are ready for harvest, or which have been damaged by natural causes, is much like not harvesting fruit, wheat or other valuable foodstuffs when they are ripe for harvest. Just like growing food, overmature timber rots, or salvageable timber decays and rots, and goes to complete waste.

Scholars have termed this type of waste "waste by underuse."

In some areas, Federal timber management agencies have not had a chance even to inventory their standing timber. Or personnel is not available to prepare necessary bid schedules for selling trees that should be harvested.

Our problem in the South is somewhat

different from that in the West. The large amount of interspersed timberlands in private hands calls for an even greater degree of cooperation by all concerned.

The Southern Pine Association advised our subcommittee that the South produced, mainly through large producers, 7 billion board feet, which was higher than the average 10 years prior thereto. This amounts to more than 20 percent of the total softwood lumber and plywood produced in the United States. At the same time, the pulpwood industry in the South quadrupled its production, and this industry, of course, draws upon the softwood reserve supply.

Since much of the timber supply in the South is in private hands, large and small, there is need for progressive cooperation in projects such as the Southern Forest Resources Analysis, combining the interests of manufacturers, farmers, and producers toward the objective of accelerated tree planting and timber stand improvements. There is a need also for the Government to increase its efforts for cooperation between industry, government, and private landowners, sponsoring at the same time efforts that can take advantage of education and advances in procedures and technology that can come from our institutions of higher learning.

The problems involved in bringing about solutions to our demand-supply-price problems fall within the jurisdiction of other committees of the Congress, particularly the Committees on Agriculture and Appropriations. I am reviewing these issues in this manner to bring them to the attention of these most effective committees so they will be aware of the problems and can bring their outstanding expertise to bear on finding solutions so that our housing goals are not thwarted.

I should like to draw attention to the following recommendations:

First. The urgent needs of our housing programs, and the high goals we have established as national policy require that prompt action be taken to increase the timber outputs of our forests.

Second. The greatest source of timber is owned by the Federal Government and, thus, our shortage can be relieved only by a greater utilization of the forest resources owned and operated by the Federal Government.

Third. Increasing the allowable cutting from federally owned lands can be made without sacrificing the sustained yield principle provided there is proper funding and adoption of the latest silviculture techniques.

Fourth. Proper funding can only be effective if it is sustained over a long period of time. Sustained funding is an urgent necessity to enable Federal agencies to carry out a program of intense forest management without which we will never obtain the wood to meet our housing needs.

Fifth. Considerable more resources must be directed to developing advanced techniques for improving our knowledge of forestry. The Department of Agriculture should supply some of its great knowledge on increasing crop yields to the Nation's forests.

Sixth. More attention must be paid to

improve the efficiency of privately owned forests and wood lots. Fifty-nine percent of all forest lands are owned privately and, although such lands only have 18 percent of the inventory, I should think that a nationwide campaign to educate the private owners to the latest forestry techniques would bear fruit in future years.

Seventh. A thorough analysis should be directed to the pricing of lumber, starting at the Federal Government's own appraising and auctioning of sawtimber.

Eighth. The Commerce Committee should investigate the Jones Act in connection with shipping of lumber from Alaska and the Western States. As it is working now, the only beneficiary is Japan. Is there not some way to protect American shipping and still not deny domestic markets in the U.S. mainland from having access to Alaskan and Western lumber? Other transportation difficulties, including the shortage of boxcars, must be resolved also. I am pleased to note the action taken by President Nixon in this regard, but I hope this is not just a temporary measure.

Ninth. We should examine the import of lumber from Canada which, in 1968, amounted to 5.8 billion board feet. Considering the great potential untapped supply from our neighbor to the North, there is no reason why this could not be substantially increased. One impediment to increasing the import of plywood is the 20 percent tariff. I believe that we should study the tariff requirement and see whether our short supply of plywood needed to meet our national housing goals does not demand a repeal of this provision.

Tenth. The export of logs to Japan needs immediate attention. We have a major conflict of interests that must be resolved between Japan's housing plans, estimated at 1.9 million units for 1969, and the U.S. current production of 1.6 million units per year. This has both shortrun and longrun implications.

In the short run, witnesses before our subcommittee suggested that the United States explore with Japan the possibility of "borrowing" several million feet of logs it has purchased, but which are stockpiled in West Coast ports because of a shipping glut. This proposal suggests that the "borrowed" logs could be replaced later with other logs when a better flow of raw materials begins to come off the Federal forests. I feel this is a matter worthy of exploring, and could provide some temporary relief to our domestic shortage.

The Morse amendment to the Foreign Assistance Act of 1968, which I helped sponsor, has set a limitation of 350 million board feet on logs which can be sold from western Federal forests after January 1, 1969 for export to Japan. This figure is considered by most authorities to be a normal amount of export that could be supplied without serious effects on the domestic forest industries.

The Morse amendment also provides that logs not covered by the act can be prevented from being substituted for logs

by covered logs within the discretion of the Department. Apparently it will be some little time before the relief envisioned by the amendment can become effective.

This is a complicated issue, I fully recognize, but I urge that the Departments of Agriculture and Interior consider the early implementation of the Morse amendment in relation to the Nation's housing needs and the recent crises in lumber and plywood price and supply.

Eleventh. Substitutes for lumber products in construction of both residential and nonresidential buildings must be developed. The plastic and concrete products, steel and aluminum industries have already come forth with many innovations that should be encouraged.

A fundamental issue we face lies in striking a proper balance between the management of our forest resources, and their production and sale of timber, and the requirements of the American people for forest products. The two elements—national needs and management and use of our natural resources—are utterly out of phase. They must be meshed and put into phase in order to accomplish our national housing goals.

DEATH OF HUGHES SPALDING, SR., ATLANTA, GA.

Mr. MUSKIE. Mr. President, on behalf of the distinguished Senator from Georgia (Mr. TALMADGE), I ask unanimous consent to have printed in the RECORD a statement by him relative to the death of Hughes Spalding, Sr., of Atlanta, and articles and an editorial eulogy in connection therewith.

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

STATEMENT OF SENATOR TALMADGE

The State of Georgia and the city of Atlanta has lost one of the State's greatest business and civic leaders in the death of Hughes Spalding, Sr., last Sunday.

Hughes Spalding was a great man and a fine citizen, and I join his family, and his many friends and associates in expressing sorrow at his passing. The leadership he rendered his city and State for many years across a broad range of legal, business, civic and cultural endeavors, will be sorely missed.

[From the Atlanta (Ga.) Constitution,
Mar. 31, 1961]

HUGHES SPALDING DIES—CHURCH, CIVIC LEADER

Hughes Spalding Sr., lawyer, devout churchman and one of the most forceful personalities in Atlanta's civic life for more than half a century, died Sunday night in a private hospital.

Mr. Spalding, senior partner in the law firm of King and Spalding, was 82.

He was born in Atlanta four years after his parents, Jack J. Spalding and the former Elizabeth Hughes, moved here from Kentucky. His father was an attorney, an organizer of the Georgia Power Co. and a prime mover in the New South movement preached by Henry Grady that resulted in this city becoming the capital of the Southeast.

Mr. Spalding is survived by his wife, the former Bolling Stovall Phinizy of Athens; three sons, Jack J. Spalding, editor of The Atlanta Journal; Hughes Spalding Jr., a partner in the firm of King and Spalding, and

Billups Phinizy Spalding, a member of the history department at the University of Georgia, and two daughters, Mrs. George S. Craft and Mrs. Wallace Winbourne Jr., both of Atlanta.

Atlanta Mayor Ivan Allen Jr. said of the death of Mr. Spalding, "Since 1885, the Spalding family has been actively engaged in the practice of law in Atlanta. Mr. Hughes Spalding Sr., like his father before him, made great contributions to the city and the state in the fields of law, religion and education. Atlanta has lost a leading citizen and a great man."

Mr. Spalding's business activities were many.

He had been a member of the Board of Directors of The Coca-Cola Co. since 1949 and was a member of the finance committee.

He was on the board of the Trust Company of Georgia for 22 years before becoming an advisory director in 1962, serving during that time as chairman of the executive committee and also the trust committee.

He was chairman of the board and a director of Georgia International Life Insurance Co. from its founding in 1959 until 1963. Other directorships have included the Atlantic Co., Habersham Mills, Coca-Cola International Corp., the Atlanta Baseball Corp., Rich's Inc. and the Whitehead Holding Co. He was a trustee of the Emily and Ernest Woodruff Foundation and the Lettie Pate Evans Foundation.

Mr. Spalding was appointed to the original board of Regents by Gov. Richard B. Russell and served as its second chairman in 1933-34. It was during this period that the University System of Georgia assumed its present form via mergers of separate state schools and the abolition of many of the old agricultural and mechanical schools. He served as chairman again in 1949-51 during the governorship of Herman Talmadge.

For 13 years Mr. Spalding was chairman of the Fulton-DeKalb Hospital Authority, resigning after the completion of the \$25,000,000 Henry Grady Memorial Hospital. The Hughes Spalding Pavilion, named for him, was built during those years to fill a need for private hospital care for Negro patients.

MARIST STUDENT

Mr. Spalding was educated at Loretto Convent on Washington Street and was one of Marist College's first students when that school opened. He was graduated from Georgetown University, Washington, D.C., in 1908 with an A.B. degree and received his law degree from the University of Georgia in 1910. He was admitted to the bar that year and after a period of independent practice joined his father's firm.

He served during the thirties as Fulton County attorney and in 1937-38 was chairman of the Fulton County Democratic Executive Committee.

At the University of Georgia, Mr. Spalding was a member of Chi Phi, Sphinx and the Demosthenians. He was one of the founders of the Gridiron Society.

He had served as president of the University of Georgia Alumni Society and as trustee and secretary of the University of Georgia Foundation. He was presented a Certificate of Merit by the university alumni in 1938.

In 1953 he received the John Carroll Distinguished Alumni award from Georgetown and the same university awarded him an honorary LL.D. in 1956. In 1951 Oglethorpe College awarded him an honorary LL.D. and in 1953 Georgia State College for Women presented him with its Distinguished Service Award. He has been a member of the Board of Trustees of Atlanta University.

Mr. Spalding was reared at Deerland, a small farm his father had bought on Peachtree Road and which is now the site of Piedmont Hospital.

He served as a first lieutenant in the field artillery during World War I.

He reared his own family at 2000 Peachtree Road, part of the old Deerland property, selling it to Piedmont when the hospital was built. In recent years, he and Mrs. Spalding had an apartment on Peachtree. Until poor health cut into his activities, he spent a lot of time on his farm on the Chattahoochee River near Sandy Springs.

Mr. Spalding was proud of the fact that he was the eighth American generation of an English Catholic family that came to Maryland in the middle of the 17th century to avoid the fines and forfeitures imposed by England in those days. He wrote two privately-printed volumes dealing with the histories of the Spalding and allied families in pre-Revolutionary Maryland and post-Revolutionary Kentucky, down to the present.

He was president of the Atlanta Particular Council of the St. Vincent de Paul Society for many years and a member of the Superior Council. He was co-chairman of the drive to raise funds to build the new building of St. Joseph's Infirmary on Ivy Street, and contributed to the construction of the Bishop John Lancaster Spalding Chapel of the Catholic Center of the University of Georgia in Athens.

In 1946 he was appointed Privy Chamberlain of the Sword and Cape, Supernumerary, by Pope Pius XII and was reappointed by Pope John XXIII.

He was a communicant of the Cathedral of Christ the King, where he was a close friend of its pastor, the late Msgr. Joseph E. Moylan.

Father Moylan was a casual dresser, too casual sometimes for Mr. Spalding to bear. On occasion, Mr. Spalding bought for the priest expensive suits to replenish his wardrobe. Every time he got such a gift, Msgr. Moylan would thank his benefactor graciously, then quietly exchange them for cash at the stores where they had been purchased. The priest then distributed the money to the poor.

Mr. Spalding was a member of the American Legion, the Military Order of World Wars, the Atlanta, Georgia and American Bar associations, the American Judicature Society, Phi Beta Kappa, Phi Delta Phi legal fraternity, the Piedmont Driving Club and the Capital City Club.

[From the Atlanta (Ga.) Constitution, Apr. 1, 1969]

A MAN WHO CARED

When Grady Hospital was constructed at a cost of \$25 million, there were many Atlantans who complained openly that it cost far too much. Hughes Spalding was chairman of the Fulton-DeKalb Hospital Authority at the time, and he defended the planners and administrators who spent the money. "You build one of these just once every hundred years, and it should be done right," he said.

And when the late Gov. Eugene Talmadge was interfering with the faculty at the University of Georgia—eventually costing the school much of its reputation for academic freedom—it was Spalding who stood up to the governor. He was not able to stop the events until much too late, but he made a great contribution to the Board of Regents when the University System needed building.

In dozens of less spectacular ways, Spalding stood for progress and commitment in the Atlanta community. In fact, he didn't seek the limelight. He was happier to move behind the scenes.

But he did move, and Atlanta and Georgia are the better for it. About the only public symbol is the Hughes Spalding Pavilion at Grady Hospital. It was built specifically to fill the need for private care for Negro pa-

tients. And it illustrates his concern for humanity.

Death came to Spalding Sunday night. He had lived to age 82, to see his law firm flourish, his city move toward human concern and his state profit from his concern for higher education.

A man can't be asked to make more of a contribution than that, although his death brings sadness.

[From the Atlanta (Ga.) Journal, Mar. 31, 1969]

HUGHES SPALDING DIES AT AGE OF 82

Hughes Spalding, senior partner of the law firm of King and Spalding, died Sunday night in St. Joseph's Infirmary after a long illness.

There will be a Rosary at 8 o'clock Monday night at Patterson's Spring Hill. The funeral will be at 10 a.m. Tuesday at the Cathedral of Christ the King with the Rev. John F. McDonough officiating. Burial will be in Arlington Cemetery. The family has requested no flowers and those who wish may contribute to the Coronary Care Unit of St. Joseph's Infirmary.

Spalding, 82, has been a director of the Coca-Cola Co. since 1949 and was on the board of directors of the Trust Company of Georgia for 22 years before becoming an advisory director in 1962.

He was a member of the finance committee of the Coca-Cola board and had been chairman of the executive and trust committees of the Trust Company. He was one of the first appointees to the State Board of Regents when that body was established by Gov. Richard B. Russell Jr.

Spalding was born in Atlanta on Aug. 10, 1886, the son of Elizabeth Hughes and Jack J. Spalding, who had come here from Kentucky in 1882. His father, in company with Judge Alexander C. King, founded the law firm of which Spalding was a member in 1885.

Spalding was chairman of the Fulton-DeKalb Hospital Authority for 13 years, resigning after the completion of the \$25 million Henry Grady Memorial Hospital building. The Hughes Spalding Pavilion was built during those years to fill a need for private care for Negro patients.

The first Spalding home in Atlanta was on the corner of 14th and Peachtree streets, now the site of National Service Industries. The hackberry and English elm trees there were planted by Spalding when he was a child and came from the farm of his grandfather, I. A. Spalding Jr., in Union County.

When the city grew in this direction, Spalding's father bought an 11-acre farm "Deerland," out Peachtree so his children could have the advantages of rural living and hard work in the garden and orchard. "Deerland" is now the site of Piedmont Hospital.

Hughes Spalding brought up his family on part of the old "Deerland" property, selling to Piedmont when that hospital was built. Since then, he and Mrs. Spalding had an apartment on Peachtree, and until the years slowed him down he spent a lot of time on his farm near Sandy Springs where he was one of the pioneers of permanent pastures and beef production in this part of Georgia.

He was educated at Loretto Convent on Washington Street, at Peacock School, and was one of Marist's first students when that school opened. He was graduated from Georgetown University in 1908 with an A.B. degree, received his law degree from the University of Georgia in 1910 and was admitted to the bar that year. He practiced for a period with Albert E. Thornton and Dan MacDougald then joined his father's firm.

At the University of Georgia Spalding was a member of Chi Phi, Sphinx and the Demosthenians. He was founder of Gridiron and one of the authors of its ritual.

He was active in the establishment of the University of Georgia Foundation and helped raise its initial endowment, serving as trustee and its secretary for many years. He was presented a Certificate of Merit by the University of Georgia Alumni in 1938, and in 1953 Georgia State College for Women gave him its Distinguished Service Award. Oglethorpe made him an honorary doctor of laws in 1951 and Georgetown University bestowed the same degree on him in 1956.

In 1953 he was honored with the John Carroll Award for distinguished service. He has been a member of the board of trustees of Atlanta University, and a president of the University of Georgia Alumni Society.

He served the board of regents as its second chairman in 1933-34, and it was during this period that the University System of Georgia assumed its present form with the abolition of several of the old A & M schools and the merger of the surviving, formerly separate institutions, under one governing body. He served as chairman of this board again in 1949-51 during the governorship of Herman Talmadge.

He was chairman of the board and a director of Georgia International Corp. from its founding in 1959 until 1963. Other directorships have included the Atlantic Co., Habersham Mills, Coca-Cola International Corp., the Atlantic Baseball Corp., Rich's, Inc., and the Whitehead Holding Co. He was a trustee of the Emily and Ernest Woodruff Foundation and the Lettie Pate Evans Foundation.

Spalding was a first lieutenant in the field artillery during World War I. He was a member of the American Legion, the Military Order of the World Wars, the Atlanta, Georgia and American bar associations, the American Judicature Society, Phi Beta Kappa, Phi Delta Phi legal fraternity, the Piedmont Driving Club and the Capital City Club.

During the '30s he was Fulton County attorney and in 1937-38 was chairman of the Fulton County Democratic Executive Committee.

Spalding was the eighth American generation of an English Catholic family which came to Maryland in the middle of the 17th century with a group of similar families to avoid the fines and forfeitures imposed by the British government of that period. He was proud of his line's fidelity to its church and of its members who became nuns and priests and provided the early American church with many of its leaders.

He wrote two privately printed books dealing with the histories of the Spalding and allied families in pre-revolutionary Maryland and post-revolutionary Kentucky down to the present.

He was president of the Particular Council of the St. Vincent de Paul Society in Atlanta for many years and a member of the Superior Council. He was co-chairman of the drive to raise funds to build the main building of St. Joseph's Infirmary on Ivy Street, and contributed materially to the construction of the Bishop John Lancaster Spalding Chapel of the Catholic Center of the University of Georgia in Athens.

In 1946 he was appointed Privy Chamberlain of the Sword and Cape, Supernumerary by Pope Pious XII and was reappointed by Pope John XXIII.

Surviving are the widow, the former Boling Stovall Phinzy of Athens; three sons, Jack J., editor of The Atlanta Journal; Hughes Jr., a partner in the firm of King and Spalding, and Billups Phinzy, a member of the history department at the University of Georgia; two daughters, Mrs. George S. Craft and Mrs. Wallace Winborne Jr., both of Atlanta, 22 grandchildren and three great-grandchildren.

[From the Atlanta (Ga.) Journal, Apr. 1, 1969]

HUGHES SPALDING

Death has removed a man of great stature from the Georgia scene—Hughes Spalding. He was born in Atlanta nearly 83 years ago and throughout his life was an active participant and innovator here in the things that mattered.

He acquitted himself with distinction in the legal profession. But he did not limit his talents and time to the law. His was a full life. He was active in the business community and in undertaking civic responsibilities. He worked for his church and took pride in his family—both his ancestry and offspring.

Mr. Spalding preferred the direct approach. He had no use for pretense or sham. His way of doing things was to get to the point in the shortest possible time.

We join with his many friends in expressing our condolences to his family. His going is a loss to the community, made better for his having been here.

APPOINTMENT OF HILARY SANDOVAL, JR., AS ADMINISTRATOR OF SMALL BUSINESS ADMINISTRATION

Mr. SCOTT. Mr. President, on behalf of the distinguished Senator from Texas (Mr. TOWER), I ask unanimous consent to have printed in the RECORD a statement by him relative to the appointment of Hilary Sandoval, Jr., to be Administrator of the Small Business Administration, and an address delivered by Mr. Sandoval before the Interracial Council for Business Opportunity for Greater Washington.

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

STATEMENT BY SENATOR TOWER

With the great exodus of Texans from Washington last January, I was particularly gratified when President Nixon appointed a friend of mine from El Paso, the Honorable Hilary Sandoval, Jr., to the important post of Administrator of the Small Business Administration.

As a member of the Banking and Currency Committee, I am fully aware of all SBA programs and the tremendous potential they have to contribute to our nation's economic growth and well being.

I know that we are all interested in Hilary Sandoval's operating concepts and the general policies he will adopt as he picks up the reins to guide this small but most significant Agency during his tenure. I believe that these concepts and policies were enunciated last Friday when my good friend from El Paso spoke before the Interracial Council for Business Opportunity for Greater Washington.

STATEMENT OF HON. HILARY SANDOVAL, JR.

There has been a lot of talk this week about big business. Talk about the growing concern that big corporations are becoming bigger. Concern over the fact this trend could have on our competitive system of free enterprise.

I want to talk to you today about small business. But I think it's important to mention at least briefly, the effect this big business trend could have on small business if it continues.

First of all, it would place too much economic power in the hands of too few people.

But aside from that, it could mean less competition.

Fewer firms from which to choose the kind of product you want to buy—a greater chance you'll pay a higher price than you would with more firms competing for your business—and a lesser chance to start a new business.

What's the answer?

I don't really know. I wish I did. I do have an idea that I think will help however.

And that is to increase the strength and effectiveness of the nation's small businesses.

That alone won't stem the tide of big companies becoming bigger. But it will strengthen competition and will, I think, help preserve our free enterprise system.

And that's my goal—the objective I've set for the Small Business Administration—to help increase the strength and the effectiveness of small business.

How do you reach that goal?

You know there are over five million small businesses in the country and they account for about 30 percent of all of the jobs and some 40 percent of the total output of the nation's businesses.

So it's a sizeable task.

Many of these firms don't need our help. Others don't want our help.

So one of our first jobs is to find out which firms need and want our help and then make certain they get the kind of help needed.

We also have to tell small business what kind of help they can get from SBA.

I think we can do a much better job than we have in the past in letting small businesses know what SBA is and what it does.

I suppose the great majority of people who do know something about SBA believe the agency is strictly a lender—a place to go and get loan.

We do make loans, when we have funds available but it isn't always as simple as walking into an SBA office and getting the money.

I know, because 13 years ago I walked into SBA for a loan and was turned down.

Today we have to be very selective about making loans. The prime interest rate has recently jumped to 7½ percent and that means banks have to be more selective in meeting their customers demands and may have less money to make loans with our guarantee.

Last year, SBA was one of several agencies that had its budget reduced as a result of the six billion dollar budget reduction. So our funds are limited.

But while we may find it difficult at times to make a small firm a loan, that doesn't necessarily mean we can't be of some assistance.

We may for instance, do small firms a service by advising them to forego expansion plans until the money market is most favorable or until the time is ripe for them to undertake expansion.

We also can do them a service if we try to find out what kind of loan the firms need—or thinks it needs—and guide them to the right sources of funds, a bank or a venture capital company.

I think that many times a firm fails to get the financing it needs simply because it doesn't know what type of money it needs.

Or, it doesn't know the right place to look for it. There are the right and the wrong places to look for short-term funds, capital expansion funds and equity money. The trick is to find out what kind of money is needed and go to the right sources.

I think what I am saying, is that probably the most important help we can give small business is management help.

I think one of the most important things the SBA can do, is to round up the very best counsel and advice we can find and make it available to small business.

We've already got a pretty good start in that direction.

I think we have useful and informative management publications. But we can use them to better advantage. And I do know something about the publications business.

I believe our workshops and seminars and training courses are helpful. But we can and will make them better.

Our personal counseling service is helping small firms but I think we can expand them so that we reach the very small and the new businessmen.

I would like to expand our SCORE program to include business executives at mid-career who have not yet retired but want to help.

Management advice from experienced businessmen is going to be vital in our efforts to help the minorities start their own businesses.

And in that regard, I'd like to say that in support of President Nixon's efforts, minority enterprise is going to have our special attention at SBA.

I do want to make it clear that we're not interested in playing the numbers game. We're not going to make loans for the sake of showing off our statistics.

We want a good track record but one with substance and foundation.

I think one of the worst mistakes we can make is to give false hopes by making loans to people who have no qualifications to go into business and no chance of succeeding in business.

I'd rather tell these people no at the outset. The fact that a person has been pushed aside whether it be in starting a business, receiving an education or some social reason, is not in itself a reason to expect Government money to go into business—and I know a little bit about people being shoved aside because of race or ethnic background.

But it's cruel and doesn't serve any constructive purpose to encourage people you are virtually certain are going to fail. We're going to make loans and give management help to minority groups but we want them to have a reasonable chance of success. A reasonable chance to build a strong competitive business that will provide them with a good living and make a solid contribution to the economy.

And we are not going to have just one special program for minorities. We are going to use all of the services we have at SBA to try and help encourage minority businesses.

And it won't make any difference if the person is black or brown or yellow or white.

I'm very proud of my heritage as a Mexican-American. And I know black-Americans, Chinese-Americans and other "hyphenated" Americans are proud of their heritage.

Personally I don't like labels. But I suppose it's inevitable that we have them. So if we have to have labels I would hope that I can say at SBA we are helping establish a new group—labeled "Successful-Americans."

If I can sum up I think it would be this way:

We can help small businesses that need our help if we improve the way we do our job at SBA. If we increase the efficiency of our own operation we will increase the strength and effectiveness of small business.

And then I hope we will hear more talk and see more concern about small business. More talk about the success small business is having—more concern about the contribution small firms make to a healthy economy and more awareness that small business is a cornerstone of our free enterprise system and the hope of many Americans to be their own boss and have a hand in guiding their own destinies.

DWIGHT D. EISENHOWER INTER-STATE HIGHWAY

Mr. MATHIAS. Mr. President, immediately after the Easter adjournment, I intend to introduce proposed legislation to designate Interstate 70 as the "Dwight D. Eisenhower Interstate Highway."

Interstate 70 reaches from coast to coast through the very heartland of America. It passes just outside Abilene, Kans., General Eisenhower's hometown and final resting place. It is also the interstate route from Washington toward Camp David, the Presidential retreat which President Eisenhower named and enjoyed, in the Catoctin Mountains of Maryland.

President Eisenhower was the father of the Interstate Highway System and listed its creation among the great achievements of his Presidency.

Naming I-70 the "Dwight D. Eisenhower Interstate Highway" would be a particularly appropriate memorial to the General, who in a very real sense brought the entire Nation together in the cause of peace and freedom.

Before introducing the bill, I will invite cosponsorship of it by all Senators from the States through which Interstate 70 passes.

TRIBUTES TO MARVIN WARNER AND JOE KANTER

Mr. SPARKMAN. Mr. President, a good many years ago now I knew a young man in Birmingham when he first came out of the University of Alabama. He had virtually no capital but rather than to accept a position that was offered to him by a good friend, at a salary which was not attractive to him, he ventured to join with another young man and go into the homebuilding industry in a very modest way. These two young men were successful and built house after house and finally moved to multiple housing units and to high rise apartment buildings. Still later, they expanded their operations into other cities of the United States in which they were highly successful and became one of the most outstanding building firms in the country.

I refer to Marvin Warner and to Joe Kanter, both of whom now live in Cincinnati, Ohio.

By the way, on April 26 Joe Kanter's hometown of Tarrant, Ala., is celebrating Joe Kanter Day.

Marvin Warner, during the past session of the United Nations General Assembly, served as a member of the U.S. delegation. All of the reports that have come to me are to the effect that he did a wonderful job. He is a public spirited citizen who can be counted upon to do a good job in every instance.

A few days ago the Enquirer wrote a very nice editorial about Marvin Warner. 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:

MARVIN WARNER: HUMANITARIAN

The designation of Marvin L. Warner as the recipient of the man of the year by the

Cincinnati Committee, State of Israel Bonds, represents another distinction for one of the Queen City's ablest, most aggressive business and civic figures. The award—named in honor of Herbert H. Lehman, former governor of and senator from New York—will be presented to Mr. Warner at a dinner on March 30 at the Sheraton-Gibson Hotel. That occasion will be notably enhanced by an address by former Vice President Humphrey.

Mr. Warner's record in the Queen City includes identification with a wide variety of business and civic causes. Most recently, he has brought distinction to Cincinnati and to himself as a member of the U.S. delegation to the United Nations General Assembly.

The Enquirer is pleased to join in saluting Mr. Warner as a humanitarian and a civic leader.

DWIGHT EISENHOWER WAS TRULY AN INSPIRATION TO AMERICANS

Mr. RANDOLPH. Mr. President, the world has been made poorer in recent days by the passing of Dwight Eisenhower.

So much has been said about General Eisenhower that it is difficult to speak of him without being repetitious, for such was the character of the man that he inspired warm affection and genuinely felt tributes.

Former President Eisenhower was a unique individual, particularly in this tormented age in which we live. His life was the embodiment of the virtues which we were taught in school as comprising the American character and which today seem too often to have been forgotten. He was a reminder that there is yet a place for honesty, virtue, hard work, good cheer, and simple faith. He proved that these values are compatible with our complex and troubled civilization of the late 20th century.

The continuing esteem in which he was held after his Presidency and the outpouring of feeling which we have witnessed since his death are proof that the American people, and people everywhere, yearn for an orderly and peaceful existence, not necessarily for a return to an earlier day.

Dwight Eisenhower's record as soldier, educator, and President can and will be debated for years. But the enduring memory of the man will rest not on what battles were won or what laws were passed under his guidance so much as on his ability to unite, inspire, and calm those who looked to him for leadership.

This was the true and unquestioned genius of Dwight Eisenhower.

HOW TO SAVE \$9 BILLION

Mr. HATFIELD. Mr. President, we have heard much in recent months, often in connection with the proposed ABM system or F-111 aircraft, about wasteful defense contracting policies. More recently we have been told by President Nixon that the 10-percent income tax surcharge will have to be continued in order to counteract inflationary pressures in our economy. The latest figure on cost-of-living increase was 4 percent last month.

However, most economists and many political observers have long argued that

budgetary reductions are a more effective means for reducing or preventing inflation. At this time I wish to introduce into the RECORD a provocative article by Robert Benson published in the March issue of Washington Monthly which suggests how these savings can be realized. The article, entitled "How the Pentagon Can Save \$9,000,000,000," directs its criticism at an apparent policy of slovenliness in the conduct of defense contracts. The author suggests that the budget cuts could be made without affecting either our national security or the war in Vietnam. As a former member of the Office of Assistant Secretary of Defense—Comptroller—Mr. Benson has a unique background in these matters that makes his comments especially knowledgeable.

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

HOW THE PENTAGON CAN SAVE \$9,000,000,000 (By Robert S. Benson)

I have a modest proposal.

I should like to demonstrate, in as brief and as simple a way as the complexities permit, how \$9 billion can be cut from the Pentagon budget without reducing our national security or touching those funds earmarked for the war in Vietnam.

Let me emphasize at the outset that this is truly a modest proposal, offered from an earnest belief in its practicality and with the conviction that savings from its adoption could be applied to our fiscally undernourished concerns for human opportunity.

The process by which the Pentagon budget—as well as the rest of the federal budget—is shaped and reviewed is a strange and not always wonderful thing. Any new program is usually given thorough scrutiny in Congress: debate rages over the program's purposes and over the level of funding required. Once it is accepted, however, only the funding level is certain to receive continuing Congressional attention. A nation's needs change, but rarely is a program's reason for existence ever challenged again, either in the executive branch or on Capitol Hill. On the contrary, its administering agency and its Congressional advocates, cheered on by its beneficiaries, strive to perpetuate or expand it, seldom pausing to ponder whether it is still worthwhile or whether something else is needed more.

The process can be insidious. Man, the social animal, takes comfort from acting in accord with the wishes of friends and associates. But over years of advocacy he loses some ability to discriminate to relate the particular to the whole. In the case of Pentagon outlays, the built-in protection inherent in established programs often achieves invulnerability.

Because a mystique of secrecy and complexity surrounds the Pentagon, most Americans feel uncomfortable, or even vaguely unpatriotic, if they question any part of the military budget. But the fact is that the federal budget's provisions for defense far exceed our national security requirements. Although not many Americans realize it, a great deal of information about the threats to our security (and the forces we procure to meet them) can be gleaned from unclassified papers: budget statements of the President every January, annual posture statements by the Secretary of Defense, transcripts of Congressional hearings, and articles in the newspapers. Any serious student will soon discover that items in the defense budget, as in any other, range from fundamental to marginal. The difference is that in the Pentagon budget (a) vastly larger

sums are involved, and (b) far less Congressional scrutiny is applied to them.

I

Using the sources above, my two years of experience in the Comptroller's office of the Department of Defense, and my own judgment of the issues, I hope first to outline how the budget can be trimmed by \$9 billion and then proceed to a discussion of the weaknesses in the system which allowed this fat to survive even in the cost-conscious regime of Robert S. McNamara.

In our budget-cutting exercise these ground rules will apply:

None of the cuts is related to the war in Vietnam.

None of the cuts would impair our national security requirements.

All of the cuts are in what the Pentagon calls ongoing core programs.

All of the cuts could be effected within the next 24 months, which would allow the savings to be applied rather quickly to unfilled domestic needs.

The focus is on areas where forces or weapons systems are either duplicated or outmoded, where an enemy threat is no longer credible in today's political and technological environment, or where money is being lost through grossly inefficient performance.

Perhaps the best place to begin is with the Manned Orbiting Laboratory, which receives half a billion dollars a year and ought to rank dead last on any rational scale of national priorities. The MOL, a carbon copy of the National Aeronautics and Space Administration's spacecraft operation, is in the budget because the Air Force wants a piece of the extraterrestrial action, with its glamor and glory, and Congress has been only too happy to oblige.

Although there have been valiant attempts to make the MOL seem different, Pentagon space research is alarmingly similar to that of NASA. Listen as Dr. Alexander H. Flax, Assistant Secretary of the Air Force for Research and Development, tries to draw the distinction for members of the House Appropriations Committee:

"If you view the objectives of these programs as being simply to get data on humans exposed for some period of time, I think you have to conclude that there is a great deal of duplication, but I tried to make the point that our objective is primarily to test equipment, not humans. The humans interact with the equipment, of course."

True, there are potential military uses for space vehicles. But little thought appears to have been given to whether a separate program was required or whether the same results could have been achieved through slight adjustments in the parallel NASA activities. The MOL program is duplicative and wasteful. Of the \$600 million requested for it last year, Congress approved all but \$85 million. This year's budget calls for \$576 million. I would strike all of it. Saving: \$576,000,000.

As for grossly inefficient Pentagon performance, the most obvious example is manpower management and utilization. Manpower is the single largest commodity the Defense Department buys; this year, the Pentagon will directly purchase the services of nearly five million Americans. Assuming an average of \$7,000 each in pay, allowances, and supplementary benefits, the department payroll is about \$34 billion, of which about \$22 billion goes to military personnel and \$12 billion to civilians.

The Pentagon has little direct control over the costs of its civilian personnel, who are recruited mainly through a government-wide civil-service pool. But its control over military personnel is complete, covering not only the \$22 billion payroll but also about \$7 billion annually in training costs and near-

ly \$2 billion in moving expenses for men changing assignments.

Most men enter the armed forces either because they are drafted or because they enlist in preference to being drafted. All enlisted men entering the service receive basic training, which in the Army takes eight weeks and costs about \$1,000 per head. After advanced training in a specialty, these short-term new servicemen generally spend the rest of their hitches on assignments requiring that specialty.

A more flexible training policy would not employ such a lockstep approach. Some basic training is needed for everyone, and combat infantrymen certainly need the full eight weeks. But not all of the Army's 535,000 new soldiers this year will serve in combat, and four weeks would suffice for the others. The Navy and Air Force have already abbreviated their basic training; for the Army to do so would yield, in direct training savings alone, \$50 million. Saving: \$50,000,000.

Although the pattern of training and assignments for officers is far different, even greater economies are possible—and with a clear gain in individual job performance. After initial training, which is more diverse than it is for enlisted men, almost every officer is shuffled around through an amazing variety of assignments and further training designed to give him enough breadth of experience to become Chief of Staff some day, often at the sacrifice of obtaining no deep experience in any one field. The expectation is that every seasoned officer can lead an infantry battalion through a swamp on one assignment, promulgate personnel promotion policies behind a Pentagon desk on the next, and discuss black separatism with Ethiopians as a military attache in Addis Ababa a year later.

In this age of specialization, such a philosophy is anachronistic and expensive. No efficient business would move its men around in so illogical a pattern. By perpetuating the illusion that every officer can aspire to the top organizational position, rather than screening the candidates earlier in their careers, the services suffer from having an excessive number of men struggling to learn totally unfamiliar jobs. Moreover, today's technological and analytical complexities demand the development of specialists whose entire experience is focused on performing one particular function well. By attempting to fill the growing number of specialist slots with generalists, job performance diminishes for all.

If we were to reduce by a modest one-fourth the present number of assignment changes (whereby servicemen move almost once a year), the annual saving in transportation and moving costs alone would be slightly over \$500 million, to say nothing of the improvement in work effectiveness. Saving: \$500,000,000.

A further saving can be accomplished by changing the way the military calculates individual manpower requirements. Unlike business, which requires work units to absorb the impact of absences, the Pentagon includes a cushion to compensate for men absent on leave, in the hospital, in school, and en route to new assignments. And the military's 30 days of annual leave—which all servicemen get—is far more than the norm for civilian work forces of comparable age and experience, even acknowledging that the 30 days includes weekends. The military argues that this amount of leave time is compensation for being on duty 24 hours a day, seven days a week—but this is a myth long in need of explosion. Except for those at sea and in Vietnam, most military men work evenings or weekends no more and no less than civilians do. Cutting leave time to 20 days a year—with the exception of men on hardship duty overseas—would reduce the total armed forces manpower requirements

enough to save \$450 million annually. Saving: \$450,000,000.

Thanks to Beetle Bailey, *Catch 22*, and the fact that so many Americans are veterans, the supernumerary theory of military staffing has had great visibility. But an area of far greater inefficiency—supplier performance on large weapons system contracts—draws almost no attention at all. This is especially serious because the same contractor who can be extremely efficient under the conditions imposed by the private competitive marketplace can waste millions when working under a government contract. Few Americans are aware that about 90 per cent of the major weapons system that the Defense Department procures end up costing at least twice as much as was originally estimated. Some of this cost growth comes from Pentagon-ordered changes in design or configuration, but much of it results from inefficient contractor practices or from his knowledge that the government will underwrite his excessive overhead.

It is up to the government, therefore, to impose on a non-competitive defense contractor the same cost discipline that the contractor would be forced to impose on himself in a competitive situation. Instead, the present procurement system is geared almost exclusively to securing timely delivery and good technical performance. Cost comes last.

The engine contract for the controversial F-111 fighter-bomber offers a classic illustration of what happens to costs after a decision is reached to proceed with procurement.

An aircraft of this kind has three major components: airframe (wings and fuselage), avionics (electronic navigation and weapons-guiding gear), and engines. For a technologically advanced fighter-bomber, the airframe will account for about 55 per cent of total cost, avionics 25 per cent, and engines 20 per cent. The initial F-111 contract for 2,053 engines was awarded to Pratt & Whitney on the basis of an estimated cost of \$270,000 per engine. Today the engines are expected to cost more than \$700,000 each.

In the F-111 case, and in general, four major factors account for such cost escalation:

1. The Buy-In. Our procurement system encourages contractors to play the game called "buy-in." The rules are simple. Contracts are awarded to the company which offers the lowest bid with a straight face. Later cost overruns may bring a mild reproach or a stern reprimand, but they will not prevent the contractor from getting enough money to cover all his costs and pocket a profit. A contractor rarely takes these reprimands seriously; he knows that his competitors have similar experiences. Besides, the procurement officials have told him to worry about performance and prompt delivery, not about cost. So the buy-in game produces initial cost estimates that everyone knows are unrealistically low.

2. Design Changes.—From the time bids are requested on a new weapons system until final delivery, a great many changes in design specification develop. These changes are often initiated by the Defense Department, although some reflect contractor production problems. In either case, the costs change—usually justifiably, but almost always upward.

3. Volume.—Changes in volume are even farther beyond the contractor's control. In large contracts, economies of scale are often achievable; if a weapons system is found highly useful, as was the F-4 fighter, and more units are ordered than were initially planned, the later unit costs are lower. In the case of the Air Force F-111, however, cancellation of British orders and the Congressional decision to kill the Navy version

reduced the number of aircraft to be purchased, thereby raising the unit cost.

4. Sheer Inefficiency.—These costs arise because a contractor has slipshod purchasing procedures, poor scheduling of men and machines, ineffective work standards, or other managerial deficiencies. Such extra costs would be a threat to a company's survival in the competitive private marketplace; they should not be tolerated in defense procurement.

In calculating how much of the F-111 engine's cost growth was due to this intolerable fourth factor, we need to begin by figuring how much the first three factors cost.

We know that the original \$270,000 estimate was artificially low. Allowing for buy-in fibbing and for some early required changes in design, an initial figure of \$450,000 would have been more realistic. Later design changes may have raised the allowable price to \$500,000. But the contractor's final estimate of \$700,000-plus, made after the British action but before the Congressional cutback, probably should not be adjusted for volume changes, because the British buy was to have been proportionately very small and there are good indications that this actually enabled Pratt & Whitney to disengage itself from some expensive subcontracts. So unjustifiable contractor inefficiency amounted to around \$200,000 per engine.

It could have been worse. Past practice in such cases, where the government is dealing with a single supplier rather than with several competitors, has been to accept whatever price is commensurate with the costs the supplier has incurred, regardless of how efficient or inefficient he is. But, in an unprecedented action, the Defense Department ordered an investigation of Pratt & Whitney operations to determine how much such an engine ought to cost if produced under efficient manufacturing procedures. After that, the Navy—which had contract responsibility for all F-111 engines—took the further unprecedented step of unilaterally setting the price it intended to pay. Indications are that the Navy compromised its position somewhat after some hard bargaining, but the final contract did reduce by about 15 per cent the price proposed by the company, which customary procedure would have accepted outright. This saved the government roughly \$200 million.

Two other good examples of spiraling costs were described in recent hearings before the Congressional Joint Economic Committee. A. E. Fitzgerald of the Defense Department reported that the C-5A transport may cost \$2 billion more than the original contract ceiling of \$3 billion; yet when Defense negotiated the contract with Lockheed, then-Secretary of Defense Robert S. McNamara described it as "a model method of doing Defense business . . . a damn good contract." In another case, retired Air Force Colonel Albert W. Buesking, a former financial officer for the Minuteman intercontinental ballistic missile, said the Minuteman contractors received a 43 per cent pre-tax profit based on net worth, or about twice the normal industrial return; he estimated that defense contract costs are 30-50 per cent "in excess of what they might have been under conditions of competitive-type commercial environment."

Conservatively assuming that aerospace and shipbuilding contractors harbor an inefficiency of 15 per cent, and figuring that the average annual amount provided for research and procurement of such systems over the past three years is about \$17.9 billion, then wiping out the inefficiency would annually save the government \$2.7 billion.

This is no pipedream. It requires no dramatic breakthrough in management techniques. Such savings could be achieved quickly if the Secretary of Defense and the Secretaries of the individual services resolved

to focus the energies of their top financial and engineering men on procurement of these major weapons systems. What is needed is some truly independent cost-sleuthing into contractors' operations, with firm backing from top Defense management for appropriate follow-up efforts. Saving: \$2,700,000,000.

The most fruitful way of all for saving defense dollars is to eliminate forces which no longer pack a credible punch or which were designed to meet a threat that is no longer credible.

The Navy's Polaris/Poseidon fleet ballistic missile program is vital to our national security. But the Navy's three primary and independent conventional warfare missions—tactical air, amphibious operations, and shipping protection—are overequipped, as are their associated support units. Current force levels cannot be justified by any potential threats. In my view, President Nixon was misguided when he decried America's loss of sea power during the campaign last fall. He made the mistake of applying the same argument the admirals use when they attempt to eternalize and expand their favorite programs: that the United States must have superiority in numbers, ship-type by ship-type, over the Soviet Navy. This is a legacy of late-1940's thinking, when it was assumed that we must always be ready to fight and win an extended war at sea. In the nuclear age, such thinking is highly unrealistic.

Fifteen aircraft carriers are presently assigned to the Navy's tactical air mission. Since the wallop they pack is purely the firepower of their aircraft, they should be compared with the alternative means of delivering that firepower—Air Force tactical aircraft. Carriers can deploy quickly to areas where we have no airfields, and they are safe from insurgent attacks (though they now appear to be vulnerable to Russian Styx missiles). But this flexibility comes at a high price. Independent studies place the cost of carrier-based tactical missions at three to four times that of similar missions flown from ground fields. Because of the many air bases we have built all over the world, we can rapidly deploy land-based aircraft to most areas. Carriers still play a necessary role in providing the potential to fight in a handful of otherwise inaccessible places and in meeting initial "surge" requirements for a non-nuclear war. But there is no justifiable reason to use them on extended deployments in major wars as we do now in Vietnam. Although the Defense Department will never admit it, the only reason we continue to employ carrier-based air strikes there is that the jealous Navy doesn't want to be shut out of some role in the war.

Tactical aircraft carriers could be cut from 15 to 10 without risk to the country's security. The average annual peacetime operating and modernization/replacement cost per carrier appears to be about \$120 million. Assuming that the costs of expanding Air Force tactical missions to take up the slack were one-third as much, the net annual saving from the elimination of five carriers would be \$400 million. Saving: \$400,000,000.

Marine Corps amphibious assault tactics have been used in minor contingencies such as Lebanon and the Dominican Republic, but against a major power they would be highly vulnerable to a tactical nuclear weapon. Nor are Marine forces now structured logistically for sustained combat, the type of war that Vietnam would suggest is most probable. Without eliminating any Marine troops, we could—by restricting their amphibious training and equipment and phasing out a proportionate share of assault ships—save \$100 million annually. Saving: \$100,000,000.

A classic example of continued spending for protection against a no longer important

threat is the third major area of Navy tactical forces—protection for shipping. The structuring of our anti-submarine and supporting anti-aircraft and fleet escort forces harks back to the post-World War II prospect of a sea war with Russia. If we ever do begin destroying each other's ships, there seems little prospect of avoiding escalation to nuclear war, which would make shipping protection irrelevant. Further, as various jumbo aircraft near production, the cost gap between a ton-mile of plane transportation and a ton-mile of ship transportation is narrowing. Yet instead of scaling down our protective forces, we are keeping them up and even expanding them, through last year's implausible decision to begin procuring VXX anti-submarine aircraft. Killing this program and reducing overall shipping defenses to a sensible level—four anti-submarine carriers and three air groups rather than the present eight carriers—would save an annual \$600 million. Saving: \$600,000,000.

Another major area in which our involvement is unreasonably large is our troop commitment in Europe. We have about 310,000 soldiers there now, accompanied by more than 200,000 dependents. Such a staggering share of the NATO burden was appropriate while our World War II allies struggled to get back on their feet, but they can now afford a larger load. Part of the thesis behind U.S. deployments is to make certain that any substantial attack by Warsaw Pact forces would engage American forces, thereby creating potential consequences that the Soviet Union would find untenable. But this could be assured with far fewer than 310,000 U.S. troops. Says Senator Stuart Symington (D-Mo.), a former Air Force Secretary recently assigned as chairman of a Foreign Relations subcommittee that will investigate the involvement of U.S. forces abroad: "Surely 50,000 American troops would be sufficient to make sure that no Soviet probe could succeed in Berlin or elsewhere in Europe without a direct confrontation with the United States."

In the event of a truly major Soviet attack, not even 310,000 U.S. troops plus the NATO allies' forces would be sufficient to thwart it. But both sides recognize that an assault of such proportions is likely to evoke a nuclear response.

Psychological reasons prevented us from making a major cut in our European forces close on the heels of the Russian takeover in Czechoslovakia last year. But that should not deter us from effecting the cut this year. If anything, our non-response to the Czech invasion simply reinforces the reality learned in Hungary in 1956—that the United States is not about to send troops into Eastern Europe no matter what the Soviet provocation.

Realistically, we could cut back to a total of 125,000 troops in Europe plus 50,000 at home earmarked for NATO contingencies, and cut by one-fourth the air power assigned to the European theater (a McNamara comparison shows that NATO air forces can deliver a payload more than three times greater than that of their Warsaw Pact counterparts). Altogether, these reductions would annually save about \$1.5 billion. Saving: \$1,500,000,000.

The final two programs of questionable value—the SAGE-Air Defense Command system and the Sentinel antiballistic missile system share some common characteristics. Both are defensive, in an age when the balance of terror rests on offensive missile strength. Both encompass a detection function and an intercept guidance function. And numerous technical experts express serious doubts about the potential operational effectiveness of either.

SAGE represents yesteryear's attempt to defend against the Soviet version of our Strategic Air Command. It is widely con-

ceded that the Soviets have grounded their bomber development efforts and no longer pose their primary strategic threat in this area. Nonetheless we persist in trying to further refine our bomber defenses, when in fact we have already achieved a satisfactory capability in the detection sphere. Moreover, SAGE's role as a guide to interceptor pilots is rather superfluous, given its imperfections and our primary reliance on a strong offensive deterrent. Some reductions have already been effected in the Air Defense Command, but conversion from a full defensive system to purely a warning system ought to save \$600 million annually. Savings: \$600,000,000.

If SAGE is intended to sustain a mostly futile yesteryear system, the Sentinel ABM represents a misguided attempt to provide protection tomorrow. Against the destructive power of the missile, our best defense is a good offense. Particularly tragic is the staggering cost of a full-blown "thin" Sentinel system. Because it is so expensive, and the work is therefore parceled out to many Congressional districts, many politicians have favored it. It therefore may be difficult to stop before we have spent \$40 billion. However, the Sentinel program faces increasingly fervent opposition in the Senate this year—partly because residents in four cities where ABM sites are being developed have objected so loudly.

Sentinel would make some sense if it truly promised blanket protection against strategic offensive missiles. But it doesn't. As Secretary McNamara said in a speech in San Francisco 18 months ago: "... any such system can rather obviously be defeated by an enemy simply sending more offensive warheads, or dummy warheads, than there are defensive missiles capable of disposing of them."

Secretary McNamara opposed the Sentinel but President Johnson overruled him and decided to proceed with the program. Today we are on the road toward building a \$5 billion ABM system, ostensibly for protection against Chinese missiles—as yet undeveloped—should Peking miscalculate our potential response and attack us.

It seems unrealistic not to expect the Soviets to perceive the \$5 billion "thin" Sentinel as a first stage in a \$40 billion "thick" defense against themselves. Senator Richard B. Russell (D-Ga.) said as much last year when he was chairman of the Senate Armed Services Committee: "... there is no doubt that this is a first step in a defense system against an atomic attack from the Soviet Union." Yet all seven of the men who have served over the past decade in the jobs of Science Adviser to the President or Director of Research and Engineering in the Defense Department have recommended against deployment of a "thick" ABM system designed to protect our population against a Soviet attack.

By halting the Sentinel now, before it acquires irreversible momentum, we could save \$1.8 billion this year, not to mention vastly larger sums during the next decade. Saving: \$1,800,000,000.

The items above do not exhaust the list of things to cut—there are other savings to be made in such areas as mapping operations, the reserve forces, logistics—but the total here will serve as a start. It amounts to: Total savings: \$9,276,000,000.

II

If all these Pentagon budget cuts are so obvious, why didn't the cost-conscious McNamara regime push them through? Did the Whiz Kids fail? Were they really trying? I think a fair assessment would have to conclude that they were trying hard but were only partly successful, for five basic reasons.

First, McNamara's Band was greatly outnumbered by experienced adversaries bound together by a shared goal—more and bigger military programs. All the elements in this military-industrial-Congressional com-

plex are served by an enlarged defense budget, though their motivations are different. Industry wants greater sales and profits. The military wants expanded power, plus the assurance that they will be on the forefront of technology. Congressmen respond to pressure from contractors and military employees in their districts, and those on the military committees yearn for the prestige and power that comes from presiding over a bigger slice of the federal pie. The combination made life difficult even for a man as strong and courageous as Robert McNamara.

Second, in selecting systems to analyze for effectiveness, the Whiz Kids chose to concentrate on the relatively uncluttered strategic programs instead of digging into such fat and messy activities as we have catalogued here. Within their selected framework, they generally performed technically sound, objective initial analyses. Once they arrived at a position, however, they too often "overdefended" their conclusions; that is, they were unwilling to reassess them against subsequent cost experience, technological advances, or a changing international political environment. For example, the current structuring of our programmed airlift/sealift needs emanates from a carefully developed linear programming model. This model attaches a high value to rapid deployment, stemming from an early 1960's Europe-oriented study which showed high benefits in terms of political bargaining power and casualty minimization. This analysis still makes good sense in Europe, but now appears grossly misapplied in Asia. Yet nothing has been done to revise the high value placed on rapid deployment. Such a change would point to a different desired mix of airlift and sealift.

Third, the Defense Department's budget review process concedes too much at the beginning. Last year's budgeted amounts are generally taken by everyone as this year's starting points. This practice ignores the possibility that fat crept into preceding budgets or that some of last year's activities are now outmoded. Consider, for example, the subject of training, in which the armed services have been pioneering for years by applying new technology to education. This area should be a prime candidate for frequent review from the ground up (what the managers call "zero-base" budgeting). Rather, the Defense Department budgeting process virtually concedes last year's amount and focuses on whatever incremental changes have been requested. The result, of course, is higher budgets, with past errors compounded year after year.

A fourth limitation also derives from the planning and budgeting system. Discussions about the desirable level of various forces are conducted in terms of numbers of things—missiles, carriers, fighter wings. This flows naturally out of intelligence estimates of enemy forces and subsequent analyses of how much counterforce the United States needs to nullify them. Approval is then given to the Air Force to buy 40 more fighters or the Navy to buy four more submarines, each with specified capabilities. But carrying out such purchases is not like walking into an automobile showroom and asking for a yellow Plymouth Belvedere sedan with power steering. As a submarine is built, many unanticipated choices present themselves; they involve different levels of effectiveness or convenience for different levels of dollars. Inevitably the generals and admirals want to buy as much capability as possible; it is almost always more than is required to meet the threat. For want of adequate follow-up by top procurement officials, the generals often have their way.

Finally, the President and the Budget Bureau have shied from making public any meaningful comparisons between military and domestic programs. Systems analysis, the

technique that aims to measure the relative national worth of results obtained from alternative programs, cannot precisely compare the benefits to be gained from highly diverse activities. Yet inexact as such comparisons may be, the Budget Bureau does make them and present them to the President from time to time. If the President, for his part, were to discuss national priorities more frequently and candidly with the public, then Congressmen might be less likely to base their judgments on the only other available view—that the present balance of activities is about right.

The present balance of activities is anything but right. Unmet national concerns for human opportunity and the quality of life require an investment even larger than the amount that would be freed if all of the Pentagon reforms outlined in this report were carried out.

Perhaps the clearest, most thorough delineation of these high-priority social needs is found in the report of the National Advisory Commission on Civil Disorders. To redress root causes of despair and frustration, the Commission recommended a long series of measures which, if enacted in full, would cost between \$13 billion and \$18 billion a year over their first several years.

The only way to begin addressing these unfilled needs is to take money away from Pentagon programs that must rank lower on any rational national-priority scale. Examples provide compelling support for this argument. We have such choices as:

Funding the Manned Orbiting Laboratory—or providing Upward Bound summer courses for the 600,000 additional ghetto students who have the potential to go to college;

Spending this year's Sentinel funds—or training 510,000 more hard-core unemployed;

Continuing to operate one of the marginal tactical aircraft carriers—or training and supporting 20,000 more Teacher Corps members;

Maintaining our full troop complement in Europe—or diverting an additional \$10 million to each of 150 Model Cities;

Permitting excessive contractor costs to flourish unchecked—or providing Head Start education for 2,250,000 more children, plus enough school lunches to feed 20 million children for a whole year.

These alternatives are real and immediate. They do not represent wishful dreaming. The choices are up to Mr. Nixon, to the Congress, and ultimately to ourselves.

RICHARD B. RUSSELL: THE EPITOME OF A U.S. SENATOR

Mr. RANDOLPH. Mr. President, it has been only 3 months since the distinguished Senator from Georgia, RICHARD B. RUSSELL, was elected to be the President pro tempore of this body. His long years of faithful service have made him richly deserving of this honor, but his election does not mean that those of us in the Senate were previously unmindful of his contributions in this Chamber to our country.

Indeed, the respect and affection we have held for Senator RUSSELL in our day to day associations with him is indicative of the esteem in which we hold this Georgian.

RICHARD RUSSELL is one of those rare individuals whose whole life is devoted to his work. He is totally immersed in the noble calling of public service as few citizens before him have been. The Senate is his life, and he serves it well.

As do many men, Senator RUSSELL once aspired to even greater service. It was

my privilege, as a delegate to the Democratic National Convention in 1952, to vote for Senator RUSSELL as my party's nominee for President. He was denied the opportunity to lead the Nation from the White House, but we are fortunate that he has continued to make his superb talents available in this legislative body. As a man wise to the ways of the world, he was not embittered but, to the contrary, has sought to take on even greater responsibilities in the Senate and discharge these duties with exceptional distinction.

If any new Member were to wonder whom among his more experienced colleagues he should emulate, I would, without hesitation point to RICHARD RUSSELL as the model of a U.S. Senator. His wisdom and achievement; his understanding and character are preeminent, and I look forward to his continued leadership.

AMERICA'S YOUTH WALK FOR DEVELOPMENT—STATEMENT BY SENATOR GOODELL

Mr. SCOTT. Mr. President, on behalf of the distinguished Senator from New York (Mr. GOODELL), I ask unanimous consent to have printed in the RECORD a statement prepared by him on the constructive effort which young people are making to deal with the problems of welfare today.

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

AMERICA'S YOUTH WALK FOR DEVELOPMENT (Statement by Senator CHARLES E. GOODELL)

If one were to pick up almost any recent newspaper, there would be, on the front page, a story about youth in America, and there would probably be a story about hunger in our country and abroad. It would not seem, upon first reading, that these two stories were in any way related. But they can be.

On May 4 in Buffalo, New York, and later in the month in Syracuse, the youth of the state of New York are going to identify with this problem of human hunger and youth's concern about it. They will be using a technique developed by the American Freedom From Hunger Foundation to channel the concern and energy of our young people for the betterment of mankind. The Youth Committee in Buffalo has chosen to support for their overseas projects a Biafra Rehabilitation Proposal and funds for a credit program among the Indians in the highlands of the Andes. Their domestic projects will be to assist a coop project in the inner city of Buffalo and support for a malnutrition project in Beaufort County, South Carolina.

In Syracuse the domestic project will be a day care center administered by a group affiliated with the Office of Economic Opportunity in Syracuse. Their overseas projects will be support of the Peace Corps School Partnership Program in Ghana and Botswana and they are presently narrowing their choice between several Food and Agriculture Organization projects probably involving rural youth leadership through 4-H Clubs either in Africa or Latin America.

It is important to repeat that while they rely for advice on the American Freedom From Hunger Staff, the meaningful decision-making is left in the hands of the committees in the communities themselves.

The Foundation has helped to organize high school and university students all

across the country in a "Walk for Development" program. In a Walk for Development, young people demonstrate their concern over malnutrition and hunger by walking over a predetermined route—normally 30 to 35 miles—through city and suburban streets. They walk to show their concern and to obtain sponsors in their home town. These sponsors agree to pay them so much a mile for every mile hiked during the Walk. Forty-two point five percent of the funds raised go to a domestic project, 42.5 percent goes to an overseas project, and 15 percent goes to the Freedom From Hunger Foundation to enlarge the nation's consciousness of the food crisis and deepen America's motivation to help. The projects to be supported are selected by the young people involved with the advice of the Foundation staff.

So far, these Walks have benefited such domestic causes as the United Tribes of North Dakota Development Corporation, the Great Lakes Inter-Tribal Wild Rice Cultivation Co-op, the Mille Lacs Indian Reservation Project, the Southern Ute Community Action Program, a language improvement program for Mexican-Americans, several Child Day Care centers, a Community Center for an Inner-City Black Community and a Rural Mexican-American Community, and several consumer education and training programs. In other countries, the Walks for Development have aided food production and agricultural education projects in Dahomey, Ecuador, Liberia, Gabon, Madagascar, South Korea, and Peru. The Walks have also provided assistance to an irrigation project administered by the Meals for Millions Foundation in Peru and various agricultural development projects administered by the United Nations Food and Agriculture Organization.

To date, Walks have been held in Fargo and Grand Forks, North Dakota; Madison, Wisconsin; Duluth, Minnesota; Boulder, Colorado; Palm Springs, California; Eugene, Oregon; Hollywood, Florida, and Austin, Texas. Funds are still being collected, and the returns from the recent Walks in Austin, Texas and Hollywood, Florida (February 22) are not yet in. Nevertheless, these young people have already collected over \$140,000.00!

How are these Walks received by the citizens of the communities where they are staged? Herschel Lashkowitz, Mayor of Fargo, North Dakota at the time of the Walk in that city said:

"I can state that the march was well planned and carefully executed and had the cooperation of the City officials of both Fargo, North Dakota and Moorehead, Minnesota. I also believe that it served to focus attention on the plight of those who are experiencing hunger and has a positive effect in reaching the minds and hearts of many people."

The Honorable Ben Boo, Mayor of Duluth, Minnesota was similarly enthused:

"... I have never been so surprised or pleased with any project during my time in office. The program proved to be an exciting one for the teenagers and, indeed, even electrified the adults. We had no difficulty with control, had no injuries or damage and had a relatively small number of policemen patrolling the line of march.

"Our local teenagers were so proud of themselves and their success that similar programs are now being developed on a spontaneous note.

"Groups from various schools have already visited my office and suggested that they become involved in other civic endeavors.

"... I have learned a real lesson in that a majority of our youngsters are dedicated to such programs and can be made proud of such accomplishments."

Lester E. Anderson, Mayor of Eugene, Oregon, wrote to the Students For Eighteen-Year-Old Vote Committee:

"Just recently I have had the opportunity

to work closely with a group in Eugene involved in the "Walk for Development." It was just one more example of the great talent for work, organization, and obtaining results, based on a real interest in their community, held by most of our young citizens.

Governor Warren Knowles of Wisconsin personally sponsored a Walker in the Madison Walk:

"I feel it is especially significant that the young people of the Madison area have united in an effort to raise money for the hungry of the world. It shows that Madison teenagers *do care*. In my opinion, this walk is a constructive effort to show their interest and concern for the problems facing us today."

I wish to commend these young men and women all over America—and those who have planned with them and supported them—for this tremendous effort to do something constructive about the problems we face in this troubled age. I have been invited to be with the young people in Buffalo for the start of their Walk, and I take pride in identifying personally with this constructive program.

I think we need to be reminded that many times youth activity is not only useful, but, as demonstrated by the "Walks for Development," eminently dynamic and praiseworthy.

BACK TO SCHOOL FOR RETIRED PROFESSIONALS

Mr. MONDALE. Mr. President, our physicians and psychiatrists have been telling us for some time that retirement too often brings with it retirement shock. The average retiree has to adjust to living on a much reduced income. But much more difficult is the psychological adjustment about which he knows little or nothing. He suddenly discovers what it means not to be engaged in productive work; not to have daily contact with work associates and friends; not to be involved. In a work- and youth-oriented society he learns what it means not to be needed, to lose status. Too often he finds himself cast off, and with nothing to keep him active; lonely and isolated.

A few years ago, Mr. Hyman Hirsch recognized the pitfalls of retirement for the professional man. He recognized that retirement for most came at a time of life when they were at the peak of their maturity and creativity; when they should be in a position to reap the harvest of a useful career. He saw it as a time of challenge, a time of educational opportunities. So in 1962 he founded the Institute for Retired Professionals in the New School of Social Research, and became full-time director in 1965. He received a bachelor of arts degree from the City College of New York, a master of arts in economics from New York University, and a doctor of laws from Fordham University. He gives us the benefit of some of his thoughts on the subject of a program for professional retirees in an interview published in the January 1969 issue of *Geriatrics*.

As chairman of the Subcommittee on Retirement and the Individual of the U.S. Senate Special Committee on Aging, I ask unanimous consent that the article "Back-to-School Programs for Retired Professionals" be printed in the RECORD.

There being no objection, the article

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

BACK-TO-SCHOOL PROGRAMS FOR RETIRED PROFESSIONALS

Question to Hyman Hirsch, founder and director of the Institute for Retired Professionals: Mr. Hirsch, what do you think is the primary purpose of providing educational opportunities for persons who have retired from professional occupations?

Mr. HIRSCH. Any answers to retirement problems should take into account the person's former occupation, social status, and educational background. The composite picture of the senior citizen is a myth. The only thing all retired persons have in common is leisure time and the crux of the retirement problem is the creative use of this time. Unfortunately, most programs for the retired are merely stop-gaps and provide only diversions, such as arts and crafts, games, sports, and dancing. For the person of some education and skill, stop-gaps and diversions are not enough. I say that the answer to retirement leisure for the professional person is challenge. This type of person needs a chance for further development, for cultivating his mind, and for becoming a more skilled and more cultivated person than he was before.

Q. How does the Institute for Retired Professionals provide this challenge?

Mr. HIRSCH. Part of it is, of course, in the learning experience itself, because each semester the members take a regular course at the school and in addition attend as many of the forty groups or classes under the IRP program as they wish. More importantly, however, the institute members have the challenge of leadership.

Q. Do you mean leadership in the classroom?

Mr. HIRSCH. Partly. All discussion groups are conducted by the institute members themselves in a programmed manner. At the end of each academic year a list of topics to be discussed the following year is agreed upon by the group members, and individual members then volunteer to prepare papers on the topics or books for presentation. This is an aspect of leadership of vast importance to us. Another opportunity for leadership is within the framework of the institute's government.

Q. How does this framework operate?

Mr. HIRSCH. Even though the institute is part of the New School for Social Research, right from the beginning the development of the IRP program was left to the retirees themselves. The by-laws of IRP provide for a director, elected officers, and a council. From the onset the council has been not only a deliberative but an action group of retirees who are anxious to avoid the sterility of a governing body with a nonfunctioning membership.

Q. Has this democratic approach been successful?

Mr. HIRSCH. Definitely. I would say that self-leadership more than any other factor has been responsible for the institute's growth in six years from 65 to 500 members and from 5 to 40 discussion groups.

Q. What is the difference between traditional university courses and your groups?

Mr. HIRSCH. For adults, social relationships are of extreme importance. The usual course structure and lecture system offers little or no opportunity for socializing. The IRP continued learning groups function in a social climate. Discussions started in the classroom often carry over to the cafeteria as well as members' homes.

Q. Isn't the nation's present university structure adequate for retirees?

Mr. HIRSCH. No. The retired person returning to school does not need the same kind of school he attended forty years ago. This is not a return to second childhood and the old curricula won't do. The old concept of col-

lege only for the undergraduate and the young graduate must be abandoned and community needs reassessed.

Q. Haven't any universities made efforts to accommodate retired persons?

Mr. HIRSCH. We recently completed a study in which we learned that universities are doing very little during the day for older persons. Of course, I did not attempt to find out the courses offered in the evening or even those offered by community centers. However, the retired educated person's prime time is during the day and the prime locus is the university. As so many of us have suspected, universities have been notoriously negligent of community needs. Incidental courses now being offered to the community at large are useful, but they don't go far enough.

Q. Do you think that a university with an enrollment of two or three different generations would be successful?

Mr. HIRSCH. I may be idealistic, but I think this would be one way to close the generation gap, because all generations would meet on the basis of the pursuit of learning. As I've said, learning should not be restricted to youth, and there is mounting evidence that technology is preparing a world in which we will be life-long learners. To make our lives more meaningful we will have to recapture what George B. Leonard in *Look* (October 15, 1968) calls the "ecstasy of learning."

DWIGHT DAVID EISENHOWER

Mr. HUGHES. Mr. President, yesterday our Nation buried a great leader.

The flags are still at half-mast, but there is a strange sense of unreality about it all.

All Americans felt so close to President Eisenhower for so long, it is difficult to believe he is gone.

Of course, he is not gone in the real sense. His place in history and in the hearts of Americans is secure for all time.

We remember his brave leadership—his great contributions to his country in war and peace.

But we also remember his quick smile, his lack of pretense, his warm compassion, his special quality as a person.

He was a great leader, but above all he was a man of decency and good will.

He will be keenly missed, and our deepest sympathies are with Mrs. Eisenhower and the family.

But he will be remembered always as the prototype of the man of good will by people of all creeds and stations, the world over.

ADDRESS BY DR. GEORGE WALD

Mr. HATFIELD. Mr. President, on March 4 a speech was delivered at the Kresge Auditorium of the Massachusetts Institute of Technology by Dr. George Wald, professor of biology at Harvard and 1968 recipient of the Nobel Prize for medicine. The occasion of the speech was a gathering of more than 1,000 scientists, students, and faculty who were demonstrating their concern over the increasing domination of scientific research and development by our Federal Government, particularly the Defense Establishment. Dr. Wald's speech was one of many delivered at what is known as the "March 4 movement," but his speech, above all, put into profound perspective the implications of a nation and a world whose principal

tenets of government no longer seem to lie in the preservation, dignity, and well-being of mankind. Dr. Wald's extemporaneous speech raises basic questions about the priorities of our Nation and of governments throughout the world.

I recommend Dr. Wald's speech to anyone who feels, as I do, the pervading uneasiness and encompassing sense of fear which are becoming the basic characteristics of today's generation. We have become so completely absorbed in a frightening complex of misguided goals and misdirected power that we are in danger of neglecting our fundamental responsibility to preserve and enhance the life of every human being that inhabits this earth. As the Nobel Laureate has so forcefully stated:

We've reached a point of great decision.

I ask unanimous consent that excerpts from Dr. Wald's speech be printed in the RECORD.

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

A GENERATION UNSURE THAT IT HAS A FUTURE
(By George Wald)

All of you know that in the last couple of years there has been student unrest breaking at times into violence in many parts of the world: in England, Germany, Italy, Spain, Mexico and, needless to say, in many parts of this country. There has been a great deal of discussion as to what it all means.

Perfectly clearly, it means something different in Mexico from what it does in France, and something different in France from what it does in Tokyo, and something different in Tokyo from what it does in this country. Yet unless we are to assume that students have gone crazy all over the world, or that they have just decided that it's the thing to do, there must be some common meaning.

I don't need to go so far afield to look for that meaning. I am a teacher, and at Harvard, I have a class of about 350 students—men and women—most of them freshmen and sophomores. Over these past few years I have felt increasingly that something is terribly wrong—and this year ever so much more than last. Something has gone sour, in teaching and in learning. It's almost as though there were a widespread feeling that education has become irrelevant.

A lecture is much more of a dialogue than many of you probably appreciate. As you lecture, you keep watching the faces, and information keeps coming back to you all the same. I began to feel, particularly this year, that I was missing much of what was coming back. I tried asking the students, but they didn't or couldn't help me very much.

But I think I know what's the matter, even a little better than they do. I think that this whole generation of students is beset with a profound uneasiness. I don't think they have yet quite defined its source. I think I understand the reasons for their uneasiness even better than they do. What is more, I share their uneasiness.

AN AMERICAN INVENTION

What's bothering those students? Some of them tell you it's the Vietnam war. I think the Vietnam war is the most shameful episode in the whole of American history.

The concept of war crimes is an American invention. We've committed many war crimes in Vietnam, but I'll tell you something interesting about that. We were committing war crimes in World War II, even before the Nuremberg trials were held and the principle of war crimes stated. The saturation bombing of German cities was a war crime, and if we had lost the war, some of our leaders might have had to answer for it.

I've gone through all of that history lately, and I find that there's a gimmick in it. It isn't written out, but I think we established it by precedent. That gimmick is that if one can allege that one is repelling or retaliating for an aggression—after that, everything goes.

And you see, we are living in a world in which all wars are wars of defense. All War Departments are now Defense Departments. This is all part of the double talk of our time. The aggressor is always on the other side.

And I suppose this is why our ex-Secretary of State, Dean Rusk—a man in whom repetition takes the place of reason and stubbornness takes the place of character—went to such pains to insist, as he still insists, that in Vietnam we are repelling an aggression. And if that's what we are doing—so runs the doctrine—anything goes.

If the concept of war crimes is ever to mean anything, they will have to be defined as categories of acts, regardless of provocation. But that isn't so now.

I think we've lost that war, as a lot of other people think, too. The Vietnamese have a secret weapon. It's their willingness to die beyond our willingness to kill. In effect, they've been saying, you can kill us, but you'll have to kill a lot of us, you may have to kill all of us. And thank heavens, we are not yet ready to do that.

Yet we have come a long way—far enough to sicken many Americans, far enough even to sicken our fighting men, far enough so that our national symbols have gone sour. How many of you can sing about "the rockets' red glare, bombs bursting in air" without thinking, those are our bombs and our rockets bursting over South Vietnamese villages?

When those words were written, we were a people struggling for freedom against oppression. Now we are supporting real or thinly disguised military dictatorships all over the world, helping them to control and repress peoples struggling for their freedom.

POSTWAR ABERRATIONS

But that Vietnam war, shameful and terrible as it is, seems to me only an immediate incident in a much larger and more stubborn situation.

Part of my trouble with students is that almost all the students I teach were born since World War II. Just after World War II, a series of new and abnormal procedures came into American life. We regarded them at the time as temporary aberrations. We thought we would get back to normal American life some day.

But those procedures have stayed with us now for more than 20 years, and those students of mine have never known anything else. They think those things are normal. They think we've always had a Pentagon, that we have always had a big army and that we always had a draft. But those are all new things in American life, and I think that they are incompatible with what America meant before.

How many of you realize that just before World War II, the entire American army, including the Air Force, numbered 139,000 men? Then World War II started, but we weren't yet in it; and seeing that there was great trouble in the world, we doubled this army to 268,000 men. Then in World War II, it got to be eight million.

And then World War II came to an end, and we prepared to go back to a peacetime army somewhat as the American army had always been before. And indeed in 1950—you think about 1950, our international commitments, the cold war, the Truman Doctrine and all the rest of it—in 1950 we got down to 600,000 men.

Now we have 3.5 million men under arms: about 600,000 in Vietnam, about 300,000 more in "support areas" elsewhere in the Pacific, about 250,000 in Germany. And there are a lot at home. Some months ago we were told

that 300,000 National Guardsmen and 200,000 reservists had been specially trained for riot duty in the cities.

I say the Vietnam war is just an immediate incident, because so long as we keep that big an army, it will always find things to do. If the Vietnam war stopped tomorrow, with that big a military establishment, the chances are that we would be in another such adventure abroad or at home before you knew it.

As for the draft: Don't reform the draft—get rid of it.

A peacetime draft is the most un-American thing I know. All the time I was growing up, I was told about oppressive Central European countries and Russia, where young men were forced into the army, and I was told what they did about it. They chopped off a finger, or shot off a couple of toes; or better still, if they could manage it, they came to this country. And we understood that, and sympathized, and were glad to welcome them.

Now, by present estimates, 4000 to 6000 Americans of draft age have left this country for Canada, another 2000 or 3000 have gone to Europe and it looks as though many more are preparing to emigrate.

A few months ago, I received a letter from the Harvard Alumni Bulletin posing a series of questions that students might ask a professor involving what to do about the draft. I was asked to write what I would tell those students. All I had to say to those students was this: If any of them had decided to evade the draft and asked my help, I would help him in any way I could.

I would feel as I suppose members of the underground railway felt in pre-Civil War days, helping runaway slaves to get to Canada. It wasn't altogether a popular position then, but what do you think of it now?

A bill to stop the draft was recently introduced in the Senate (S. 503), sponsored by a group of Senators that ran the gamut from McGovern and Hatfield to Barry Goldwater. I hope it goes through; but any time I find that Barry Goldwater and I are in agreement, that makes one take another look.

And indeed, there are choices in getting rid of the draft. I think that when we get rid of the draft, we must also cut back the size of the armed forces. It seems to me that in peacetime a total of one million men is surely enough. If there is an argument for American military forces of more than one million men in peacetime, I should like to hear that argument debated.

There is another thing being said closely connected with this: that to keep an adequate volunteer army, one would have to raise the pay considerably. That's said so positively and often that people believe it. I don't think it is true.

The great bulk of our present armed forces are genuine volunteers. Among first-term enlistments, 49 per cent are true volunteers. Another 30 per cent are so-called "reluctant volunteers," persons who volunteer under pressure of the draft. Only 21 per cent are draftees. All re-enlistments, of course, are true volunteers.

So the great majority of our present armed forces are true volunteers. Whole services are composed entirely of volunteers: the Air Force, for example, the submarine service, the Marines. That seems like proof to me that present pay rates are adequate.

One must add that an act of Congress in 1967 raised the base pay throughout the services in three installments, the third installment still to come, on April 1, 1969. So it is hard to understand why we are being told that to maintain adequate armed services on a volunteer basis will require large increases in pay; they will cost an extra \$17 billion per year. It seems plain to me that we can get all the armed forces we need as volunteers, and at present rates of pay.

But there is something ever so much bigger and more important than the draft. The big-

ger thing, of course, is what ex-President Eisenhower warned us of, calling it the military-industrial complex. I am sad to say that we must begin to think of it now as the military-industrial-labor union complex.

What happened under the plea of the cold war was not alone that we built up the first big peacetime army in our history, but we institutionalized it. We built, I suppose, the biggest government building in our history to run it, and we institutionalized it.

I don't think we can live with the present military establishment and its \$80-100 billion a year budget and keep America anything like we have known it in the past. It is corrupting the life of the whole country. It is buying up everything in sight: industries, banks, investors universities, and lately it seems also to have bought up the labor unions.

The Defense Department is always broke; but some of the things they do with that \$80 billion a year would make Buck Rogers envious. For example: the Rocky Mountain Arsenal on the outskirts of Denver was manufacturing a deadly nerve poison on such a scale that there was a problem of waste disposal. Nothing daunted, they dug a tunnel two miles deep under Denver, into which they have injected so much poisoned water that beginning a couple of years ago Denver began to experience a series of earth tremors of increasing severity.

Now there is a grave fear of a major earthquake. An interesting debate is in progress as to whether Denver will be safer if that lake of poisoned water is removed or left in place. (New York Times, July 4, 1968; Science, Sept. 27, 1968).

Perhaps you have read also of those 6000 sheep that suddenly died in Skull Valley, Utah, killed by another nerve poison—a strange and, I believe, still unexplained accident, since the nearest testing seems to have been 30 miles away.

As for Vietnam, the expenditure of fire power has been frightening. Some of you may still remember Khesanh, a hamlet just south of the Demilitarized Zone, where a force of U.S. Marines was beleaguered for a time. During that period, we dropped on the perimeter of Khesanh more explosives than fell on Japan throughout World War II, and more than fell on the whole of Europe during the years 1942 and 1943.

One of the officers there was quoted as having said afterward, "It looks like the world caught smallpox and died." (New York Times, March 28, 1968).

The only point of government is to safeguard and foster life. Our Government has become preoccupied with death, with the business of killing and being killed. So-called defense now absorbs 60 per cent of the national budget, and about 12 per cent of the gross national product.

THE FACTS OF DEATH

A lively debate is beginning again on whether or not we should deploy antiballistic missiles, the ABM. I don't have to talk about them; everyone else here is doing that. But I should like to mention a curious circumstance.

In September, 1967, or about 1½ years ago, we had a meeting of MIT and Harvard people, including experts on these matters, to talk about whether anything could be done to block the Sentinel system, the deployment of ABMs. Everyone present thought them undesirable, but a few of the most knowledgeable persons took what seemed to be the practical view, "Why fight about a dead issue? It has been decided, the funds have been appropriated. Let's go on from there."

Well, fortunately, it's not a dead issue. An ABM is a nuclear weapon. It takes a nuclear weapon to stop a nuclear weapon. And our concern must be with the whole issue of nuclear weapons.

There is an entire semantics ready to deal with the sort of thing I am about to say. It

involves such phrases as "those are the facts of life." No—these are the facts of death. I don't accept them, and I advise you not to accept them.

We are under repeated pressures to accept things that are presented to us as settled—decisions that have been made. Always there is the thought: Let's go on from there! But this time we don't see how to go on. We will have to stick with those issues.

We are told that the United States and Russia between them have by now stockpiles in nuclear weapons approximately the explosive power of 15 tons of TNT for every man, woman and child on earth. And now it is suggested that we must make more. All very regrettable, of course, but those are "the facts of life."

We really would like to disarm, but our new Secretary of Defense has made the ingenious proposal that one must be practical. Now is the time to greatly increase our nuclear armaments so that we can disarm from a position of strength.

I think all of you know there is no adequate defense against massive nuclear attack. It is both easier and cheaper to circumvent any known nuclear defense system than to provide it. It's all pretty crazy. At the very moment we talk of deploying ABMs, we are also building the MIRV, the weapon to circumvent ABMs.

THE DOOMED SURVIVORS

So far as I know, with everything working as well as can be hoped and all foreseeable precautions taken, the most conservative estimates of Americans killed in a major nuclear attack run to almost 50 million. We have become callous to gruesome statistics, and this seems at first to be only another gruesome statistic. You think, Bang!—and next morning, if you're still there, you read in the newspapers that 50 million people were killed.

But that isn't the way it happens. When we killed close to 200,000 people with those first little old-fashioned uranium bombs that we dropped on Hiroshima and Nagasaki, about the same number of persons was maimed, blinded, burned, poisoned and otherwise doomed. A lot of them took a long time to die.

That's the way it would be. Not a bang, and a certain number of corpses to bury, but a nation filled with millions of helpless, maimed, tortured and doomed survivors huddled with their families in shelters, with guns ready to fight off their neighbors, trying to get some uncontaminated food and water.

How real is the threat of a full-scale nuclear war? I have my own very inexperienced idea, but realizing how little I know and fearful that I may be a little paranoid on this subject, I take every opportunity to ask reputed experts. I asked that question of a very distinguished professor of government at Harvard about a month ago.

I asked him what sort of odds he would lay on the possibility of a full-scale nuclear war within the foreseeable future. "Oh," he said comfortably, "I think I can give you a pretty good answer to that question. I estimate the probability of full-scale nuclear war, provided that the situation remains about as it is now, at 2 per cent per year." Anybody can do the simple calculation that shows that 2 per cent per year means that the chance of having that full-scale nuclear war by 1990 is about one in three, and by 2000 it is about 50-50.

A DUBIOUS FUTURE

I think I know what is bothering the students. I think that what we are up against is a generation that is by no means sure that it has a future.

I am growing old, and my future, so to speak, is already behind me. But there are those students of mine who are in my mind always; there are my children, two of them

now 7 and 9, whose future is infinitely more precious to me than my own. So it isn't just their generation; it's mine, too. We're all in it together.

Are we to have a chance to live? We don't ask for prosperity, or security; only for a reasonable chance to live, to work out our destiny in peace and decency, not to go down in history as the apocalyptic generation.

And it isn't only nuclear war. Another overwhelming threat is in the population explosion. That has not yet even begun to come under control.

There is every indication that the world population will double before the year 2000, and there is a widespread expectation of famine on an unprecedented scale in many parts of the world. The experts tend to differ only in their estimates of when those famines will begin. Some think by 1980; others think they can be staved off until 1990; very few expect that they will not occur by the year 2000.

That is the problem. Unless we can be surer than we now are that this generation has a future, nothing else matters. It's not good enough to give it tender loving care, to supply it with breakfast foods, to buy it expensive educations. Those things don't mean anything unless this generation has a future. And we're not sure that it does.

I don't think that there are problems of youth, or student problems. All the real problems I know are grownup problems.

Perhaps you will think me altogether absurd, or "academic," or hopelessly innocent—that is, until you think of the alternatives—if I say as I do to you now: We have to get rid of those nuclear weapons. There is nothing worth having that can be obtained by nuclear war: nothing material or ideological, no tradition that it can defend. It is utterly self-defeating.

Those atom bombs represent an unusable weapon. The only use for an atom bomb is to keep somebody else from using it. It can give us no protection, but only the doubtful satisfaction of retaliation. Nuclear weapons offer us nothing but a balance of terror, and a balance of terror is still terror.

We have to get rid of those atomic weapons, here and everywhere. We cannot live with them.

ALL ONE SPECIES

I think we've reached a point of great decision, not just for our Nation, not only for all humanity, but for life upon the Earth. I tell my students, with a feeling of pride that I hope they will share, that the carbon, nitrogen and oxygen that make up 99 per cent of our living substance were cooked in the deep interiors of earlier generations of dying stars.

Gathered up from the ends of the universe over billions of years, eventually they came to form in part the substance of our sun, its planets and ourselves. Three billion years ago, life arose upon the Earth. It seems to be the only life in the solar system. Many a star has since been born and died.

About two million years ago, man appeared. He has become the dominant species on the Earth. All other living things, animal and plant, live by his sufferance. He is the custodian of life on Earth. It's a big responsibility.

The thought that we're in competition with Russians or with Chinese is all a mistake, and trivial. Only mutual destruction lies that way. We are one species, with a world to win. There's life all over this universe, but we are the only men.

Our business is with life, not death. Our challenge is to give what account we can of what becomes of life in the solar system, this corner of the universe that is our home, and, most of all, what becomes of men—all men of all nations, colors and creeds.

It has become one world, a world for all men. It is only such a world that now can offer us life and the chance to go on.

CONSUMER PROTECTION

Mr. HART. Mr. President, the Senator from Utah (Mr. Moss) is in Cleveland today on official business. On his behalf, I ask unanimous consent that a statement with respect to the newly formed advisory council to the Subcommittee for Consumers of the Committee on Commerce be printed in the RECORD. The leadership Senator Moss, as chairman of the Consumers Subcommittee of the Committee on Commerce, will bring to this field will benefit every American and is welcome.

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

STATEMENT BY SENATOR FRANK E. MOSS

Today, as the newly appointed Chairman of the Subcommittee for Consumers of the Committee on Commerce, I am taking additional and perhaps unprecedented steps to assure that the Subcommittee is for consumers. In our efforts to protect the rights of the American buying public, I am enlisting the dedicated support of five extraordinary consumer champions whose present and past efforts on behalf of the consumer make them uniquely qualified to advise my colleagues and me on consumer matters. The prominent Advisory Council I am appointing today bodes ill for those who prey on consumers, for who will be able to resist the force and persuasion of a consumer council composed of Esther Peterson, Betty Furness, Bess Myerson, Joseph Swidler and Dr. Henry Hill. Esther Peterson created and embodied the role of Consumer Adviser in the White House. Miss Furness was her dynamic successor. Bess Myerson, of course, known to all of us for her work in television, is now serving as Mayor John V. Lindsay's Consumer Consultant. Her dedication to the American consumer is longstanding. These three women bring to the Advisory Council a wealth of talent. Esther and Betty have served the nation as advisers to the President and Bess is presently serving the consumer interest in our nation's largest city.

The men on the Advisory Council are especially prominent and are persons whose professional interests have always considered the consumer. Dr. Henry Hill, a resident of Waltham, Massachusetts is currently President of the Riverside Research Laboratory and serves as a Commissioner on the National Commission on Product Safety. His technical competence and sincere dedication to the consumer's interest will add invaluable to the Consumer Council. Joseph Swidler was chairman of the Federal Power Commission where his vigilance on behalf of the consumer was notable. He is presently a prominent lawyer in Washington, D.C.

The Subcommittee for Consumers could have no better resource to advise the Committee members and give strength and voice to important consumer causes. The Advisory Council will aid the Committee in the formulation of issues which demand immediate legislative attention. Because they have access to the channels of communication which put them in touch with the American consumer, the Advisory group will help the Committee by presenting the consumer issues publicly.

The appointment of this Advisory Council may seem a rather novel approach to Congressional committee work. It is without direct precedent. But how many of us are daily visited by councils or associations representing interests other than consumers? It seems fitting to have a Consumer Advisory Council to put forth the consumer point of view with the same persuasiveness and fervor as do these other interest groups.

The Advisory Council will be in a unique

position to protect a basic consumer fight—the right to be heard. By harkening to consumer complaints in their day-to-day activities, the Council will be able to inform the Committee as to the nature of consumer dissatisfaction. Information will flow from the consumer through the Council to the Committee and vice versa. Consumers will be heard—and they will receive answers.

THE LATIN AMERICAN CHALLENGE

Mr. CHURCH. Mr. President, on March 24 I placed in the RECORD five articles written by John M. Goshko, of the Washington Post, under the general title "The Latin American Challenge."

I have now received a letter from Hon. Hugo B. Margáin, the Ambassador of Mexico, taking issue with a paragraph of one of Mr. Goshko's articles concerning PEMEX, the Mexican Government's petroleum enterprise. Ambassador Margáin also enclosed a copy of a letter he wrote to the editor of the Washington Post commenting on this paragraph.

For the sake of completing the record, I ask unanimous consent that Ambassador Margáin's letter to me as well as his letter to the editor of the Washington Post be printed in the RECORD.

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

EMBAJADOR DE MÉXICO,
Washington, March 26, 1969.

HON. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: I have noticed that according to the Congressional Record for March 24, you requested that the five articles written by journalist John M. Goshko under the title of "The Latin American Challenge" in The Washington Post, be published.

As unfortunately, in referring to PEMEX, the writer mentioned made a statement that is completely erroneous, I sent a letter to The Washington Post in order to refute Mr. Goshko's statement. I am sending you a clipping from the March 26 issue of the Washington Post in which my letter was printed, as well as a copy of the complete text of the letter as I sent it, in which I have underlined in red a phrase which was omitted probably due to an error on the part of the linotypist.

If you do not have any objection, I would appreciate it if you would publish the text of my letter in the Congressional Record in order that the information regarding PEMEX be duly clarified.

I thank you in advance for your attention and send you my warm regards.

Sincerely yours,

HUGO B. MARGÁIN.

MARCH 13, 1969.

EDITOR, THE WASHINGTON POST,
Washington, D.C.

DEAR SIR: In the article by journalist John M. Goshko which was published in your newspaper on March 11, there is a grave falsehood when referring to PEMEX. It states:

"Mexico's nationalization of the oil industry in 1938 provided the basis for the first important Latin oil monopoly, PEMEX. After 30 years, however, PEMEX has been a consistent money loser, riddled with graft and political patronage. It is quietly importing oil from Venezuela to meet domestic demand."

In 30 years Petróleos Mexicanos covered the full amount of the petroleum debt and its interests, amounting to 1,600 millions of Pesos (128 million Dollars) and has paid to the Federal Government and to that of the

States, more than 17,000 millions of Pesos (1,360 million Dollars) to cover taxes.

It pays 12% of its gross income as taxes to the Federal Government and 2% also of its gross income, to the States.

For example, in 1967 it covered to the Federal Government 2,750,000 Pesos per day (220,000 Dollars) as advance payments on taxes, to be subsequently adjusted to the 12% figure.

Petróleos Mexicanos does not import crude oil from Venezuela nor from any other country. There was one single importation in 1964, due to an accident in one of our seaports.

This Institution, after covering taxes to the Federal Government and to the States has a profit of nearly 350 millions of Pesos per year (28 million Dollars), which does not include the reserves set aside for exploration expenses and depletion of fields, which is approximately double the amount mentioned.

Pemex had a reserve of 5,500,000,000 BBLs. of oil as of October 1968. Pemex's income from sales from October 1967 to October 1968 totalled 10 billion Pesos (800 million Dollars) of which 9,430,000,000 Pesos (754,400,000 Dollars) came from domestic sales and 570,000,000 Pesos (45,600,000 Dollars) was revenue from export sales.

Pemex has been a fundamental element in the economic development of Mexico, and its purpose has not been primarily that of making profits, but rather to cooperate in the industrial integration of the country and in its social development.

In the paragraph under comment, Mr. Goshko is in error.

Yours very truly,

HUGO B. MARGÁIN,
Ambassador of Mexico.

A TESTIMONIAL TO DR. HENRY B. NELSON

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the RECORD, a testimonial honoring Dr. Henry B. Nelson, dean of Sioux Empire College, Hawarden, Iowa, and pastor of the Big Springs Baptist Church, near Alcester, S. Dak. Dr. Nelson is leaving these positions to become pastor of the First Baptist Church, Cedar Falls, Iowa. At a recent celebration honoring Dr. Nelson, a testimony to him was delivered by Dr. George S. Reuter, Jr., president of Sioux Empire College. President Reuter's speech outlines the outstanding contributions which Dr. Henry Nelson has made to Christian education in the Midwest.

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

WE THANK YOU DEAN NELSON
(By President George S. Reuter, Jr.,
Sioux Empire College)

INTRODUCTION

America has many privileges, but it also has great responsibilities, just as our freedom was obtained at great price. Our first responsibility is to God, but we are duty-bound to our beloved country. The Bible teaches patriotism, and patriotism was the light that burned in the hearts of the faithful in the midnight gloom of the dark ages. It was the torch that lighted the fires of the Reformation. It was the rock upon which the stones of Western civilization was founded. And if our civilization survives the onslaught of the Red scourge, it will be Christian patriotism that will fuel the lamps of truth, and provide morale for the fight for freedom.

America stands today—a fortress of free-

dom. Loved by all free people. Respected by the liberty-loving peoples of the earth. Feared by the enemies of God and human liberty. And with the shadows of Communism deepening upon every continent America holds high the torch of faith and light and hope for the down-trodden peoples of the world. Yes, we should be grateful for our natural, industrial, and scientific resources with which we have been blessed. Because of our giving God His rightful place at the outset of our national life, God smiled, and gold poured from the rocky slopes of the Golden West. God smiled and wide acres of grain sprang from the soil of the Middle West. God smiled and the picturesque hills of the East yielded black gold in ample abundance to warm our hearths and turn the wheels of industry. God smiled and the automobile, the aero-plane, and a thousand and one industrial miracles took place before our very eyes. God smiled and has seen to it that Old Glory has never dipped her colors to any Atheistic, God-hating, man-enslaving country. God smiled and our scientists brought into being the atomic bomb, which is destined to be that paradoxical instrument of destruction to save men from destruction.

Yes, we live in times of both greatness and tragedy. Only a few weeks ago men for the first time moved out of the vast spaces where the pull of earth's gravity is strongest into the greater pull of another heavenly body, the moon. Three men orbited the moon ten times, then fired acceleration rockets and launched themselves back on the 240,000 mile voyage through space to a fiery re-entry into the earth's atmosphere. But there is also tragedy in our day. Crime is increasing at such an alarming rate that there are areas in most of our major cities where people dare not go at night. The world is not safe for democracy, and in spite of communication satellites, greater literacy, rapid universal air service, and all the other trappings of scientific achievement, human freedom is suppressed in many areas of the world and leads a precarious existence in other places.

GUIDEPOSTS

Dean Henry B. Nelson of Sioux Empire College has been honored many times and in many ways. Our college is young and the struggles have been great. One of our best influences for the past two years has been Professor Nelson. He has the vision of the founders of SECO and has expressed it often and wisely. The students, the faculty, the staff, the administration, the trustees, and the patrons owe him a deep debt of gratitude. I will attempt to review some of these principles as guideposts.

1. There is dignity in day-to-day progress whether the weather is fair or foul.

It is a striking phenomenon that more has been written about a current cancer, civil disobedience, in the last few years than in the entire period of American history which preceded it. But the nature of civil disobedience in the political democratic process has been radically misunderstood by many, and when these misunderstandings are applied to the academic world, the results border on the grotesque. Dean Nelson stresses mind over matter even though all of us have had an extremely difficult winter.

2. There is dignity in soberness regardless of the pressures of life.

Dean Nelson casts doubt on three well-accepted myths: that social drinking is a definable entity, that it is not harmful, and that it is helpful. He calls for a comprehensive objective study similar to the Surgeon General's report on smoking. If one looks down the row to the 15th person in an average audience, that person will be an alcoholic. If one counts down to the fifth person, this one's life will be adversely affected in one way or another by an alcoholic. If you now look at the intervening persons, the

fourth will be an abstainer and the rest will drink varying amounts of liquor. Again, every fifth person will be a heavy drinker, and if the audience is composed of doctors, one in 100 will be lost to the profession because of drinking. Furthermore, an unknown number will be handicapped in their work because of drinking. SECO does not preach to her students but the proper teaching is ever present.

3. There is dignity in a balanced diet at college as well as at home.

Have you ever wondered about the health conditions at the time that Christ was born? History tells us that the average life expectancy was only 22 years. At the time of the Revolutionary War in America, we had gained 12 years in life expectancy. By 1900, it was up to 47 years and today it exceeds 70 years. It took about 1,860 years to gain 20 years in life expectancy, but during the last 10 years we were able to add more than 28 years on top of this. Dean Nelson often tells his students how lucky they are to have the Broughton Food Service to provide balanced meals three times a day as diet and health go hand-in-hand.

4. There is dignity for all concerned in being a part of a small college.

The idea that an educational experience is only acquisition of knowledge, a form of social and private capital to be received like an injection, the sheer weight of the numbers of people who must have more knowledge than they can gain in high schools has released forces that work against the interests of students from small high schools in Iowa, South Dakota, and the nation. SECO is here to help these students to adjust successfully to college life. If a student will go to SECO two years, he will have the necessary foundation to transfer and be graduated two years later in his chosen field from a senior college or university. To date, students have not lost a single hour in transferring to senior colleges and universities. Students have transferred credit to Abilene Christian College, Northwestern College of Iowa, Sioux Falls College, University of Northern Iowa, University of South Dakota, Wisconsin State University at Whitewater, Central College of Iowa, South Dakota State University, Indiana State University at Terre Haute, Southwest Minnesota State College, Northwest Missouri State College, Westmar College, Morningside College, Briar Cliff College, and Virginia Wesleyan College. Dean Nelson counsels the students to go the entire two years before they transfer so as to insure they will succeed the final two years, but there are always those who desire to transfer too soon and this is often fatal to the weaker student. Also, a student can save enough going to SECO for two years to pay for his final two years at the state university.

CONCLUSIONS

Fate has brought Dean Henry B. Nelson to SECO at a most critical time. He has stood foursquare. On one side, the forces of good have been gathering momentum for two years. SECO reflecting science and industry is a part of the educational process that is threatening to banish hunger and pain and injustice and the other age-old enemies of mankind from the face of the earth. On the other side, is the Herculean task we all face to put to confusion the forces of evil, and at the same time to maintain the onward surge of the good. One recalls the Greek philosopher's words "Before Virtue the immortal gods have put the sweat of man's brow, and long and steep is the way to it, and rugged at the first," and the view of the future as seen by Ibsen: "I hold that man is in the right who is most closely in league with the future."

Dean Henry B. Nelson, praise the Lord for your services here. We thank you Doctor Nelson!

UAW SUPPORT FOR SLEEPING BEAR DUNES NATIONAL LAKESHORE

Mr. HART. Mr. President, I welcome the opportunity to report to Senators the new, strong statement of support for Sleeping Bear Dunes National Lakeshore by the United Automobile Workers.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a position paper on this important issue which I have recently received from the UAW. This statement, expressing the views of the UAW, comes from the energetic director of that organization's department of conservation and resource development, Miss Olga Madar.

There are two parts of this statement I wish to emphasize in particular. The first is the clear statement of fundamental principle on which the UAW bases its support for my Sleeping Bear Dunes National Lakeshore bill, S. 1023. They phrase this principle as follows:

The American landscape must be treated as a common heritage, benefiting all of the people with its scenic beauty and refreshment. This is a fundamental principle inherent in our democratic ideals.

As Miss Madar points out, this fundamental principle is especially important as applied to "the unique and spectacular beauty spots that hold a special meaning for our people." Sleeping Bear is indeed such a place: a glorious corner of creation.

It is to preserve this spot of special beauty and public value that the Sleeping Bear Dunes National Lakeshore proposal has been drafted. I welcome this strong support of the United Automobile Workers.

Let me call attention, secondly, to the UAW's explanation of why this Sleeping Bear Dunes area requires prompt conservation and protection as a National Lakeshore:

Special attention is necessary because our children's children, more than we, will need to know that the American continent has beauty as well as grime, natural diversity as well as development. In their urban lives, more than in ours, places of quiet, greenery and peace will be sorely needed.

In welcoming this support from the United Automobile Workers, I take this opportunity to again express my anxiety that Congress address itself promptly to this issue. The Sleeping Bear Dunes National Lakeshore proposal is a first priority conservation measure before Congress.

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

The American landscape must be treated as a common heritage, benefiting all of the people with its scenic beauty and refreshment. This is a fundamental principle inherent in our democratic ideals.

This principle applies especially to those unique and superlative areas of the American landscape which are identified as being of national significance because of their outstanding scenic values.

Sleeping Bear Dunes is such an area. In 1959 the National Park Service, as a result of its Great Lakes Shoreline Recreation Area Survey, defined the Sleeping Bear Dunes area along the Lake Michigan shore as a

"paramount" remaining public recreation opportunity.

Since 1961 legislation has been before the Congress to establish a unit of our National Park System to protect the Sleeping Bear Dunes area as a special landscape and as a public recreational opportunity for all the people.

The United Automobile Workers have consistently supported this legislative concept and urged its priority enactment in the public interest.

In our testimony to the Senate Interior and Insular Affairs Committee in 1963 we pointed out that—

"... the primary considerations in determining whether or not a national lakeshore should be established... are the scenic, scientific and recreational features which are of national significance and of benefit to the people of this entire nation, now and in the future."

There is no dispute, nor could there be, that the magnificently scenic Sleeping Bear Dunes area meets these criteria. The area has justly been called by Senator Philip A. Hart "a glorious corner of creation." It fully deserves Congressman James O. O'Hara's description as a "legacy of the unspoiled Great Lakes scene."

The question now, as we of the United Automobile Workers see it, is whether the National Lakeshore will be established promptly, or whether further delay will allow the heedless destruction of the scenic, scientific and recreational features of the Sleeping Bear Dunes.

We are not prepared to accept further delay unmoved, for we are aware of the very great and alarmingly increasing pressures which threaten this unique landscape. We are finding, here as so many other places, that our American landscape can be rapidly desecrated—for the profits of a few—while good men look the other way or lose themselves in other concerns. We are not satisfied with that situation.

In 1965 Walter P. Reuther was privileged to attend the White House Conference on Natural Beauty. The United Automobile Workers has taken a great and continuing interest in that field. As he said during the Conference:

"This conference is about how a free society, within its value system, can harness the rising star of science and technology to provide the higher and higher levels of economic abundance, but also use that abundance consistent with basic human values to satisfy both man's material needs and the needs of the human spirit."

This, we believe is also what the Sleeping Bear Dunes National Lakeshore proposal is all about.

We need nothing less than a massive campaign to protect and preserve the beauty and character of our great American landscape in every area, along every roadside, and in every city.

But we also need to give special attention to our special places—to the unique and spectacular beauty spots that hold a special meaning for our people. Sleeping Bear Dunes is such a place. Sleeping Bear Dunes requires such attention.

Special attention is necessary because it is just these beauty spots which most quickly attract the speculators and developers, those whose personal gain blinds them to the public good.

Special attention is necessary because our children's children, more than we, will need to know that the American continent has beauty as well as grime, natural diversity as well as development. In their urban lives, more than in ours, places of quiet, greenery and peace will be sorely needed.

And this is why, for the Sleeping Bear Dunes National Lakeshore proposal, we are not prepared to accept further delay. We

believe enactment of this legislation is urgently needed now.

We believe that S. 1023 and H.R. 4287 represent a reasonable approach. Great effort has been made, through the past eight years, to refine this legislation to protect the rights and interests of the local people.

Now, we believe, it is time to give an equal effort to protect the rights of all the people—and we do feel that all of the people have a right to know the scenic beauty and scientific fascinations of the Sleeping Bear Dunes. Future generations share that right—and we are obliged to protect it in their name.

For these reasons—and because the hour is very late—the United Automobile Workers urges prompt action by the Congress to immediately authorize the establishment of the Sleeping Bear Dunes National Lakeshore. To that end we pledge our full efforts.

JOE E. MOODY, ABLE PUBLIC SERVANT

Mr. SYMINGTON. Mr. President, we were sorry to learn recently that the General Services Administration will no longer have the experience and ability of an outstanding career public servant from Missouri, Mr. Joe E. Moody.

Although still a relatively young man, Mr. Moody retired last month as Deputy Administrator of the General Services Administration after 34 years of distinguished Government service.

A native of Macon County, Mo., Mr. Moody advanced through the ranks working in the General Accounting Office, the War Assets Administration, and, since its organization in 1949, with the General Services Administration. It is regrettable that his services are now lost to the agency where he has contributed so much since 1949, but we wish him well in his future activity as he enters private practice of law.

I ask unanimous consent to have the press release announcing Mr. Moody's retirement printed in the RECORD.

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

A GSA NEWS RELEASE, MARCH 24, 1969

Joe E. Moody has retired as Deputy Administrator of General Services after 34 years of Federal service.

Moody, who was born (9-26-14) in Macon County, Missouri, started his Government service in 1935. A lawyer, he served in administrative and legal positions with the General Accounting Office and the War Assets Administration before joining the newly-created General Services Administration in 1949.

Moody had served on the committee established to organize the new agency and later played a leading role in the formulation of recommendations for the Public Buildings Act of 1959—the modern charter adopted for the Federal Government's public buildings construction program.

His early years in GSA were spent in the General Counsel's Office. He then transferred to the Public Buildings Service where he rose to the rank of Assistant Commissioner. In 1961 he was appointed Commissioner of GSA's new Utilization and Disposal Service which since has become the Property Management and Disposal Service.

He was General Counsel of GSA from late 1962 until his appointment as Deputy Administrator of the agency in September of 1965.

Moody, who lives in Kensington, Md., intends to enter private law practice in Washington. He is married to the former Marion Walkley and they have a son, Michael.

EISENHOWER'S FAREWELL ADDRESS RECALLED

Mr. CHURCH. Mr. President, for the past week our Nation has paid tribute to Dwight David Eisenhower—a man who led his Nation in war and guided it along the paths of peace; a man of arms whose greatest concern was their elimination.

On January 17, 1961, President Eisenhower delivered to the American people his farewell address. The words he spoke at that time represent a confluence of the ideas he so deeply felt both as general and President. They are even more meaningful today than they were at the time they were spoken for, I fear, we have been derelict in heeding them.

Many agree that President Eisenhower's farewell address was his greatest gift to the American people. With that thought in mind, I ask unanimous consent that it be republished in the RECORD.

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

FAREWELL RADIO AND TELEVISION ADDRESS TO THE AMERICAN PEOPLE, JANUARY 17, 1961

(Delivered from the President's Office at 8:30 p.m.)

My fellow Americans: Three days from now, after half a century in the service of our country, I shall lay down the responsibilities of office as, in traditional and solemn ceremony, the authority of the Presidency is vested in my successor.

This evening I come to you with a message of leave-taking and farewell, and to share a few final thoughts with you, my countrymen.

Like every other citizen, I wish the new President, and all who will labor with him, Godspeed. I pray that the coming years will be blessed with peace and prosperity for all.

Our people expect their President and the Congress to find essential agreement on issues of great moment, the wise resolution of which will better shape the future of the Nation.

My own relations with the Congress, which began on a remote and tenuous basis when, long ago, a member of the Senate appointed me to West Point, have since ranged to the intimate during the war and immediate post-war period, and, finally, to the mutually interdependent during these past eight years.

In this final relationship, the Congress and the Administration have, on most vital issues, cooperated well, to serve the national good rather than mere partisanship, and so have assured that the business of the Nation should go forward. So, my official relationship with the Congress ends in a feeling, on my part, of gratitude that we have been able to do so much together.

II

We now stand ten years past the midpoint of a century that has witnessed four major wars among great nations. Three of these involved our own country. Despite these holocausts America is today the strongest, the most influential and most productive nation in the world. Understandably proud of this pre-eminence, we yet realize that America's leadership and prestige depend, not merely upon our unmatched material progress, riches and military strength, but on how we use our power in the interests of world peace and human betterment.

III

Throughout America's adventure in free government, our basic purposes have been to keep the peace; to foster progress in human achievement, and to enhance liberty, dignity and integrity among people and among nations. To strive for less would be unworthy of a free and religious people. Any failure traceable to arrogance, or our lack of com-

prehension or readiness to sacrifice would inflict upon us grievous hurt both at home and abroad.

Progress toward these noble goals is persistently threatened by the conflict now engulfing the world. It commands our whole attention, absorbs our very beings. We face a hostile ideology—global in scope, atheistic in character, ruthless in purpose, and insidious in method. Unhappily the danger it poses promises to be of indefinite duration. To meet it successfully, there is called for, not so much the emotional and transitory sacrifices of crisis, but rather those which enable us to carry forward steadily, surely, and without complaint the burdens of a prolonged and complex struggle—with liberty the stake. Only thus shall we remain, despite every provocation, on our charted course toward permanent peace and human betterment.

Crises there will continue to be. In meeting them, whether foreign or domestic, great or small, there is a recurring temptation to feel that some spectacular and costly action could become the miraculous solution to all current difficulties. A huge increase in newer elements of our defense; development of unrealistic programs to cure every ill in agriculture; a dramatic expansion in basic and applied research—these and many other possibilities, each possibly promising in itself, may be suggested as the only way to the road we wish to travel.

But each proposal must be weighed in the light of a broader consideration: the need to maintain balance in and among national programs—balance between the private and the public economy, balance between cost and hoped for advantage—balance between the clearly necessary and the comfortably desirable; balance between our essential requirements as a nation and the duties imposed by the nation upon the individual; balance between actions of the moment and the national welfare of the future. Good judgment seeks balance and progress; lack of it eventually finds imbalance and frustration.

The record of many decades stands as proof that our people and their government have, in the main, understood these truths and have responded to them well, in the face of stress and threat. But threats, new in kind or degree, constantly arise. I mention two only.

IV

A vital element in keeping the peace is our military establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction.

Our military organization today bears little relation to that known by any of my predecessors in peacetime, or indeed by the fighting men of World War II or Korea.

Until the latest of our world conflicts, the United States had no armament industry. American makers of plowshares could, with time and as required, make swords as well. But now we can no longer risk emergency improvisation of national defense; we have been compelled to create a permanent armaments industry of vast proportions. Added to this, three and a half million men and women are directly engaged in the defense establishment. We annually spend on military security more than the net income of all United States corporations.

This conjunction of an immense military establishment and a large arms industry is new in the American experience. The total influence—economic, political, even spiritual—is felt in every city, every State house, every office of the Federal government. We recognize the imperative need for this development. Yet we must not fall to comprehend its grave implications. Our toil, resources and livelihood are all involved; so is the very structure of our society.

In the councils of government, we must guard against the acquisition of unwar-

ranted influence, whether sought or unsought, by the military-industrial complex. This potential for the disastrous rise of misplaced power exists and will persist.

We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together.

Akin to, and largely responsible for the sweeping changes in our industrial-military posture, has been the technological revolution during recent decades.

In this revolution, research has become central; it also becomes more formalized, complex, and costly. A steadily increasing share is conducted for, by, or at the direction of, the Federal government.

Today, the solitary inventor, tinkering in his shop, has been overshadowed by task forces of scientists in laboratories and testing fields. In the same fashion, the free university, historically the fountainhead of free ideas and scientific discovery, has experienced a revolution in the conduct of research. Partly because of the huge costs involved, a government contract becomes virtually a substitute for intellectual curiosity. For every old blackboard there are now hundreds of new electronic computers.

The prospect of domination of the nation's scholars by Federal employment, project allocations, and the power of money is ever present—and is gravely to be regarded.

Yet, in holding scientific research and discovery in respect, as we should, we must also be alert to the equal and opposite danger that public policy could itself become the captive of a scientific-technological elite.

It is the task of statesmanship to mold, to balance, and to integrate these and other forces, new and old, within the principles of our democratic system—ever aiming toward the supreme goals of our free society.

v

Another factor in maintaining balance involves the element of time. As we peer into society's future, we—you and I, and our government—must avoid the impulse to live only for today, plundering, for our own ease and convenience, the precious resources of tomorrow. We cannot mortgage the material assets of our grandchildren without risking the loss also of their political and spiritual heritage. We want democracy to survive for all generations to come, not to become the insolvent phantom of tomorrow.

vi

Down the long lane of the history yet to be written America knows that this world of ours, ever growing smaller, must avoid becoming a community of dreadful fear and hate, and be, instead, a proud confederation of mutual trust and respect.

Such a confederation must be one of equals. The weakest must come to the conference table with the same confidence as do we, protected as we are by our moral, economic, and military strength. The table, though scarred by many past frustrations, cannot be abandoned for the certain agony of the battlefield.

Disarmament, with mutual honor and confidence, is a continuing imperative. Together we must learn how to compose differences, not with arms, but with intellect and decent purpose. Because this need is so sharp and apparent I confess that I lay down my official responsibilities in this field with a definite sense of disappointment. As one who has witnessed the horror and the lingering sadness of war—as one who knows that another war could utterly destroy this civilization which has been so slowly and painfully built over thousands of years—I wish I could say tonight that a lasting peace is in sight.

Happily, I can say that war has been avoided. Steady progress toward our ultimate goal has been made. But, so much remains to be done. As a private citizen, I shall never cease to do what little I can to help the world advance along that road.

vii

So—in this my last good night to you as your President—I thank you for the many opportunities you have given me for public service in war and peace. I trust that in that service you find some things worthy; as for the rest of it, I know you will find ways to improve performance in the future.

You and I—my fellow citizens—need to be strong in our faith that all nations, under God, will reach the goal of peace with justice. May we be ever unwavering in devotion to principle, confident but humble with power, diligent in pursuit of the Nation's great goals.

To all the peoples of the world, I once more give expression to America's prayerful and continuing aspiration:

We pray that peoples of all faiths, all races, all nations, may have their great human needs satisfied; that those now denied opportunity shall come to enjoy it to the full; that all who yearn for freedom may experience its spiritual blessings; that those who have freedom will understand, also, its heavy responsibilities; that all who are insensitive to the needs of others will learn charity; that the scourges of poverty, disease and ignorance will be made to disappear from the earth, and that, in the goodness of time, all peoples will come to live together in a peace guaranteed by the binding force of mutual respect and love.

CIVIL RIGHTS CONCERN

Mr. HART. Mr. President, five Senators—all members of the Committee on Labor and Public Welfare—have written to Secretary of Health, Education, and Welfare Finch to express their concern about the administration of the school desegregation program under title VI of the Civil Rights Act of 1964. I share the concern of our colleagues and wish to associate myself with the position expressed in their letter.

Mr. President, I ask unanimous consent that the letter and a press release describing the contents of the letter be printed in the RECORD.

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

MARCH 25, 1969.

HON. ROBERT H. FINCH,
Secretary, Department of Health, Education,
and Welfare, Washington, D.C.

DEAR MR. SECRETARY: As supporters of the basic principle underlying Title VI of the Civil Rights Act of 1964—that Federal tax revenues collected from all Americans should not be used to support programs of activities which discriminate against some Americans—we are concerned about the way in which the Title VI school desegregation program will be implemented in the future. We believe you share our commitment to equality of opportunity, but we are concerned about the statements attributed to you in the March 10th issue of a national magazine, and the interpretations being applied to those statements.

Our concerns have been heightened by articles appearing in last Sunday's newspapers with titles such as "Finch Aide Urges Eased Guidelines." We are disturbed to learn that you are being advised to relax the school desegregation guidelines, and advised to relax them in a furtive and quiet manner. In our judgement, these guidelines accurately reflect the law of the land, and should be implemented openly and honestly.

Because of the confusion which now seems to exist in many parts of the country—particularly the South—about how this Administration plans to proceed in the school desegregation program, we urge that you issue a statement clarifying your intent. We urge you to make clear the commitment of the Administration to implement this program firmly and fairly in accordance with the existing school desegregation policies and consistent with the decisions of the Federal courts. We believe it would be unfair and unfortunate to change the existing requirements under which hundreds of schools are now desegregating.

Finally, Mr. Secretary, we hope that you will receive this letter in the same constructive spirit in which it is intended. We want to support you in the firm and fair enforcement of the Title VI compliance program. We believe, however, that a statement from you affirming your support for the program would help immensely to clear the air.

Sincerely,

WALTER F. MONDALE,
U.S. Senator.
HARRISON WILLIAMS,
U.S. Senator.
THOMAS EAGLETON,
U.S. Senator.
ALAN CRANSTON,
U.S. Senator.
HAROLD HUGHES,
U.S. Senator.

In a letter made public today, five members of the Senate Labor and Public Welfare Committee urged HEW Secretary Finch to implement existing school desegregation guidelines "firmly and fairly."

Expressing their concern "about the way in which the Title VI school desegregation program will be implemented in the future" were Senators Mondale (D-Minn.), Williams (D-N.J.), Eagleton (D-Mo.), Cranston (D-Calif.) and Hughes (D-Iowa).

The Senators said "we believe you share our commitment to equality of opportunity, but we are concerned about the statements attributed to you in the March 10th issue of a national magazine . . . and by articles appearing in last Sunday's newspapers with titles such as "Finch Aide Urges Eased Guidelines."

Further, they stated in their letter, "In our judgment, these guidelines accurately reflected the law of the land," and "we believe it would be unfair and unfortunate to change the existing requirements under which hundreds of schools are now desegregating."

DR. MARTIN LUTHER KING, JR.— TRIBUTE BY SENATOR GOODELL

Mr. SCOTT. On behalf of the distinguished Senator from New York (Mr. GOODELL), who is absent from the Senate on official business, I ask unanimous consent to have printed in the RECORD a tribute by him to the memory of Martin Luther King, Jr., on the anniversary of Dr. King's assassination.

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

TRIBUTE BY SENATOR CHARLES E. GOODELL TO
MARTIN LUTHER KING, JR.'S MEMORY ON
THE ANNIVERSARY OF HIS ASSASSINATION

April 4th marks the first anniversary of the physical death of Martin Luther King, Jr.

It is a time of sadness . . . it is a time of solemnity . . . it is a time of prayer . . . it is a time of dedication.

It is a time for all America to say "We share the dream."

What greater tribute could we pay to the humane thoughts of this gentle and valiant man than to show by actions rather than words that his immortal phrases have a place in our hearts.

One year has passed since Dr. King's assassination. In the days immediately following this tragedy, there occurred an immense shock reaction. People on all sides and of every color and in every walk of life bestirred their moral consciousness and pledged that this man shall not have died in vain.

Mrs. King recently said that she noted more awareness and understanding since her husband's death and that he has become even greater in death than he was in life.

Let us hope that this greatness continues to grow but let us also remember that it can only grow by our own efforts. We can and must make more rapid progress toward the ultimate fulfillment of Martin Luther King's dream.

Perhaps the coincidence of this anniversary falling on Good Friday will serve as a forceful reminder that Martin Luther King was more than a pulpit preacher of the principles of the Prince of Peace; he was a devout follower of those principles in every thought and deed.

His credo of non-violence was in fact a paraphrasing of the words of 2000 years ago spoken on the Mount, "Bless them that curse you, do good to them that hate you, and pray for them which spitefully use you and persecute you."

How fitting it is that we devote a portion of our thoughts on this Good Friday to a beautiful human being, the Reverend Martin Luther King, Jr.

I believe that April 4th in each year should be set aside not only as a day of special prayer of a few for Dr. King, but of special meditation by all the American people.

This day should serve as a rededication day to the principles that this nation rests upon; that "all men are created equal" and every man has an equal "right to life, liberty and the pursuit of happiness."

HIRING THE DISADVANTAGED

Mr. MONDALE. Mr. President, much has been said recently about the need to involve private industry to help the disadvantaged. I am pleased to report that some of this very worthwhile work is already underway in my State. An article published in the February-March 1969 issue of Manpower entitled "How Honeywell Took the JOBS Program to Heart," describes the efforts of one Minnesota firm. I am familiar with the work Honeywell is doing, particularly in regard to the Bryant Junior High School Learning Center. More of this very useful cooperation between private business and Government is needed if we are successfully to meet the challenges facing our country.

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:

HOW HONEYWELL TOOK THE JOBS PROGRAM TO HEART

(By G. E. Morse, Vice President for Employee Relations, Honeywell, Inc.)

"We believe that it is vital to the successful conduct of business and to the long-range national welfare to promote economic, social, and educational equity for all citizens. Accordingly, all Honeywell employees are recruited, hired, trained, assigned, promoted, transferred, downgraded, laid off, recalled, and terminated based on their own abilities,

achievement, and experience, without regard to race, color, creed, sex, or economic status."

With this policy statement on equal employment opportunity, Honeywell, Inc. publicly recognized the interaction between the social needs and the economic needs of all segments of American society.

Early in March 1968, shortly after announcement of the formation of the National Alliance of Businessmen (NAB), I told location managers across the Nation of Honeywell's intention to extend full cooperation to Alliance projects aimed at implementing the permanent employment of disadvantaged Americans.

Our managers responded positively. For example, in Minneapolis this resulted in a total commitment to NAB of 629 permanent jobs for the hard-core unemployed and an additional commitment of 483 summer jobs for disadvantaged youth. As of October 1, 1968, approximately 550 permanent jobs had been filled, and about 400 summer placements had been made.

The efforts at Honeywell are assisted by \$2.1 million in U.S. Department of Labor funds provided under eight contracts through the Job Opportunities in the Business Sector (JOBS) Program. Five of the contracts are for projects conducted by the firm in Denver, Los Angeles, Tampa, and St. Petersburg. The remaining three contracts have provided nearly \$1.6 million for projects in the Minneapolis area.

While Honeywell management recognizes that immediate employment for the disadvantaged minorities is important, it also recognizes that the roots of the problem lie deeper. Sensitivity training courses have been conducted for our supervisory personnel in an effort to improve the probability of success for the hiring programs.

Extensive use of the knowledge and experience of those intimate with the problems of the poor is being made in Honeywell's "awareness-sensitivity" programs. The programs include audio and video tapes made by and with the local offices of the Office of Economic Opportunity, the Concentrated Employment Program, other agencies, and our own firm.

One of our plant managers in Minneapolis says, "This program is for real. We are going to make a success of it. The story is, we are going to develop all of our people into 100 percent performers, regardless of where they come from, and our supervisors will be expected to make it work."

"In years to come, I'm sure we'll see many of these people as some of the finest, most loyal employees we have, and we'll wonder why it took us so long to wake up."

Once industrially inexperienced persons have been identified and hired, some go directly on the job and others begin a 6-week orientation and skills training program conducted at Honeywell's downtown Minneapolis plant. Those employed under this program—"Operation Passport"—are paid a starting wage of \$2.10 per hour, which is increased to \$2.15 when they move from the training program into a factory position.

"Operation Passport" is run on a flexible basis responsive to the needs of the students—and to the needs of the Honeywell employees with whom the students will be working. The course matter of the "school" is in two parts. Orientation, which covers the relaxation of tension and motivation and familiarization with the company; and skills training, which acquaints the newcomers with the operation of power tools, soldering techniques, and other basic skills that are required on the job. At "Operation Passport," roughly 1 hour per day is devoted to orientation and discussion, and 7 hours per day to on-the-job skills training.

On graduation from "Operation Passport," employees are assigned only to Honeywell supervisors who have taken the company's sensitivity-awareness course. This new pro-

gram has trained 79 employees for Honeywell plants in the Minnesota area.

Recognizing that traveling to work and returning home often pose seemingly insurmountable problems for these new employees, Honeywell appointed a full-time transportation coordinator in the Minneapolis area. One of the first things the coordinator did was to issue 12,000 questionnaires to Honeywell Twin Cities factory employees, asking them if they would be willing to assist their fellow employees living in or near their neighborhoods to get to work. In addition to the approximately 800 car pools the employees operate in the Minneapolis area, more than 200 other employees offered to participate in the program. The coordinator has also worked with the Twin Cities Rapid Transit company to get bus schedules changed and routes altered to provide public transportation for employees who do not drive.

In a move to motivate and assist needy youth in the Minneapolis area to continue their education, a joint task force consisting of three Honeywell executives and two teachers and a counselor from two Minneapolis core-city schools was formed to determine what the firm could do to cooperate with Minneapolis schools in support of education.

Before presenting its report, the task force met more than a dozen times to examine various possibilities for Honeywell and core-city school cooperation.

A Honeywell personnel employee who is also a former educator was assigned last May the full-time responsibility of manager of educational relations and a number of educational projects involving financial and manpower assistance from Honeywell have begun.

In cooperation with the Minneapolis School Board, Honeywell is cosponsoring the Bryant Junior High School Learning Center. The center, housed in the Minneapolis Junior Achievement Building, adjacent to Honeywell's general offices, is a new concept in education. One of two such centers in the United States, it was established to encourage junior high school students to stay in school and to give them some insight into the world of work. Its objectives are not only to give the students academic and vocational training, but also to relieve some of their many social problems. Minneapolis school teachers administer the program. Honeywell's contributions have taken the form of cash donations, equipment gifts, and the provision of consultants.

Through the Central High School Computer Program, Honeywell has provided computer equipment and is advising the school in the use of the computer as a teaching aid in a number of subjects. The company also conducts computer technology seminars for teachers and hires a number of teachers during the summer months to increase their knowledge of computer science.

Clinton Elementary School, adjacent to Honeywell's general offices, has received assistance during the past year in the form of guided tours and staff consultation, in addition to monetary help. We hope to strengthen our working ties with Clinton school next year.

Honeywell maintains contact with 17 government and community agencies involved in urban problems. We have added to our employment staff and have given specific training to our recruiters.

Active recruitment in community centers proved essential for us to reach the disadvantaged. The use of a recruiting van and the addition of employment staff people—white, Negro, and Indian—who relate effectively to the poor helped to establish greater credibility with the disadvantaged communities. In making our recruiting aggressive, we found it first was necessary to convince the hard-core that Honeywell was really will-

ing to hire people with problems. Only then did applicants begin to respond.

We have eliminated old hiring criteria and have established more realistic ones. We no longer require a high school diploma. We slot people who are unable to read or write into jobs which do not require literacy. We used to reject automatically any applicant with a police record. Today we look to see what is in the record and what's in the man.

Employment procedures were streamlined by the use of a referral card system instead of the typical detailed application form. Offers of employment have been made and accepted without testing, reference checking, or criminal record investigations. Greater medical risks were accepted.

We thoroughly explained our training programs to the applicants to help overcome their fear of what work might be like and help them recognize their ability to succeed.

Special attention was given to keeping appointments on time with all applicants and particularly with those who were escorted by outside agency people. Nothing frightens away an already apprehensive applicant as surely as keeping him waiting.

Through a cooperative program with the Minneapolis public school system, employees who have not completed the eighth grade can receive 4 hours a day of elementary school work. This in-plant program is offered to those who need and will profit from further fundamental education in their efforts to become a more productive part of the labor force.

Special training is provided for those who do not have a successful work history, who are not familiar with the world of work, or who have no salable skills. During this period, trainees are on full pay. The program includes skill training and job orientation to introduce trainees into the work environment. Some 75 percent of those originally enrolled in the program have completed the training period. And of those who have completed their training, 72 percent stayed on their jobs as permanent employees.

We have found that once disadvantaged employees are on the job, counseling is an effective way to keep our retention rate up and to help the employee become a productive worker quickly. Counselors help employees adapt to their jobs by consulting with them on personal problems—problems which may show themselves on the job but not necessarily have their cause in the job itself.

In helping employees with financial problems, counselors frequently work through community agencies, such as the Legal Aid Society, and arrange credit plans for payment of an employee's debts. This often helps the employee avoid the discouraging experience of a flood of garnishments on assorted past debts just at the time when he earns his first real pay check.

Another vital element in motivation is evidence of an ability to distinguish between good performance and bad. The disadvantaged seek first-class citizenship. They strive for a real job, not a sham. Once their initial disadvantage is offset, therefore, they expect to be subject to the same production and quality standards and the same work rules and conditions as every other employee. Then, if they make it, they stay and hopefully advance. If they don't make it, they are fired. Any different approach makes the whole effort a farce, a handout, and a degrading experience.

In living up to the spirit and the letter of our pledge as an equal opportunity employer, we hired 871 minority people in our Minneapolis plants and offices last year. In the factory area, 20 percent of all the people we hired last year were minority members. Throughout our Minneapolis operations, 865—4.1 percent—of our employees are members of minority groups, almost double our company's minority population of a year ago. These figures, incidentally, do not in-

clude the 376 needy youths of all races hired for the summer by our Minneapolis plants and offices.

These examples are only a sample of the kinds of programs U.S. management is using in the fight against deprivation. Management is cognizant of its responsibility and is committed to accomplishment. Potentially capable but previously underutilized people must be hired, must be made productive, must be helped to earn and to participate in our economic system.

This is a costly undertaking for business. Legislation has been enacted which will help to defray expenses of special employment programs—but half or more of the cost we face will have to be borne by the companies themselves.

This is a risk venture. There will be failures. We must expect that some people will be in a program for weeks or months and then resign and be lost to us. We have to recognize that entire programs may be planned, set up, and put into operation only to be washed out as earnest but misguided attempts. U.S. business management faces this risk investment in the spirit of pioneering that is traditional in American industry. We are prepared to accept the inevitable disappointments, yet continue to work toward success and the rewards it promises for our whole society.

DWIGHT DAVID EISENHOWER

Mr. CURTIS. Mr. President, historians, gifted writers, heads of government, and others have said and will continue to say many fine things about General Eisenhower. General Eisenhower merits all of these praises. I cannot attempt to compete with what others have so well said about this distinguished soldier, President, and citizen.

Mr. President, I speak, however, as a Senator from Nebraska to have the RECORD show the high esteem, the great affection, and the profound respect that the people of the State of Nebraska had for our 34th President.

For many years writers who are qualified in the field of military strategy will find a rich source of material in studying the career of Gen. Dwight David Eisenhower. He was a soldier and a leader of men who now has taken his place with the greatest of men down through the recorded period of history.

When General Eisenhower was serving as President of the United States I thought that he was a good, wise, and just head of our Government. Somehow the qualities and accomplishments that are of real value grow as time goes on. While always a supporter of President Eisenhower, my high appraisal, my respect, and my admiration for his performance in the Office of President increased as years pass. One of the tests of greatness is that it stands the test of time. President Eisenhower was not merely another President, whose memory will fade with the years. His record as President stands out with greater brightness every passing day.

When a problem was presented to President Eisenhower, the whole world knew that it would be approached honestly, forthrightly, and intelligently. People everywhere knew that the problem would be considered in the light of the historic, religious, political and economic traditions of our country. They knew that the problem would be viewed

by a man whose vast storehouse of knowledge and experience did not cause him to lose the viewpoint and the hopes and aspirations of the every-day American.

The people trusted President Eisenhower. There was nothing mean or small about him. He made a great President because he followed great principles.

Mr. President, the country is fortunate that General Eisenhower was permitted to live beyond his years of public service. It meant that the Nation had the opportunity to know and observe a man who represented the highest and best in citizenship. Not only was he a senior military officer and a senior political leader, but in retirement he was a senior citizen representing the highest and best and providing the noblest example for all mankind.

Mr. President, one of the able poetic writers of our day, Miss Mattie Richards Tyler, of Washington, D.C., has set forth her thoughts, which I consider as appropriate to close my remarks. I ask unanimous consent that her poem be printed in the RECORD.

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

LAST MARCH OF OUR FIVE-STAR GENERAL,
PRESIDENT DWIGHT DAVID EISENHOWER,
MARCH 28, 1969

(By Mattie Richards Tyler)

The streets of Washington are lined with
crowds . . .

Our Flag, half-staff, proclaims the Nation's
sorrow;

But planes and dreams still soar above the
clouds,

And he would bid us bravely face tomorrow.
Our Ike, America's loved president,
Is dead! Because he lived and passed our way,
The world is richer for his life—well spent.
"One Nation, under God,"¹ we march today.

He lies in state beneath the Capitol dome . . .
Triumphantly, our General met life's test.
Play on, O Service Bands, as he heads home—
This great American who gave his best.
While Stars and Stripes, unfurled, salute the
sky,

We grasp his Torch of Faith as he goes by!

THE LAND AND WATER CONSERVATION FUND PROGRAM

Mr. YARBOROUGH. Mr. President, I recently received a letter from the Honorable W. W. McAllister, mayor of the city of San Antonio. Mayor McAllister writes in support of a very worthy program—the land and water conservation fund program—which the 90th Congress enacted as Public Law 90-401. Mayor McAllister makes three recommendations which I wholeheartedly support and to which I direct the attention of my fellow Senators.

Mayor McAllister is well-qualified to speak on the subject of outdoor recreation, for San Antonio has a fine parks system which is an object of justifiable pride for the Alamo city.

Perhaps the gemstone of this system is the Brackenridge Park. This 443-acre park contains the world-famous San Antonio Zoo, the beautiful Sunken Gardens and Sunken Gardens Theater, a golf course, and many other out-

¹ Pledge of Allegiance

door recreational facilities for the benefit of all of the citizens of the city.

For a number of years, an attempt has been underway to use a part of that land for an expressway. Happily, the attempt has not so far been successful. I hope it will not be in the future and that this wonderful outdoor recreational facility will be preserved for use as originally intended for years to come.

Mr. President, I ask unanimous consent to have Mayor McAllister's letter printed in the RECORD.

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

CITY OF SAN ANTONIO,
San Antonio, Tex., April 1, 1969.

HON. RALPH YARBOROUGH,
Member, Senate Appropriation Committee,
U.S. Senate Office Building, Washington,
D.C.

DEAR SENATOR YARBOROUGH: This is to advise you of my interest, concern and requested consideration for the Land and Water Conservation Fund Program.

The Land and Water Conservation Fund Act of 1965 has been of great assistance to Texas in initiating an action program for providing much-needed outdoor recreation for the people of Texas and our visitors.

Texas voters recently approved a Constitutional Amendment authorizing the sale of \$75 million in bonds for the acquisition and development of additional park lands to help meet the recreational needs at that level of government.

The political subdivisions of the State are accepting more of their responsibilities in providing outdoor recreation areas and facilities for their citizens. This awakening and emphasis have been brought about partially as a result of the Land and Water Conservation Fund Program. However, much more needs to be done and could be done on the local level if adequate funds, as authorized by Public Law 90-401, were available. In checking with the State Liaison Office concerning our local projects, we find that the State has eligible projects on hand from political subdivisions that could obligate over \$2 million at this time, if matching funds were available.

The following recommendations concerning the Land and Water Conservation Fund Program are offered for your consideration and support:

a. The Land and Water Conservation Fund Program be funded to the full \$200 million for the fiscal year 1970 as authorized by Public Law 90-401 as amended and approved by the President on July 15, 1968.

b. An expenditure ceiling placed on the Program has impeded our action program. The full apportionment allocated to the State and its political subdivisions should be available for use.

c. The original Act authorized a 60% State-40% Federal ratio of funds authorizing the President to vary this percentage by not more than fifteen points either way during the first five years. The budget request submitted to Congress on January 15, 1969 contains a ratio of approximately 50-50 between the State agencies and the Federal government. Emphasis of the Program should be people-oriented at the State level and the 60% State-40% Federal ratio reinstated to meet the State and local needs.

Your support in the full funding of the Program as authorized by Congress is solicited. Please be assured that we in Texas would utilize all the funds appropriated in an efficient and worthwhile manner.

Sincerely,

W. W. McALLISTER,
Mayor, City of San Antonio.

INCOMPATIBLE CONSTITUENTS

Mr. HART. Mr. President, the Washington Post last Sunday carried its second recent editorial on the civil rights compliance status of three Southern textile firms which have been awarded sizable contracts by the Department of Defense. The point made by the Post in its first editorial is reinforced by the second—that disregard of normal compliance procedures and regulations in favor of gentlemen's agreements between high level officials can only lead to trouble.

I thought the first Post editorial on this subject was a significant commentary on the actions of the Defense Department in administering its contract compliance program, and I had it reprinted in the RECORD. The second editorial is equally significant. It makes a general point about the posture of the new administration with respect to various civil rights compliance programs. The administration may have political problems in carrying out its civil rights responsibilities. This is nothing new; so did the last administration. The important point is that these responsibilities must be met, and the procedures which have been carefully developed should be adhered to regardless of the political problems. I invite the attention of Senators to the following passage from the Post editorial of Sunday:

This mixed picture undoubtedly reflects the dilemma of an Administration trying to rationalize its own internal political differences, to keep the faith, as it were, with its various incompatible constituents. The point is that it can't be done.

I would add that any administration is making a mistake in trying "to play it both ways." The interests of all parties would be better served if the administration would make it clear, once and for all, that it fully intends to meet its responsibilities, in accordance with existing policies and regulations, in the various civil rights compliance programs. I hope the administration will do so without further delay.

Mr. President, 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:

CONTRADICTORY SIGNALS ON CIVIL RIGHTS

The Washington Post was guilty of nondiscrimination a while back on the subject of three Southern textile firms which were awarded new contracts by the Defense Department even though all three had failed to meet Government compliance standards in the matter of nondiscriminatory employment practices. The firms were J. P. Stevens, Dan River Mills, and Burlington Industries, Inc. Of these we might have said—and didn't—Burlington was the least offender. It had, as a letter from its chief executive, Charles F. Meyers, pointed out, substantially increased the percentage of its Negro employees in the past few years and also upgraded the levels of their jobs. Both in taking these steps and in calling them to public attention, Burlington had established a genuine and commendable distinction between its own approach and that of the other firms. Not surprisingly, Burlington was also the first of three firms to yield to the Defense Department's efforts to achieve a kind of retroactive acknowledge-

ment of the terms of compliance. Thursday these terms were made public in a joint statement issued by Mr. Meyers and Deputy Secretary of Defense David Packard. Negotiations with the other two firms to reach such an arrangement are still under way.

None of this is to say that Burlington—much less Dan River or J. P. Stevens—had met the test prior to the award of their new contracts. Mr. Meyers did not point out that as late as January his firm had failed to satisfy Federal standards on several counts and that there was (and is) no evidence that Burlington had submitted an acceptable plan on the points in which it was not in compliance or that the other firms had done so on their much larger derelictions. That—the manner of the granting of the contracts—was the subject of our complaint, and it still is. We would find it easier to commend the Defense Department for its belated effort to rectify the situation, were it not for the fact that Administration officials are now hailing the whole sorry business as if it were some sort of triumph of carefully designed policy, a precedent for future actions, and—into the bargain—the most hopeful thing that has happened in civil rights since *Brown vs. the Board of Education*. Hear Labor Secretary Shultz on the matter: "As you know, we had a little difficulty recently involving some textile manufacturers. We could have blocked their defense supply contracts, but David Packard . . . believed that we could get results from these contractors . . . David Packard's strategy is paying off."

There are numerous things wrong with this statement and with similar statements made by Administration witnesses on the subject before Sen. Edward Kennedy's Judiciary subcommittee in the past few days. One is that there is scant reason to believe the Defense Department's energetic effort to retrieve this situation would have been made without the prodding of Senator Kennedy, Sen. Walter F. Mondale, and various civil rights leaders. But what is most disturbing is the strong suggestion that this type of personal, special dealing with the company executives involved provides the basis for future activity in the field of compliance. That way lies real trouble.

The problem of compliance with civil rights standards is not only that of the Defense Department. At HEW and in the Department of Transportation, there have also been mixed and confusing signals as to the Administration's purpose and resolve. Clearly, there are profound differences of opinion among officials serving in the various Departments—as was demonstrated by the recent news account of the views of a prospective General Counsel at HEW, who took a negative stand on enforcing the guidelines in evident contrast with that of Secretary Finch. There have also been substantial differences between what is done and what is said, the verbal assurances of sweet reasonableness as far as the South is concerned being happily overridden in some cases by firm and forthright acts of enforcement. This mixed picture undoubtedly reflects the dilemma of an Administration trying to rationalize its own internal political differences, to keep the faith, as it were, with its various incompatible constituents. The point is that it can't be done.

AN END TO THE DRAFT

Mr. McGOVERN. Mr. President, in recent months we have heard much debate and discussion on various proposals to reform, adjust, or eliminate the draft.

It has been suggested that an end to the draft and its replacement by a voluntary career force would somehow lead to a more belligerent American foreign policy. Others have contended that the

draft is needed to trigger the kind of public disenchantment that has developed over our involvement in Vietnam.

Such allegations seem to me to be a questionable defense of the draft. Clearly it did not keep us out of the war in Vietnam—and prior restraint is obviously what is most needed—nor has it yet brought about the policy changes which must come if we are to disengage from that tragic conflict. I do not think we can justify exposing young Americans to the uncertainty, the unfairness, and the heavy costs of compulsory service on an unproven and illogical claim that their sacrifice is needed if we are to maintain a responsible foreign policy.

The Senator from Oregon (Mr. HATFIELD), with whom I am pleased to co-sponsor proposed legislation to terminate the draft, has provided a very clear and persuasive analysis of this and other aspects of the issue in the March 30 New York Times magazine. He has studied the matter thoroughly, and his discussion is well worth the careful consideration of our policymakers. I commend it to the attention of each Member of the Senate and ask unanimous consent that it be printed in the RECORD.

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

SENATOR HATFIELD ARGUES THAT THE DRAFT IS WRONG—A VOLUNTEER ARMY IS THE ANSWER

(By Senator MARK O. HATFIELD)

I have always been somewhat annoyed by people who consistently look disaster in the eye and announce that "something good will come of it in the end." I generally suspect that such people either do not comprehend the nature of the calamity or are callous to tragedy.

So it is with certain misgivings that I assert that something positive may result from our involvement in the senseless and unpopular war in Vietnam. Without the war I doubt that opposition to our system of conscription would have gained the momentum it has, momentum which may eventually lead to the abolition of the draft and the establishment of a volunteer military, the only system that allows the maximum personal liberty and eliminates the major inequities inherent in conscription.

The draft has forced young men who abhor the war to make difficult choices. My files are filled with letters from troubled youths who must reconcile their duty to their country with their duty to their consciences. They have desperate alternatives: choose to move to Canada, to declare themselves conscientious objectors, to go to jail, or choose to kill men they do not hate in a war they cannot justify for a cause they do not believe in.

This horrible dilemma is very much a part of the tragedy of Vietnam. The pain and suffering of this war are not limited to the battlefields or the orphanages and refugee camps of Southeast Asia. They are felt by young men like Peter Danielson, a 19-year-old philosophy major at the University of Michigan who was quoted in this magazine: "If I was on the battlefield, would I justify killing, or would I go crazy? Wrecking my career by trying for C.O. [conscientious objector status] scares me. Five years in Leavenworth for refusing to serve scares me. But if becoming a soldier means killing innocent people, that scares me, too. The choices are so big I can't handle them."

Sensitive young men like Peter will be forever haunted by the choices they must make on the draft. But opposition to the system is by no means found only among its primary

victims. Greater and greater numbers of people are joining me in the conclusion that we must end the draft, we must have a volunteer professional army. I believe that conscription cannot meet the requirements of an effective military manpower-procurement system: (1) to preserve individual liberty and freedom as much as possible from unjustified intrusion by the Government; (2) to insure that every young man receives equal treatment and no one is required to make sacrifices that are not demanded of his peers; (3) to provide the maximum national security with the greatest efficiency and economy.

It can be shown, I believe, that the Selective Service program now in use does not meet these criteria. First, the draft denies individual liberty. As *The Wall Street Journal* pointed out editorially in March, 1967: "We should recognize that [the draft] is about the most odious form of Government control we have yet accepted. We should not forget that it is a basic violation of our traditions of freedom and individualism."

I feel strongly that each man has a moral obligation to serve his country, but he must be granted the freedom to accept his responsibility and the right to determine the form his service shall take. Individual liberty is not a concession that can be withdrawn or that must be paid for by military service. It is the ultimate right in a democracy.

The draft also fails to meet the criterion of fairness, for it is not equally applied. There has been a great deal of resentment because the Selective Service System is not administered uniformly throughout the country, because of the uncertainty young men must live with and because of the many inequities of the deferment system. But the most basic inequity is the fact that a smaller and smaller minority of our young men is carrying the burden of national defense. Even under today's crisis conditions the military services draft only about 350,000 men out of a draft-eligible pool that totals 12 million. We should not tolerate a system that capriciously requisitions two years out of the lives of some youths while allowing the majority their liberty.

Even the third criterion, that of efficiently providing the necessary quantity and quality of men, is beyond the system of conscription. Why? Because the Selective Service System is designed only to provide large numbers of men; it is inherently incapable of supplying well-qualified personnel.

The nature of military needs has changed dramatically since World War II, when our conscription process was designed. In the nineteen-forties it was necessary to maintain a large "generalist" army. But today the need for great numbers of combat troops has been reduced by modern weapons capable of undertaking assignments formerly performed by men and by the changed nature of warfare. It is highly unlikely that we shall ever again be engaged in nonnuclear hostilities similar to World War II. Future military engagements will probably be guerrilla or counterinsurgency operations such as the one in Vietnam, where a small, highly trained and experienced army is more effective than a large, inexperienced and transient force. Conscription, designed to provide great numbers of men, cannot supply men with the technical know-how to operate modern weapons or the training and experience to be effective guerrilla fighters.

Draftees, who have been taken from civilian life against their wishes, spend their two years of military service counting the days until they get out. As soon as the required period is over, the vast majority of them return to civilian life—producing an average yearly turnover rate of 90 per cent. This high rate prevents specialized training during a period when, in the words of one observer, "the new demands imposed by warfare suggest that what we need is not only

superweapons but supermen in uniform." Lieut. Gen. Ira Eaker, a retired Air Force officer, commented: "Weapons are now so complicated and require such technical competence and skill for their operation and maintenance that it is absurd to expect short-term trainees to man them effectively."

The draft, based as it is on compulsion, not free choice, aggravates the turnover problem; inasmuch as it does, it must be counted a negative factor in national security. It continues to amaze me that the public officials most vigilant in seeing that every defense request is met (from F-111's to the costly and questionable A.B.M.) are often the very men who most adamantly defend the draft—which is clearly the most vulnerable aspect of our national security.

It is easily demonstrable that the draft is not a just and effective method of procuring military manpower. And there is no way of making procedural reforms in the Selective Service System that will enable it to meet the three basic criteria. For instance, the lottery approach, under which draftees would be selected on a random basis from a pool of eligible 19-year-olds, falls on all three counts. Substituting Lady Luck for General Hershey does not alter the fact that young men are forced into service and denied their individual liberty. The random selection process does not alleviate the basic injustice of the draft—the fact that a few serve while many escape—though it could reduce some of the inequities in the deferment system and the lack of uniform administration by the 4,000 draft boards. I find it very difficult to think—as those who support the lottery system must—that injustice handed out by a machine is more tolerable than injustice handed out by men. As Bruce Chapman points out in his book "The Wrong Man in Uniform," the lottery "would be a supremely callous, a dehumanizing, a frivolous Government-sponsored game of Russian roulette."

And, finally, the lottery system would not improve the quality of servicemen or the efficiency or economy of the system. Men would still be serving against their wills and the turnover rate would be no different. Our military forces would still be composed of inadequately trained, inexperienced men and would remain a liability to our national security.

The lottery approach should not be made to represent anything more than it is: a limited reform in the operation of the conscription system, which would still be undemocratic, inequitable and inefficient. The lottery is a patchwork proposal designed to cover some of the gaping holes in the fabric of military conscription, but it does little to retaylor the flaws in the basic design of the draft.

I am convinced that the only solution to our problem is the abolition of the draft and the return to a voluntary military. This is the system that would allow maximum personal liberty and freedom from Government interference, for no one would be forced to serve in the armed forces against his will. A volunteer military would eliminate the inequities of the Selective Service System and end the injustice of forcing some to serve while allowing the majority to escape. And, with its reduced turnover, it would provide a more efficient and effective military establishment.

An all-volunteer force is usually first challenged on the ground that it would never provide the armed services with the number of men needed. The evidence indicates otherwise. We are talking about rather small numbers of men. In peacetime, according to the economist Walter Oi, a volunteer military, with its reduced turnover, should need to recruit only about 333,000 young men into the enlisted ranks each year. Statistically, this comes down to less than 2 per cent of the

draft-eligible pool—young men between 18 and 26. Even if this pool were limited to men 18 through 20—the ages at which the majority of youths are making career decisions—the military would need to recruit only about 6 per cent of the group into the enlisted ranks each year.

Even more relevant are statistics on the difference between the total number of men needed annually and the number of true volunteers the military can expect to recruit without improving the conditions of service: the difference between supply and demand. This difference is astonishingly low. Professor Oi—who served as a consultant to the Pentagon during a 1964 study of military manpower and who uses Defense Department statistics in developing his estimates—points out that by 1970, with a peacetime force of 2.65 million men, the shortage would amount to only 75,000. In other words, all but 75,000 of the men needed to maintain the armed services would volunteer anyway if pay levels were not changed.

Let me point out parenthetically that President Nixon has pledged to move toward an all-volunteer force and the Defense Department is conducting a study called "Project Volunteer." Nixon's plan to request a military pay raise—recently dropped in an effort to insure a budget surplus—represented a step in the right direction, but the increase, if it does finally come, will have a delayed rather than an immediate impact for it will be spread over all ranks. Very little of it or the \$1.8-billion Congress has already approved will filter down to new recruits, and the increase that will do the most to encourage a volunteer army is the one that will give substantially more money to the first-term enlistee.

The task of making a military career attractive and rewarding enough to induce 75,000 men to volunteer is not insurmountable. We could, for instance, raise the pay scales considerably and improve such fringe benefits as educational and recreational facilities. We might also try to increase the social status of the career military man, ease rigid promotion schedules and raise re-enlistment bonuses. Professor Oi has concluded that salary increases alone, totaling about \$4-billion, would supply all the incentive needed to maintain the peacetime armed forces (Dr. Harry Gilman, who took part in the 1964 manpower study and later headed an investigation of compensation and re-enlistment problems for the Pentagon, is even more optimistic. He believes that the extra budget outlay would be only \$1-billion). According to Professor Oi's figures, the price for maintaining an all-volunteer military establishment would double, to about \$8-billion, in wartime. Oi ridicules the Defense Department's estimate that a volunteer system might cost an additional \$17-billion in salaries. Such a pay increase would result in an average annual salary of well over \$8,000 for first-term enlistees—an absurd estimate of the economic reward necessary to attract an additional 75,000 men.

The budgetary increase of \$4 billion represents only a 5 percent increase in our national defense budget and does not reflect the reduction in force levels—and corresponding economies—that can be achieved under a voluntary system or the savings that would be produced by the increased efficiency of a professional military.

The head of the Army's enlisted personnel directorate has stated that "the current strength of armed forces could actually be reduced if the annual turnover of men was reduced," and a professional military would experience less turnover. An all-volunteer force, Professor Oi estimates would have a 30 percent reduction in turnover. That means 30 percent fewer men would have to be recruited and trained each year, and that means fewer men would be needed to train them—resulting in the reassignment of ap-

proximately 80,000 of the 265,000 men engaged in training functions at peacetime manpower levels. Thus, force levels could be reduced by 80,000 men without any reduction in defense capability. (It should be noted that this reduction in personnel would more than compensate for the 75,000-man deficit predicted for a voluntary military operating under present pay scales and enlistment rates.)

An armed service of professionals would perform much more efficiently than one composed of conscripts. Robert Lekachman estimated in an article in *Challenge* in 1967 that the productivity of the draftee or reluctant volunteer averages about 20 percent less than that of a professional soldier. A voluntary military composed of about 2.43 million men would therefore be the effective equivalent of a peacetime armed force of 2.65 million men, 40 percent of whom were draftees and reluctant volunteers. (These statistics suggest that reductions totaling nearly three times the 75,000-troop deficit could be made with no loss in defense capability.)

As force levels are reduced, the cost of maintaining the military is reduced. But other economies growing out of lower turnover rates would be realized with an all-volunteer military: smaller expenditures for veterans' benefits, savings in the maintenance of complicated equipment now mistreated by inadequately trained men and reductions in the cost of maintaining boot camps. In fact, five Congressmen estimated in "How To End the Draft," a book published in 1967, that a voluntary system would have saved more than \$1.7-billion in personnel costs alone during 1966. This represents almost half of the \$4-billion Professor Oi calculates would be needed in increased salaries for a professional armed force.

But to discuss the price of a voluntary military establishment in terms of its increased budget costs is to miss the point. In real economic terms, an all-volunteer force would not be any more expensive than our current Army of conscripts, but the bill would be sent to a different party. Under a voluntary system all taxpayers would share the true cost of supporting our armed forces. Under the draft system the young men we force into the military subsidize their own service. When a youth is capable of earning \$350 a month in civilian employment and is drafted and paid, at a conservative estimate, only \$210—including tax benefits and allowances for room and board—the lost income is his extra contribution for the maintenance of the armed forces. We must remedy this injustice by placing the financial burden of our national defense where it belongs—on the general taxpayers rather than the hapless young men we force into uniform.

On the basis of 1964 statistics, Professor Oi has estimated that the difference between what a young man could earn as a civilian and his pay as a draftee is \$1,680 a year. But during that year taxpayers over 21 paid an average Federal tax of only \$633. In Professor Oi's words, "The typical draftee [was] thus saddled with a hidden tax that [was] over twice as high as the Federal income-tax burden of an individual taxpayer."

If we paid young men salaries high enough to induce them to volunteer, we would merely be paying the true value of their service; the added budgetary cost would be only a reflection of the actual cost of our armed services. The argument that an all-volunteer force would cost too much is not, in reality, an argument for conscription but an argument against the extent of our military commitment. This point was most effectively made in "Why the Draft?" a book by seven young political economists:

"The volunteer army forces taxpayers to recognize the true cost of military activity. If they would be unwilling to pay this cost, it must be because the benefits from such

activity are less than its cost. In such a case, the activity should be curtailed, and not, as under a draft system, merely have its cost concealed. . . . The volunteer army does not increase the real cost of national defense; if anything, because it is more efficient, it reduces that cost. What it does do, however, is make the cost apparent while distributing it more evenly."

A second common criticism of the proposal for voluntary military service is that it would produce an all-black army. (Sometimes the charge is that it would be a poor black army; the fact that the draft system produces a poor army is overlooked. It is the upper-lower class and the lower-middle class that are drafted in disproportionate numbers. A volunteer army, because of improved pay, status and conditions, would be much more a middle-class army.)

I will defend the volunteer military service against the charge that it would be disproportionately black at some length—not because the argument has any validity, but because it is an emotional issue raised by men who evidently have not taken the time to discover whether their charges have any basis in fact. I submit that they have not.

Simple arithmetic establishes that a volunteer armed force would not result in a "black army." The argument of the critics is that since black youths don't have many economic opportunities they would flock to recruitment offices if the military offered them a decent wage. What is overlooked is that 2.5 times as many white youths as black youths are classified "poor" by the Government. So if you accept the critics' assumption that salary and poverty levels alone would determine the enlistment rate, there would be 2.5 white volunteers for every black one.

There is little reason to believe that black men would join the military in great disproportion to the number of white young men who would be drawn to this career. In fact, the national advisory commission on the draft stated in its report, "In Pursuit of Equity," that qualified white and black youths volunteer at rates about equal to their over-all proportion in society. (Blacks between 18 and 26 represent about 12 per cent of their age group and they voluntarily enter the service in approximately the same proportion.) I find it difficult to anticipate any reason for this pattern of equal enlistment rates to change under a totally voluntary military, and would expect, therefore, the proportion of blacks entering the armed forces to be in the neighborhood of 12 per cent.

It just cannot be logically argued that an all-volunteer force with higher pay rates and improved benefits would be disproportionately attractive to blacks. Economist Milton Friedman of the University of Chicago argues convincingly that present pay levels are "comparatively" more advantageous to the Negro than would be the increased wages of a professional military. For, even as low as military pay is, it still offers more than 50 per cent of draft-age black youths higher incomes than they could earn in civilian life, according to the Census Bureau. But only about 33 per cent of the white youths are earning wages below what they could get in the military. What it means, then, is that more than 50 per cent of the black youths who would be attracted to the military because of pay have already had the financial incentive to join. Higher pay would be a potential incentive to less than 50 per cent of young blacks, but would be potentially attractive to about 70 per cent of young whites.

Even in the unlikely event that a professional military did produce unequal racial enlistment rates, it would not cause an unacceptable imbalance. Prof Thomas Schelling, an economist and defense analyst at Harvard's John Fitzgerald Kennedy School of

Government, has estimated that if black men should find military service to be three or four times as attractive as whites did, their high rejection rates would mean that they would still represent only 20 per cent of the armed forces.

Critics may attempt to argue that the re-enlistment rate for blacks is considerably greater than it is for whites, and assert that this will eventually cause a significant racial imbalance as more blacks elect to remain in uniform. This possibility exists, however, whether men are drafted into the service or volunteer. And Army figures show that the re-enlistment rate for blacks who were drafted is 30 per cent higher than the re-enlistment rate for white draftees. But the black re-enlistment rate of first-term volunteers was only 25 per cent above the white volunteer re-enlistment rate. Furthermore, as the conditions of military service more closely approximate what the white young man can expect to enjoy as a civilian they will provide greater incentive for him to re-enlist; the comparative advantages of military life already provide this incentive for most black young men. A voluntary military, then, could be expected to produce more comparable racial re-enlistment rates.

While converting to a voluntary system, the military should provide greater flexibility in enlistment standards so that young men with slight educational or physical inadequacies could be accepted and given special training and appropriate assignments. Although the rejection rate for blacks is double the rate for whites, this would not result in the acceptance of twice as many Negroes. Army figures show that for every black youth who attempted to volunteer and was rejected in 1968, three white youths were rejected, in other words, under the flexible enlistment standards, 75 whites would be accepted to 25 blacks.

Another factor which will temper any trend toward a black army is our national commitment to improving the economic opportunities of our black citizens. As we expand the opportunities in the civilian job sector, fewer black men will find the military to be the most attractive road to higher economic and social status, and this will tend to place an effective ceiling on the proportion of blacks who enlist.

Finally, I believe it is difficult to argue convincingly that it would be undesirable for the United States to have a military establishment in which the ratio of black men was two or three times that in society. The five members of Congress who wrote "How To End the Draft" put it this way:

"There is nothing wrong with the fact that military service in an all-volunteer army might offer some Negroes better living conditions, better education, more secure employment, a better chance of assuming responsibility and a more dignified life than the civilian economy can offer. It is not our military system which should be condemned for offering a chance to the Negro, it is the civilian sector of our society which should be condemned for failing to allow the Negro to share fully the fruits of America's prosperity."

Another charge brought against the voluntary-military proposal is just as fallacious and emotional as the predictions of a black army. This is the argument that a professional military would be composed of "mercenaries"—men who would join the service only for the money and whose loyalty would therefore be questionable.

This line of reasoning presupposes that young men would choose military careers solely because they were well-paid. But young people who pick careers as teachers or carpenters certainly don't reach their decisions purely on the basis of economics, and there is no reason to think that those who enlist in the military would be motivated entirely by good pay and improved benefits. John

Mitrisin, a former research associate at the Institute for Policy Studies, recently pointed out in an article in *Current History*: "Monetary gain, training and veterans' benefits are not the only reasons men join the armed forces; if they were there would be almost no true volunteers today. Men join because of patriotism, family tradition, the military's image of manliness and the chance to travel. These attractions are strong . . ."

Our military officers have traditionally been well-paid and they have not been characterized contemptuously as "mercenaries." Indeed, as the prestigious magazine *Science* asked editorially in January, "Why is a volunteer officer a 'dedicated career man' but an enlisted man a 'mercenary'?"

The conclusion that a well-paid military would be less loyal to an army of conscripts is questionable. Is it really logical to expect that a man whose service is adequately compensated, whose status is enhanced by a new professionalism and whose contribution is recognized and appreciated will be less loyal to his nation and its ideals than a man who is forced into service, is inadequately compensated and who enjoys all too little esteem from the general public?

A volunteer force will not be an exclusive, stable body of men isolated from all contact with civilian society and influences. (After all, we don't demand that volunteers take vows of celibacy or renounce their parents.) Between 1960 and 1965, an average of 520,000 men entered the service each year. Under a voluntary military, there would still be more than 360,000 entering and leaving the force each year to maintain a "civilian" influence and dissipate any tendency toward military elitism.

Yet alarmists have gone so far as to predict military coups if we move to a professional army. Their predictions, however, are not accompanied by any evidence. They certainly can't point to history. Except for the last 30 years and brief periods during World War I and the Civil War, our nation has relied almost exclusively on a volunteer or professional army. Civilian control of the Government has never been threatened. And the experience of other nations does not verify the predictions of military takeovers. There is, historically, little correlation between the method of recruitment and the frequency of military coups—and, incidentally, civilian rule was overthrown recently in two countries that rely on conscription, Greece and Argentina.

Those who are determined to find a direct relationship between militarism and a voluntary recruitment system should look closely at what is happening to our two closest allies, Canada and Britain. Both have volunteer programs and it can be argued that militarism is declining in these two nations. Both countries are reducing their international military commitments, and Britain has significantly reduced the size of her forces.

Frankly, I believe that the method of recruiting enlisted men is unrelated to the possibility of a rise in militarism. Draftees, who are only in the service for two years and who are at the very bottom of the military power structure, have very little ability to exert a "civilian" influence on the military hierarchy. The danger of military elitism comes primarily from the officers, who are and almost always have been volunteers or "professionals." We should continue our tradition of drawing officers from widely divergent social, economic and geographic backgrounds. We should also continue our Congressional selection of the student bodies at our military academies, maintain voluntary R.O.T.C. programs on college campuses and provide for expanded opportunities for enlisted personnel to attend officer-candidate schools.

If we want to protect our nation from the

threat of militarism, our primary concern should be to exert civilian influence at the top, not the bottom, of the military power structure. The office of the Secretary of Defense and the Secretaries of the Army, Navy and Air Force should remain in the hands of civilians.

A volunteer military would inherently provide an effective check against a loss of civilian control over the military because it would take a bigger bite out of the tax dollar. My nearly 20 years as a public official have convinced me that there is no more effective way to interest the voters in Government policy than through their pocketbooks. Taxpayers and elected officials can be expected to watch closely and to debate vigorously attempts by the military to expand. (The heated controversy over the passing of the 10 per cent surtax to finance the war in Vietnam substantiates this conclusion.) In the words of the economist Robert Tollison: ". . . one could speculate that the increased financial costs of the volunteer army would lead to even greater civilian activity in the conduct and direction of military operations such as in Vietnam. In general, therefore, this closer scrutiny of military personnel arising from an all-volunteer force would serve to establish even more effective civilian control over the military and guard against the dangers of militarism."

In fact, civilian control over the military should be extended a step further. The Government's authority to draft young men into uniform should be ended and it should be possible to reinstate it *only* by an act of Congress upon the recommendation of the Commander in Chief. This provision would modify the President's unilateral ability to involve us by administrative decree in military adventures abroad. The assured ability to put young men into uniform is vital to any major commitment to war. One man—the President—now has this ability and there exists no effective check on it. The Executive Branch of Government has declared that the President, as Commander in Chief, has the power to send American men, in any number he chooses, to any spot in the world without the approval or even the consent of Congress. A volunteer military would force the President to rely on persuasion rather than conscription in committing us to long-term conflicts. Since the armed services would fill their ranks with volunteers rather than draftees, it would be difficult for the President to commit us to an unpopular war—such as the one in Vietnam—and still induce the necessary number of young men to volunteer. Before intervening in a conflict, the President would be forced to consider very carefully whether our involvement could be justified to the public.

A further check would be the President's awareness that if he couldn't sell the war to the American public, he would have to sell it to Congress. If insufficient numbers of young men believed in the commitment enough to volunteer, the President would have to ask Congress to reinstitute the draft. (Only at this point, if a voluntary system proves inadequate, should we explore such reforms of the conscript program as the lottery; the draft, whether by lottery or through the Selective Service System, should be used only as a last resort, not relied upon as the easy way out.) Before the President decided to intervene in conflicts he would be sure that he could justify his action to Congress; this would reduce the possibility of an ill-considered commitment of troops.

Peacetime conscription is essential to the President's self-proclaimed, singular ability to involve our country in war by administrative decree. The draft allows him to bypass and nullify the constitutionally defined role of Congress to declare war. The story of how we became involved in Vietnam demonstrates the necessity to correct this imbal-

ance of power and to place checks on the President's unilateral ability to involve our nation in long-term conflicts. Aside from a constitutional amendment, I know of no other effective means of restoring to Congress its proper role in committing us to war than by placing in the hands of the House and Senate the authority to conscript armies.

JOB CORPS IN OMAHA

Mr. CURTIS. Mr. President, I have written a letter to Mr. Moynihan at the White House pertaining to the Job Corps in Omaha. I have sent copies of this letter to Chairman JOHN McCLELLAN, to the Job Corps, and to the Burroughs Corp.

Mr. President, I ask unanimous consent that the letter be printed in the RECORD.

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

U.S. SENATE,

Washington, D.C., March 26, 1969.

Mr. DANIEL P. MOYNIHAN,
The White House,
Washington, D.C.

DEAR MR. MOYNIHAN: It is my understanding that you are advising the President on matters pertaining to the poverty program. There is no disagreement among the vast majority of people over the question of assisting the disadvantaged. There is wide disagreement over methods. Many people question the methods, the efficiency and the results of the poverty program. Many feel that for less dollars a better job could be done in reaching more people than the poverty program.

Currently the Burroughs Corporation appears to be negotiating to extend the Job Corps in downtown Omaha where they occupy two downtown hotels. Countless Nebraskans have petitioned their representatives in Washington against it. They do not want the Job Corps in downtown Omaha. This information has been given to the head of the poverty program, to the Job Corps, and to the Burroughs Corporation.

In addition to countless individuals in Omaha and elsewhere urging removal of the Job Corps from downtown Omaha, an organized group of retailers has expressed itself. The city council passed a resolution expressing the sentiment that before any more Job Corps were located in Omaha, their locations be approved by the city council.

The Job Corps instead of heeding their critics have countered with a political campaign. I have no way of knowing whose money they are using for the political campaign. I will give you an illustration. A memorandum was circulated bearing date of March 10, 1969. It read as follows:

"DEAR STAFF MEMBER: As communication during our current controversy we feel that it is important to establish a few links. A Task Force with specific assignments has been made"

At this point the name of Mr. Brandon M. Whistler, Director of Public Relations, is listed, together with the names of eight other individuals who make up the Task Force. I am not releasing the names of the other individuals because I do not know whether they consented to the use of their names or not. The letter goes on as follows:

"In your efforts to do your part, we request that you inform a member of the Task Force of the list of people you plan to contact, and then later the results of the contact, and any general information pertinent to the situation.

"The reason for this request is twofold. First, we do not wish to harass anyone unnecessarily if a contact has already been made with positive results. On the other hand if the result is negative then please harass. Sec-

ond, we would like to record results of all efforts.

"Thank you for your cooperation.

"BRANDON M. WHISTLER,
"Director of Public Relations."

Some people have firmly believed that in some cities some of the Job Corps staff and some of the politicians and some of the landlords were more interested in the Job Corps than they were interested in the disadvantaged people who they are endeavoring to reach.

I realize that you have been left with a difficult problem. I thought this memorandum was significant and that is the reason I am writing you this letter.

With kindest personal regards, I am

Sincerely yours,

CARL T. CURTIS,
U.S. Senator.

RESPONSIBILITY FOR FOREIGN TRADE NEGOTIATIONS

Mr. EAGLETON. Mr. President, on March 20, 10 Senators joined me in writing to the President expressing our concern over his apparent intention to shift responsibility for our foreign trade from a Special Trade Representative in the White House to the Department of Commerce.

As we pointed out in our letter, the Office of Special Trade Representative was created by Congress in 1962 for the specific purpose of insuring that all sectors of the American economy would be fairly represented in our trade negotiations. We do not feel that this purpose can be adequately fulfilled in the Department of Commerce. Our letter and several supporting documents were printed in the RECORD of March 24.

We have not yet received an acknowledgement or answer from the White House, which I take to mean that the issue is still under active consideration.

In this regard, I would like to call the attention of Senators to a background piece written by Mr. Joseph R. Selvin and published in the Washington Post of March 30, and also to an editorial published in the Washington Post on April 2. I ask unanimous consent that they be printed in the RECORD.

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

[From the Washington Post, Mar. 30, 1969]
BATTLE LOOMS ON STANS BID TO RUN FOREIGN TRADE POLICY

(By Joseph R. Selvin)

Secretary of Commerce Maurice Stans has touched off a boiling, intra-Administration row by trying to take over the job of running U.S. foreign trade policy.

It is the hottest squabble since the smoothly operating Nixon Administration took office just over two months ago. Secretary of State William Rogers and Secretary of the Treasury David Kennedy—the two ranking cabinet officers—are arrayed against Stans along with an influential assortment of top officials in the White House, Budget Bureau, and Council of Economic Advisers.

The Stans target is the Office of Special Representative for Trade Negotiations, an independent White House Agency that now reports directly to the President. The efficient, conservative Commerce Department head leaves for a two-week swing through Europe April 11 and he would like to become the Government's chief trade spokesman.

President Nixon will have to decide the fate of the Stans bid. While it will be hard

for the President to refuse Stans, in view of his devoted service as Nixon's chief money raiser, the opponents are vigorously pressing their case at the White House.

The Office of Special Representative was created under the 1962 Trade Expansion Act, the law that authorized the President to negotiate the historic Kennedy Round of tariff cuts. Trade policy responsibility had been lodged in an inter-departmental committee headed by the Secretary of Commerce. Congress decided against having a cabinet officer run the committee on the ground that the chairman should have a broad, overall view and should not reflect the prejudices of any one department.

The Stans opponents are receiving strong support from influential industrial groups such as the Automobile Manufacturers' Association. All of the major farm organizations have urged the President to retain an independent trade office for they fear that agricultural exports will suffer if they have to rely on the Secretary of Commerce to spearhead their continuing fight for greater access to European markets.

While Commerce officials argue that their Secretary speaks for all business, the Department traditionally has had a protectionist tinge. It took the side of non-competitive American electrical companies against efficient foreign producers in a celebrated series of "Buy American" cases and it led the campaign to force foreign countries to put so-called "voluntary" quotas on shipments of cotton textiles the U.S.

More recently, Stans has become the Administration's most outspoken advocate of winning similar "voluntary" quotas on synthetic textiles. A prime objective of his April trip will be to try to persuade reluctant European governments to join the U.S. in quota talks at Geneva.

This country's foreign trade now is approaching \$70 billion a year. We have to chalk up further substantial export increases if we are to gain control of the balance of payments deficits that have been raising a constant threat to the dollar. The Stans opponents contend that it not only would be a mistake to give the major trade responsibility to an agency that has a protectionist history but that managing this country's foreign trade program is a full time task that rates the undivided attention of the ablest Special Representative for Trade Negotiations that Nixon can attract.

[From the Washington Post, Apr. 2, 1969]
FOR A STRONG TRADE POLICY

Mr. Nixon ought not to abolish the office of the President's Special Representative for Trade Negotiations (STR) and turn over its duties to the Commerce Department, as strong rumor suggests he may. It was the clear intent of Congress, when it created the post in 1962, to protect trade policy from the vested interests of any one department and to give it the independence and stature of a separate high-level Executive office. The Commerce Department is widely suspect for its protectionist and pro-industry tendencies; these would keep it from giving all sectors of the American economy, particularly agriculture, the fair representation they have received from the STR. This is not to say that any other Executive department could be expected to do better than Commerce: It is to say that national policy, on an issue cutting sharply across departmental lines, is best made at a locus of its own.

Mr. Nixon has given no clear indications that he intends any major trade negotiations; textile agreements are hardly in that class. It is also being put about that he is looking for a trade-policy chief without pronounced views for or against freer trade. Either prospect, for a stand-pat policy or a neutral chief, would damage Mr. Nixon's chances for recruiting an able trade-minded official in

the mold of the first two STR's, the late Governor Herter and William M. Roth. And not only a broad mandate and an effective chief are essential but a strong staff as well. Trade is too important to this country to be treated in a narrow bureaucratic way.

CUSTOMS INSPECTORS FACE INCREASED HAZARDS

Mr. YARBOROUGH. Mr. President, on March 11, 1969, I again introduced a measure to include customs inspectors in the category of hazardous occupations. The bill is S. 1473. Upon introducing the bill, I cited a number of incidents pointing up the hazardous nature of this Government service. Since March 11, I have received a number of messages and letters thanking me for the introduction of this measure and, more importantly, bringing to my attention many additional examples that support my contention that the job of the customs inspector is one of the most hazardous in the Federal service.

One of the most informative letters I received was from Mr. Emilio A. Martinez, the president of the El Paso branch of the National Customs Service Association. Mr. Martinez also enclosed a number of news stories from recent issues of the El Paso newspapers, illustrating the daily hazards of our customs inspectors.

Mr. President, I ask unanimous consent that the letter and the news items from the El Paso newspapers be printed in the RECORD.

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

NATIONAL CUSTOMS SERVICE ASSOCIATION,
El Paso, Tex., March 20, 1969

HON. RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: Thank you for sending me a copy of the Congressional Record of March 11, 1969, containing your very interesting comments on your introduction of Senate Bill S. 1473, a bill to include Customs Inspectors in the category of hazardous occupations. I have posted it on our bulletin board so that all concerned can read it and be informed of your efforts on our behalf.

The considerable rise in international traffic has added to our enforcement problems. The increase in the number of narcotics seizures made on the Mexican border is the result of closer inspection of vehicles and baggage and more personal searches of suspects. Experience has taught us that these suspects do not willingly submit to a personal search, particularly if they are smuggling. If we could provide each Congressman with a sound film of an inspector conducting a personal search of a narcotics suspect, we would have no further need to convince Congress that ours is a hazardous occupation. I am enclosing newspaper clippings of recent incidents involving Customs at El Paso, Texas.

The potential dangers and hazards of Customs Inspectors in the performance of their duties have very definitely increased.

We appreciate the able representation you have given us in the Senate, and doubly appreciate your interest and concern with Customs problems and the welfare of Customs employees.

Sincerely yours,

EMILIO A. MARTINEZ,
President, National Customs Service
Association, El Paso Branch.

CUSTOMS AGENTS GRAB BIG MARIHUANA HAUL WORTH AN ESTIMATED \$814,000

Custom agents seized 814 pounds of marihuana, a haul estimated at about \$814,000 and arrested seven persons north of Anthony, N.M. after trailing them through El Paso.

The marihuana smuggling conspiracy probe started here six months ago, according to Jack Salter, chief Customs investigator.

The marihuana was found in a pickup truck. There were three Volkswagen buses and a Volkswagen auto also involved in the arrests.

Arrested were three El Pasoans, Freida Ellen Daniels, 26, 4042 Santa Anita drive; Samuel Lloyd Krazthor, 30, 5000 Taylor avenue; and Fred Williams Daniels Jr., 24, 4042 Santa Anita drive. Also, Mike A. Jacobson, 22, Scottsdale, Ariz.; Mike George Young, Phoenix; Craig Robert Warner, 33, Scottsdale; and April Lea Covey, 21, Temple, Ariz. They were to be arraigned late today before U.S. Commissioner Fred Morton.

Mr. Salter said U.S. Customs Inspector Guillermo Perez became suspicious of two persons entering through the Cordova Port of Entry late yesterday. He notified investigators.

Later a truck entered the U.S. through Cordova and was followed to a point north of Anthony, where Customs investigators, aided by Department of Public Safety agents stopped a caravan of several automobiles and the truck.

A search revealed the marihuana in the bed of the truck covered with a tarp.

According to federal narcotics agents, good quality marihuana can be bought in Juarez for \$40 a pound. A pound of the weed can be converted into 1000 cigarettes at the most, depending on how it is used.

Marihuana cigarets in El Paso usually sell from 50 cents to \$1 each.

The marihuana haul was termed as the largest in a number of years. No further arrests are anticipated according to Mr. Salter.

SOLDIER SHOT AS TWO RUN BRIDGE

Two Ft. Bliss soldiers were faced with a number of federal charges Monday night following an attempt by one of them to flee from Customs officials at Cordova bridge. One of them suffered a gunshot wound in his left arm and was undergoing emergency surgery at Thomason General Hospital early Tuesday.

The incident occurred shortly after 9:30 p.m. when one of the soldiers, identified as Michael D. Avenna, 20, attempted to by-pass a Customs check in his car. Police said the vehicle lurched to a stop a short distance from Paisano after narrowly missing a Customs officer at the bridge check point.

Avenna, apparently not well acquainted with the immediate area of the bridge, stopped his car when he found himself confronted with construction barricades. Police were called to assist the federal officers and converged on the scene from all nearby points within one minute following the request.

Avenna jumped from his car and ran across Paisano followed by James R. Sanderson, a special officer employed by a security firm at the bridge. Sanderson, according to police, fired a warning shot into the air in an effort to stop the fleeing soldier, then chased him across Paisano.

Sanderson finally caught his quarry in the 3700 block of Findley, but was assaulted by Avenna, who continued his effort to escape. As the two men struggled, the soldier, according to police, nearly succeeded in taking Sanderson's gun from him. Sanderson fired at the soldier, hitting him in his upper left arm.

Meanwhile federal security guards placed Gary W. Rogers, 20, also of Ft. Bliss, in custody. Rogers, according to police, was a passenger in the vehicle driven by Avenna,

but made no attempt to flee. A small amount of marihuana was found in the vehicle, police said.

Police said state charges of aggravated assault upon a police officer likely would be filed against Avenna for injuries reportedly suffered by Sanderson, and that a number of federal charges are involved with the incident, possession of marihuana, running the check point, and others mentioned.

NINE PERSONS ARRAIGNED AFTER LARGE WEED HAUL

Nine persons, seven men and two women, were arraigned before U.S. Commissioner Mario Martinez Wednesday night on conspiracy charges in connection with a shipment of 814 pounds of marihuana seized by U.S. Customs officials near Anthony early Wednesday. Four of the suspects are Arizona residents, one a Lower Valley farmer and the rest, El Pasoans.

A tenth suspect managed to escape arrest, reportedly fleeing unharmed in a hall of gunfire by federal agents as they closed in on the suspects. The suspect who escaped, an El Pasoan, was identified as Richard C. Semple. He is being sought by federal authorities and bond was set by Commissioner Martinez, in the event of Semple's arrest, at \$75,000.

Agents aided by Department of Public Safety officers stopped a late model pickup near Anthony after following it from Cordova Island port of entry. The marihuana "bricks" were concealed under a tarp in the truck that was part of a caravan of four vehicles.

The marihuana was valued at a potential retail cost of \$814,000 by veteran agents. Agent-in-Charge Jack Salter said the smuggling conspiracy had been under investigation for the past six months.

The complaints named Fred William Daniels Jr., 24, of 4042 Santa Anita; his brother, Frank, of the same address; Samuel Lloyd Krazthor, 30, of 5100 Taylor; Mrs. Freida Ellen Edwards, 26, a sister of the Daniels brothers and who resides at the Santa Anita address with her parents; Michael George Young, of Phoenix, Ariz.; Robert Warner, 33, of Scottsdale, Ariz.; April Lea Covey, 21, of Temple, Ariz.; Mike Jacobson, 22, also of Scottsdale, Ariz., and Lower Valley farmer Rodolfo Vasquez, 36, of Fabens.

Commissioner Martinez, indicating what he considered as the seriousness of the charges and the evidence presented in each case, set bonds of \$35,000 each for all but Frank Daniels, whose bond was set at \$20,000, and Mrs. Edwards, at \$25,000.

Attorney Lee Chagra, representing the El Pasoans, had asked Commissioner Martinez to display leniency in setting the bonds. When the bonds were read to each defendant, Chagra asked that a preliminary hearing be set for Thursday morning, denouncing the bonds as "unreasonably high." The request for a quick hearing was denied, and the nine defendants were transferred to County Jail.

EVERYDAY EVENTS

(By W. J. Hooten)

It had been thought by some that there would be an unprecedented rush of absentee balloting prior to the March 29 city election. That was because of the sad experience so many of our people had in the November general election by standing in line three and four hours to vote.

But, up to now anyway, that rush of absentee voters has not developed. Quite the contrary. I don't recall any slower start in absentee balloting in any previous city election. Through Monday, only 127 absentee votes had been cast.

I don't anticipate any crush at the polls March 29 like the one we had in several precincts in November.

But I would advise anyone who thinks he may be out of town March 29 to get down to the City Hall and vote absentee.

This is going to be a very important election. Anyone who has taken the trouble to watch what is going on sees that we have a number of cross currents.

RUNNING THE BRIDGE

Two soldiers found themselves in trouble Monday night for allegedly trying to run the Cordova Island Bridge. That sort of thing is strongly recommended against. Our federal officers don't like such a performance. And I don't blame them.

It is surprising to me, however, that there have not been more attempts to run the international bridges by persons operating stolen automobiles and others carrying contraband.

I would say federal officers on both sides of the border run a "tight ship."

THE DOWNTOWN AREA

I was talking with Times sports editor Chuck Whitlock who went to Albuquerque to cover the New Mexico state high school basketball tournament. I am always interested in Albuquerque because it is the first place I landed when I came west 51 years ago.

Chuck said Albuquerque seemed to be booming but that the downtown area has taken on the atmosphere of being deserted.

That is happening to a number of rapidly growing cities. The merchants are moving out of the downtown areas.

El Paso has every reason to be thankful in that respect. Our downtown district is still busy and active. Some say that the so-called "Mexican trade" is largely responsible for that.

I like to see activity in the downtown area. It means a city to me.

A GENERAL JOINS HIS TROOPS

Mr. HANSEN. Mr. President, a great leader has passed. The entire free world mourns the death of President Eisenhower. He met the highest challenges of the 20th century, as a soldier and as a statesman. He served his people of the United States, on the battlefields of the world and in the White House.

As a general, he mourned the loss of comrades in arms who fell before the guns of the enemy. He survived World War II to carry on their quest for world peace. As President, he was praised as the "peacemaker." President Eisenhower was instrumental in bringing about a halt to the bloodshed in Korea.

His firm and positive decisions in the Middle East and other areas of the world, backed by a readiness to support words with deeds, kept the United States from war during the 8 years he served in the White House.

Yet, President Eisenhower, of modest origin in Abilene, Kans., was a practical and realistic man. He did not view the world through rose-colored glasses, and he had no illusions as to the ever-present threat to the freedom of the United States. We may recall words from his speech to the city of London on July 12, 1945:

As long as there are sovereign nations possessing great power, war is inevitable.

Let us not forget this warning from General Eisenhower. And while we search for the road to peace, let us ever be mindful of the security of the United States of America and ascertain that no nation can lull us to sleep—that no nation will become more powerful than the United States.

OXV—547—Part 7

Mr. Eisenhower's presence and counsel will be sorely missed by this country and the world. The words of those of us who have joined in paying tribute to him today certainly can do nothing to ease this loss. But we know that General Eisenhower has joined his troops, and that they welcome him into their heroic ranks.

AN UNFINISHED SYMPHONY

Mr. BAYH. Mr. President—

One of the most agonizing problems within our human experience is that few, if any, of us live to see our fondest hopes fulfilled. The hopes of our childhood and the promises of our mature years are unfinished symphonies.

These are the words of Dr. Martin Luther King, cut down by an assassin's bullet 1 year ago today. His fondest hope was that America would cleanse itself of all inequities based on racial, religious, and ethnic differences. He had dedicated his life to fulfilling this moral promise of our Founding Fathers. "Justice," "peace," "liberty," "freedom"—words that should have a clear meaning to all free men—were especially important to Dr. King. He believed fervently that every man has the capacity for love and compassion for his fellow men, regardless of color and economic circumstances. His energy and eloquence were pitted daily against the forces of bigotry and hatred that continue to litter the pathway to justice and true freedom for millions of our fellow Americans.

We should be especially mindful on the first anniversary of his assassination that Dr. King was a living testimony to the power of love and compassion. Time and again his speeches and sermons rang with a moral challenge to America. Time and again he sought to remind us of our responsibility to lift the burden of injustice borne by generations of black Americans, as he said:

The time is past when Negro protest was a momentary emotional phenomenon and could be dismissed to peter out whether or not it was satisfied. Because it has hardened into a social force at the roots of American Society and now possess dynamic strength, it will move on inexorably until its demands are fulfilled.

Life for Martin Luther King was an unfinished symphony. I hope sincerely that his tragic death was not in vain, but rather a clarion call to our Nation to divest itself of injustice, and to demonstrate unequivocally that freedom and justice for all can be achieved.

BILL TO ESTABLISH AMERICAN FOLKLIFE FOUNDATION RECEIVES FAVORABLE RESPONSE

Mr. YARBOROUGH. Mr. President, on March 20, 1969, I introduced a bill, S. 1591, to establish an American Folklife Foundation in the Smithsonian Institution. The foundation will operate under the direction of a board of trustees as an agency of the Smithsonian. It will sponsor programs for research and scholarship in American folklife, make grants, award scholarships, support presentation of programs on American folklife, and

generally seek to promote greater knowledge and understanding of the American tradition.

The purpose of S. 1591 is "to develop and encourage a greater public awareness of American cultural diversity and the value of American traditional culture." I believe that my bill will correct the serious lag that exists in the study and development of the American folk traditions.

Mr. President, Alan Lomax is a person who is intimately connected with the broad field of American folk music. The names of John and Alan Lomax are well known to anyone who is acquainted with this portion of our national heritage. Mr. Lomax is also a fellow Texan. That is why I was especially pleased to receive a telegram from him supporting the folk-life bill. His message is expressive of the support for this bill among those persons who are actively involved in the folklife field.

I have also received a letter from Mrs. Judith McCulloh in Urbana, Ill., that clearly outlines the need for such legislation.

I ask unanimous consent that the telegram and the letter be printed in the RECORD.

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

NEW YORK, N.Y.,
March 27, 1969.

Senator RALPH YARBOROUGH,
Senate Office Building, Washington, D.C.:

I am told that you have introduced a bill sponsoring a Folklife Foundation at the Smithsonian Institution. If this measure is properly constructed and implemented it can do infinite good in our American world of varied cultures. The mass systems of education and communications have tended to shout down and overshadow the hundreds of local and regional folk cultures that the pioneers developed and that make America actually the delightful and interesting country it is. Without the prestige and support of the National Government and without the platforms that this Foundation can provide we will lose even more of this cultural treasure. All good Americans can see how dangerous this is now that our culturally deprived black children are attacking the educational system and now that the culturally undervalued whites of the South are rallying around a vicious anti-American demagogue. Please let me know if there is anything I can do to help you in this effort. It is far, far more important than the National Arts Foundation because it enshrines and supports all the arts of all Americans. I am proud that it is a fellow Texan, accompanied by an Arkansas hillbilly who have sponsored the bill.

ALAN LOMAX,
Director, Cantometrics Projects.

URBANA, ILL.,
March 29, 1969.

Senator RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SIR: I am writing in support of your proposal to establish an American Folklife Foundation at the Smithsonian Institution. Your perceptive and sympathetic introduction of the bill is particularly encouraging.

Many of us have devoted our efforts and hours and skills to this kind of people-to-people concern, and we like to think that the world is a little better for it. But as individuals we can do only so much. Private

and voluntary groups, by their nature, have not been able to sustain long-term study and activity. The Archive of Folk Song at the Library of Congress has done fine work despite limited support, and the various WPA projects, which branched beyond music, left us invaluable materials. The recent academic gatherings and folklife exhibitions at the Smithsonian have set excellent precedents which we hope can be continued. Still, this is random attention to random traditions.

That the richness in American life has been officially slighted is nonsensical, and the contrast with government support of folklife study in Europe is embarrassing. From its founding in 1831 the Finnish Literature Society sponsored collection and research in all aspects of folklore. The Irish Folklore Commission, established in 1935, has been equally vigorous and enthusiastic in recording folklife. So it goes in the other countries. Our own traditions are certainly as important, and deserve wider respect and documentation. People need to feel that they matter, that their life styles are worth examining, that their various heritages can be a source of pride and stability. The eagerness of the black power/black-is-beautiful awakening is just the most obvious case in point.

I would like to help this bill along, if I can. If you think it appropriate at this time, I will be glad to send similar notes to Senators Dirksen and Percy, or others you might suggest.

Thanks for your attention.

Sincerely,

JUDITH MCCULLOH.

DWIGHT DAVID EISENHOWER

Mr. WILLIAMS of New Jersey. Mr. President, Dwight David Eisenhower now takes his place in history—a victorious general, a man who knew power and used it wisely, a great and good leader of the American people.

In war, he cemented the Allies into the world's greatest invasion and provided the firm, resourceful, inspirational guidance that brought the evil forces of Nazi Germany to destruction and set Western Europe free.

In peace, he drew his fellow countrymen in respect and admiration of his achievements. It has been truly said that he was an authentic national hero. When an admiring and grateful nation rewarded him with the White House, he gave us 8 years of calm, marked by peaceful progress and unmarred by upheaval at home or overseas.

His distinguished service as a military man and as President, engraved on the hearts of his countrymen the depth of character—a man of sincerity and wisdom, moderate and conciliatory in guiding his administration, but always inflexible in his devotion to right.

We mourn his passing. He served his country with courage and devotion. He was one of America's finest sons.

HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, I recently received a letter from the secretary of the "Ad Hoc Committee on the Human Rights and Genocide Treaties," Mrs. Betty Kay Taylor. In her letter, she quotes the endorsement by the Council of Catholic Bishops of the ratification of the Human Rights Convention outlawing genocide. The statement is a good one because it goes to the heart of the matter. It reads:

Apart from the question of war itself, we deem it opportune here to reiterate the Council's condemnation of Genocide, the methodical extermination of an entire people, nation, or ethnic minority for reasons connected with race, religion or status such as that undertaken by the Nazis against the Jews among their own citizens and later against all the Jewish people, as well as so-called "gypsies." We would urge United States ratification of the United Nations Convention on this subject and of every other sound implementing instrument by which the United Nations Declaration of Human Rights can be translated from the level of ideals to that of actuality.

Mr. President, there are two striking aspects of this statement that we should not avoid.

The first is found in the illustration of genocide as that "methodical extermination" practiced by the Nazis against the Jewish people of Germany. All of us in the Senate lived during this black portion of recent history. The unavoidable conclusion is that genocide is not a crime out of the dead and distant past. It is a tragic part of our modern age. Since the end of World War II, many people who lived in Germany at the time, have pointed to the fact that so many good people did nothing.

The second striking aspect of the resolution is found in the last sentence, in the words calling for a translation "from the levels of ideals to that of actuality." Certainly there can be no inspired leadership without ideals. Life would never be improved without a dream. Nevertheless, ideals are dead if they are not translated into actuality.

I again urge the ratification of the Convention outlawing genocide. For too long we have stood at the point of decision while the course we can and should take has been obvious.

DWIGHT DAVID EISENHOWER

Mr. SPONG. Mr. President, from the time Dwight David Eisenhower came to prominence during World War II, he was a symbol of integrity, sincerity, and warmth to the Americans he led in war and peace. Tributes paid here in Washington last Sunday and Monday and the final rites yesterday in Abilene, Kans., attest to the warm affection in which he was held.

Virginians feel a particular sense of loss because of General Eisenhower's family ties to our State. His mother, Ida Stover, was born and raised in Augusta County in the Shenandoah Valley. He was warmly received on his visits to Virginia, and spoke with pride of his mother having been a Virginian.

While General Eisenhower's tangible accomplishments as a military leader and statesman were visible to all, his contributions as a public servant far transcended the holding of a command, or an office. His legacy to the American people was the depth of his spirit, his unassuming manner and, most of all, his ability to instill in the people a sense of confidence and assurance.

Mr. President, I ask unanimous consent that editorials of tribute from Virginia newspapers—the Norfolk and Portsmouth Ledger-Star of March 28, the Virginian-Pilot of March 29, and the

Roanoke Times of March 29—be printed in the RECORD.

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

[From the Norfolk and Portsmouth (Va.) Ledger-Star, Mar. 28, 1969]

DWIGHT DAVID EISENHOWER

The old gentleman whose syntax overwhelmed the purists is now no longer with us and the Crusade for Europe that started him on the road to immortality is something that happened a quarter century ago, an event whose significance is reduced by the dust of time and the fact that it is three wars back.

We mention Dwight Eisenhower's syntax for a particular purpose; for while it represented one of the points many chuckled about, it represented also one of the general's greatest strengths. People, upon hearing him on the air waves or in person, in reading his press conferences and spontaneous talks reported precisely as they occurred, felt a great empathy for the man. He, too, could make mistakes in the language—just as they.

He defeated for the Presidency one of the great purists of the language, Adlai Stevenson, a man of polish and erudition; an intellectual who knew his own faults and had his own doubts. Mr. Stevenson ran well, as we remember his campaign, but the people decided that the old general, the kind-faced, lovable father-figure of a man, was what they preferred. So overwhelmingly did the people prefer the general that it was just as though he had no opponent.

There are those who think of the Eisenhower years as years of the fallow fields, when America stood still. To a point, that is true; but it is also true that America needed to stand still for a time. America had had 12 years of Mr. Roosevelt's manipulations and eight of Mr. Truman's policies, and all they could see from 1941 to 1952 was war, trouble, and war.

We liked Ike because he promised something different; he really didn't believe that America's role was to make over the world, and he promised to end the war in Korea. He did, and despite the missionary urging of his Secretary of State, Mr. Dulles, to go the brink of war in pursuit of policies, President Eisenhower kept us out of war. The fact is that the Korean War ended early in Eisenhower's first term and no others were started.

Since his departure from the White House, the record shows that 33,000 Americans have lost their lives in Vietnam—a place in which he did not become involved beyond the small involvement inherited from Mr. Truman. When President Kennedy was sworn in we had fewer than 1,000 advisers in Vietnam.

The movers and shakers criticized the Eisenhower years also because they seemed to produce no change of consequence in American directions. But the seeds of great change were being sowed at Little Rock and in the space race we now are leading. And now the stirrings and upheavals in the cities' inner cores and upon the nation's campuses are upon us in such great measure that no one knows where these things will all come out.

Except that as the eight years of Eisenhower take on the kind patina of history it may well seem to many that the general's hand guided the country through the happiest and most peaceful years in their memory.

And that, though we tend to forget it, is one of the chief reasons this government was established.

[From the Virginian-Pilot, Mar. 29, 1969]
EISENHOWER THE UNIFIER

Dwight D. Eisenhower will be remembered as a unifier in war and peace. He harnessed

diverse temperaments of Allied generals during World War II, when he was Supreme Allied Commander. In 1950 as NATO's first European commander he led in integrating joint defense forces of the West to resist pressures from the East. With a distaste for "government by factions and fractions," he achieved a high degree of harmony in America during two terms as President. And he tried to unify the United States and the Soviet Union in a quest for peace.

Early in World War II Winston Churchill marveled at the way General Eisenhower not only allowed but encouraged his chief of staff, Bedell Smith, to disagree—and then won him to a decision as completely as if General Smith had got his way. Later, the Allied Commander practiced the same persuasiveness on the Prime Minister in allaying doubts in the invasion of Normandy.

After helping liberate and rearm Western Europe, he was persuaded to run for President. He was alarmed, he said later, by a drift toward Federal paternalism on the domestic scene and signs of isolationism similar to the wave that followed World War I. To a land tense and tired, he brought an era of good feeling. "We are just happier," the President said after his first term. "We are just a happier nation." The air of calm persisted despite one crisis after another—Korea, Formosa, Indochina, Hungary, the Suez Canal—during which he traveled 325,000 miles, endured three major illnesses, and became the oldest President in office. After threading his way through the Formosa trouble in 1955, he remarked, "The hard way is to have the courage to be patient."

The wish of the American voters coincided with his own instinct to keep to the middle way between extremists. He also moved the Republican Party nearer the center. If he disdained patronage and fence-mending and called himself a political novice, he showed a sure touch in advancing his career. But then, after all, the GOP rode his coat-tails and even made inroads in the South. (Five GOP Congressional seats in Virginia are largely an Eisenhower legacy.)

No other American in this century has been as widely beloved and trusted. The electorate had an unshakable faith in his decency and judgment. Columnists might deride his wondrous syntax; the voters understood. Some of his circumlocution was artful. "Far better to stumble or speak guardedly than to move ahead smoothly and risk imperiling the country," he said.

Out of office he wrote four volumes of reminiscences fully as readable as anything produced by most of the critics of his style.

His sense of duty was such that during his first illness he drew satisfaction from the thought that he couldn't have picked a better date for a heart attack—the economy was booming, Congress was out of session, no world crisis was pending.

If he was a horse for work, he was equally zealous at hunting, fishing, golfing, and bridge. (Vivid in the memory is an interview after a particularly good bag of quail. When you go out after a long lapse of time, explained the President, you revert to the first simple motions you learned as a boy.)

Like every man in office, he experienced controversy. At the height of Virginia's fling at Massive Resistance, he fell into such sharp disfavor with the State's leader that none of them turned out to welcome him on a visit to Stratford, Lee's birthplace.

But when the President left that Westmoreland County mansion at the close of the tour, he chuckled in surprise at the sight of 1,500 persons gathered on the far lawn. He waved, and smiled, rather abashedly; and with that, the crescent broke and came running toward him, a fringe of children on the front of the wave. As they reached him, he leaned down, caught a child in his hands,

raised her over his head—and that was the photograph that rebuked churlish officials next morning: a child looking down and laughing at the beaming face of the President of the United States.

The people liked Ike.

[From the Roanoke (Va.) Times, Mar. 29, 1969]

DWIGHT EISENHOWER: NATIONAL HERO, EFFECTIVE LEADER IN WAR AND PEACE

Dwight Eisenhower was an authentic hero, a soldier-president whose rock-like integrity, personal magnetism and infectious grin won him the votes of 35 million Americans and the lasting respect of all his fellow countrymen.

"I Like Ike" was more than a catchy campaign slogan. It accurately described a national mood, first in the Forties, when as allied commander in Europe Gen. Eisenhower directed the invasions of North Africa, Sicily and the Italian mainland, the cross-Channel invasion of France and ultimately the defeat of the German armies beyond the Rhine; in the Fifties, when as 34th President Ike put unity of country above partisan politics, provided steady, undramatic leadership that helped quiet the nation's post-Korea neuroses, and kept the peace in the face of continuing Cold War tensions and nuclear deadlock; in the Sixties, during which he was titular Republican leader, a loyal supporter of Kennedy-Johnson foreign policy and a tenacious battler against the ravages of old age.

Mr. Eisenhower ran the presidency with a light yet steady hand. He early settled on a policy of peaceful co-existence with the opposition-controlled Congress, narrowly defined his own powers, at times de-emphasized the role of the federal government and shunned for too long such national problems as McCarthyism and school integration. In the latter years of his eight-year term, he properly assumed a more activist role as chief executive.

His critics invariably characterize the Eisenhower years as a time of drift and indifference, a time when the nation was doing nothing to prepare for the social revolution that inevitably was to follow. But these critics do an injustice to Ike, for his low-key leadership was desperately needed by a country still trying to recover from the discord and frustration of the Korean stalemate, the paranoid fear of an imagined internal Communist threat, and the corruption of certain Truman Administration officials.

When Eisenhower was tested by crisis, he did not falter. Whether in putting down Gov. Faubus' expedient defiance of federal court orders integrating the Little Rock schools or in showing the flag in the face of Communist threats in Lebanon and the Formosa Straits, he displayed the necessary firmness.

He did not devise an enlightened fiscal and monetary policy to spur the greater economic growth that clearly was needed to deflate Nikita Khrushchev's tiresome boasts that the Soviet Union would bury the U.S., but neither had any President before him.

He did not commit the U.S. to space exploration until Sputnik shook the nation from its lethargy, but moved swiftly to get the U.S. into space once the Soviet challenge was laid down.

He did not saddle the country with a binge of social-welfare legislation, yet he began a prudent expansion of the central government's role in education, civil rights and other activities that the Republican party's dominant congressional leadership had too long ignored.

A war hero, and life-long military man, Mr. Eisenhower nonetheless was emphatic in insisting on subordination of the military to civil power. Significantly, he was one of the

first to recognize the threat posed by the Cold War's "conjunction of an immense military establishment and a large arms industry. Neither an isolationist nor a mindless appeaser, he stressed the imperative need for strong national defense. Still he had the vision to speak out, shortly before he left the White House, of the "unwarranted influence" being gained by an arms industry-military complex. A decade later, the nation only now is coming to realize the full import of that warning.

President Eisenhower wrongly permitted his strong-willed secretary of state, John Foster Dulles, to commit the U.S. to cover most of the globe as a peacekeeper. But he vetoed a U.S. military rescue of the French colonialists in Vietnam. He questioned whether the nation should rely solely on weapons for its security. He laid the groundwork (despite Hungary and the U-2 blow-up) for an eventual U.S.-Soviet detente. He called the lack of disarmament progress in the Fifties his "greatest disappointment." And he once declared, "Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed."

Historian Charles L. Mee, Jr., has called Ike's first campaign for the presidency "less a contest than a prolonged triumphal parade." In truth, his whole life was a triumphal parade. He remained to his death the nation's most admired citizen, even more so in his final days when a dogged will to live kept him alive and alert long after ordinary men would have given up the fight.

Ike was probably the last soldier-president. In the nuclear age no wars can be won, no military heroes can emerge. He grasped the new realities of nuclear deadlock; as speech writer Arthur Larson reminds us in a recent book, Dwight Eisenhower waged peace for eight years with the same effective leadership and impressive results as he waged against Hitler's Third Reich, and closed out the stalemated war in Korea. More could not have been asked of him, and a saddened nation today speaks with a single voice in mourning his death.

DR. KING'S DREAM: OUR NATIONAL OBLIGATION

Mr. WILLIAMS of New Jersey. Mr. President, tomorrow 12 months will have passed since the brutal and tragic assassination of one of our Nation's great leaders, Dr. Martin Luther King. Twelve months ago, a bullet stilled his magnificent voice, but it did not still his awesome message.

Martin Luther King, a man of God, was completely devoted to the principle that all men are equal in the eyes of their creator. Americans had long mouthed the phrase that all men are created equal but Dr. King strove to give it meaning. He showed the Nation that for millions of people; poor, black, and oppressed, there was no equality. Talk about equality was nothing less than an oppressive hoax.

Martin Luther King had a dream, but he was not a dreamer. He was a man of action. He dedicated his life to making equality a reality, and in the end he gave his life for that cause.

Now we, as Americans, are the custodians of that dream. It is our obligation to make that dream come true for those whose lives today are nightmares.

They are people who live in Harlem, in

Appalachia, in migrant labor camps throughout America, and in squalid slums of countless other cities in our Nation.

They are children who lack even a pair of shoes to go to school and who face schools which have not met their needs. They are young and middle-aged adults whose lives have been destroyed by a society that shut them out. They are old people whose incomes doom them to live out their lives in poverty. They are hungry and they are poor.

We are a nation that is faced with providing guns and butter. But in the battle for funds, the butter we have doled out to the needy has proven to be nothing but the cheapest lard.

We must alter our national priorities if we are to meet our responsibilities as the guardians of the glowing dream of Martin Luther King.

Fortunately, men and women have picked up the standard of Dr. King. His wife, Coretta, has proven to be a magnificently eloquent voice for the message left by her husband. She is a brave woman, and our deepest sympathies are with her as we approach the anniversary of that tragic event.

But the burden of furthering the dream of Dr. Martin Luther King must not fall on the few. It is a task for all of us.

We must labor with the dedication of Dr. King. He believed in nonviolence but he was a militant man, not the militancy of destruction but the militancy of spirit. Let us adopt the same militancy of dedication so that some day very soon we can honestly say that all men do share equally in the American dream.

FOREIGN AFFAIRS: NO EASY SHORTCUTS

Mr. McGEE. Mr. President, as one who has long advocated that our present policy with respect to South Vietnam does not resolve itself simply to the current generalization that the "issue" of the day is Vietnam, I would like to draw attention to a column authored by C. L. Sulzberger, which appeared in the New York Times of March 28.

Mr. Sulzberger makes the point that American involvement in Asia, in the Southeast quarter of that Continent in particular, is welcomed by many, and needed. Disengagement from Southeast Asia may take fully as long as the process of engagement took, he says in this column. In fact, in Thailand, he points out, the possibility of total U.S. withdrawal simply is not considered, because Thailand hopes we will not take such a move to penalize it and protect it after the risks it has run by joining the war effort in Vietnam.

Mr. President, I ask unanimous consent that the column by Mr. Sulzberger, to which I have referred, be printed in the RECORD.

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

FOREIGN AFFAIRS: NO EASY SHORTCUTS
(By C. L. Sulzberger)

BANGKOK—The process of American military disengagement from Southeast Asia may

take fully as long as the process of American military engagement. An example why is Thailand.

This country has been our ally fifteen years. It feels Washington's obligations here represent a separate undertaking from the commitment in Vietnam. No matter what settlement is eventually achieved at the Paris talks, Bangkok expects continuation of American responsibilities to Thailand.

There was no local exultation when Washington began negotiations with Hanoi on a basis plainly removed from any position of all-out strength. Nevertheless, Bangkok prefers to believe assurances that no Southeast Asian peace will be accepted which does not provide for this country's security.

UNGER'S STATEMENT

Ambassador Leonard Unger recently stated: "We want not only to re-establish peace in Vietnam but to end Communist violations of the 1962 settlement in Laos. We insist that the North Vietnamese cease their policy of aggression against their neighbors, and leave in peace the peoples of Laos and Thailand as well as South Vietnam."

The Thais interpret this statement and the tenor of their conversations with Washington as implying that any Paris agreement should transcend Vietnam and insure regional guarantees. Bangkok fears that Hanoi, relieved of heavy commitments in South Vietnam, might redirect its military thrust across Laos to Thailand.

AMERICAN PRESENCE

Certainly there isn't yet the slightest hint that Washington wants to reduce U.S. forces stationed here—despite the prospect of a cut in war-torn Vietnam. There are approximately 50,000 American soldiers in Thailand where some \$200 million have been invested in bases operating under the Thai flag but used against Communists in Vietnam. At least half of the U.S. air missions in South Vietnam—including huge B-52 bombers—fly from Thailand.

Some Americans argue that its expensive military presence here could involve the United States in "another Vietnam" because of counter-insurgency operations by Thai forces against their own small guerrilla movement. But Bangkok insists it can handle this problem by itself and only wishes a continued U.S. umbrella to ward off the danger of direct foreign invasion.

If a Vietnam accord finally comes, Bangkok wants to feel protected while it studies the way peace is applied by both Hanoi and Peking. It sees this need for protection as especially desirable when Communist dynamism now dammed up in South Vietnam could suddenly be released.

Depending on how a postwar period in Vietnam might go, there is talk of initially keeping a maximum of perhaps 40,000 Americans here and possibly paring the figure down to 5,000 should regional stability develop. The 5,000 would care for Thai bases under the SEATO alliance.

Thus, despite discussion in the U.S.A. of total withdrawal from the Asian mainland—as ultimately desirable in the minds of a large "dove" faction—there is no such discussion here. Indeed, Thailand hopes no drive by an emotional American public opinion will penalize this country by eventually depriving it of protection after it had risked Chinese and North Vietnamese anger by joining the U.S. war effort in Vietnam.

Even the vague thought of such a pullout would have immense political repercussions in this country. Being wary and experienced, Bangkok is clearly considering minimal contingency plans of its own. It has indicated to neighboring Cambodia—neutral but hostile and a reluctant host to Hanoi's troops—a readiness to renew diplomatic relations and abandon previous territorial claims. It has

also expressed willingness to meet with representatives of Peking.

FAITH IN WASHINGTON

Foreign Minister Thanat Khoman acknowledges the wisdom of reassessing Thailand's world position so that it need no longer necessarily "reckon with possible U.S. commitments." But it is simply not believed that Washington would abandon the formal undertakings it has assumed here. Unlike some other capitals, Bangkok thinks America meant the pledges it underwrote on the Asian mainland through SEATO.

Thailand is therefore not only ready but eager to have U.S. troops stay on its soil even if and when peace comes to Vietnam. This doesn't mean on the present large scale, but at least a symbolic caretaker force until it is certain Southeast Asia's political storms have blown past. Americans who wish we had never stumbled on to this continent are discovering there is no shortcut out that is both easy and honorable.

ADJOURNMENT UNTIL MONDAY, APRIL 14, 1969

Mr. PROXMIER. Mr. President, if there is no further business to come before the Senate, I move, in accordance with House Concurrent Resolution 191, that the Senate stand in adjournment until noon on Monday, April 14, 1969.

The motion was agreed to; and (at 1 o'clock and 55 minutes p.m.) the Senate adjourned until Monday, April 14, 1969, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 3, 1969:

COASTAL PLAINS REGIONAL COMMISSION

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

FOUR CORNERS REGIONAL COMMISSION

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

COMMODITY CREDIT CORPORATION

Kenneth E. Frick, of California, to be a member of the Board of Directors of the Commodity Credit Corporation.

U.S. ATTORNEYS

James L. Treece, of Colorado, to be U.S. attorney for the district of Colorado, for the term of 4 years.

Harold O. Bullis, of North Dakota, to be U.S. attorney for the district of North Dakota for the term of 4 years.

George W. F. Cook, of Vermont, to be U.S. attorney for the district of Vermont for the term of 4 years.

U.S. MARSHAL

Louis O. Aleksich, of Montana, to be U.S. marshal for the district of Montana for the term of 4 years.

COMMUNITY RELATIONS SERVICE

Benjamin F. Holman, of the District of Columbia, to be Director, Community Relations Service, for the term of 4 years.

U.S. INFORMATION AGENCY

Henry Loomis, of Virginia, to be Deputy Director of the U.S. Information Agency.

U.S. REPRESENTATIVE TO THE U.N.

Glenn A. Olds, of New York, to be the representative of the United States of America on the Economic and Social Council of the United Nations.