

lost or rendered unmarketable due to fire, flood, casualty, or other disaster, or breakage, destruction, or other damage (excluding theft) resulting from vandalism or malicious mischief while held for sale; to the Committee on Ways and Means.

By Mr. WHITEHURST:

H.R. 10918. A bill to authorize the Secretary of the Navy to convey to the city of Portsmouth, State of Virginia, certain lands situated within the Crawford urban renewal project (Va-53) in the city of Portsmouth, in exchange for certain lands situated within the proposed South Side neighborhood development project; to the Committee on Armed Services.

H.R. 10919. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10920. A bill to amend title 5, United States Code, to provide that the aggregate amount of reduction in retired or retirement pay incurred by a retired officer of the uniformed services by reason of Government civilian employment shall be paid to him as part of his retired or retirement pay after termination of such employment, to liberalize the monetary factor in the reduction formula applicable to that pay during such employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WOLFF (for himself, Mr. DON H. CLAUSEN, Mr. DEL CLAWSON, Mr. GETTYS, Mr. GONZALEZ, Mr. MCCLORY, Mr. McEWEN, Mr. MESKILL, Mr. RANDALL, Mr. ROYBAL, Mr. SKES, Mr. SNYDER, Mr. WAGGONNER, Mr. WYMAN, and Mr. WRIGHT):

H.R. 10921. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 10922. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide that the rates of compensation of the officers and members of the Federal fire departments of Washington National Airport and Dulles International Airport shall be fixed in accordance with such act, and for other purposes; to the Committee on the District of Columbia.

By Mr. EILBERG:

H.R. 10923. A bill to amend the Consumer Credit Protection Act to provide a right of rescission with respect to sales not made at the seller's place of business; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H. Con. Res. 239. Concurrent resolution,

support of gerontology centers; to the Committee on Education and Labor.

By Mr. HALPERN:

H. Con. Res. 240. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. GUDE (for himself, Mr. ADAMS, Mr. BELL of California, Mr. EDWARDS of California, Mr. ESCH, Mr. FRELINGHUYSEN, Mr. HELSTOSKI, Mr. JACOBS, Mr. MCCLORY, and Mr. McCLOSKEY):

H. Res. 392. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban and District of Columbia Affairs; to the Committee on Rules.

Eisenhower Interstate Highway"; to the Committee on Public Works.

154. Also, memorial of the Legislature of the State of Kansas, relative to taxation of State and local government bonds; to the Committee on Ways and Means.

155. Also, memorial of the Legislature of the State of Minnesota, relative to abolishing residency requirements for federally supported programs for assistance to the blind; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BROYHILL of Virginia (by request):

H.R. 10924. A bill to authorize the Secretary of the Interior to convey certain real property to J.E. Bashor and Marie J. Bashor; to the Committee on Interior and Insular Affairs.

By Mr. KASTENMEIER:

H.R. 10925. A bill for the relief of Percy Ispan Avram; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 10926. A bill for the relief of Robert and Alice Martin; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.R. 10927. A bill to provide private relief for certain members of the U.S. Navy recalled to active duty from the Fleet Reserve after September 27, 1965; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (by request):

H.R. 10928. A bill for the relief of United Spanish War Veterans; to the Committee on the Judiciary.

#### PETITIONS, ETC.

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

100. By the SPEAKER: Petition of the President of the National Academy of Sciences, relative to the administration of selective service regulations; to the Committee on Armed Services.

101. Also, petition of Laszlo Kalmar, München, Germany, relative to removal of his name from a list of undesired persons in the United States; to the Committee on the Judiciary.

102. Also, petition of Henry Stoner, Madison, Wis., relative to determining the location at which the State of New Hampshire ratified the Constitution of the United States; to the Committee on the Judiciary.

## SENATE—Monday, May 5, 1969

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

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

*They that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not be weary; they shall walk and not faint.—Isaiah 40 : 31.*

O Lord, teach us this day and every day the stillness, not of indolence or inertia, but the stillness of awareness and renewal. When nerves grow taut and spirits tense, help us to preserve a sanctuary in the soul where Thy throne is secure, and Thy voice is heard above all lesser voices. Make us who serve Thee

here and all the people of this land to be a nation under God in service to all mankind.

In the Redeemer's name. Amen.

#### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, May 1, 1969, be dispensed with.

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

#### MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of May 1, 1969, the Secretary of

the Senate, on May 2, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on May 2, 1969, see the end of the proceedings of today, May 5, 1969.)

#### EXECUTIVE REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of May 1, 1969, the following favorable executive reports of nominations were submitted, on May 2, 1969:

By Mr. EASTLAND, from the Committee on the Judiciary:

George E. MacKinnon, of Minnesota, to be U.S. circuit judge for the District of Columbia circuit;

Roger Robb, of the District of Columbia, to be U.S. circuit judge for the District of Columbia circuit;

Shiro Kashiwa, of Hawaii, to be an Assistant Attorney General;

Victor R. Ortega, of New Mexico, to be U.S. attorney for the district of New Mexico;

Thomas A. Flannery, of Maryland, to be U.S. attorney for the District of Columbia; and

Robert K. Fukuda, of Hawaii, to be U.S. attorney for the district of Hawaii.

By Mr. McCLELLAN, from the Committee on the Judiciary:

William E. Schuyler, Jr., of Maryland to be Commissioner of Patents.

**PROPOSED SEX-ORIENTED MAIL LEGISLATION—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT (H. DOC. NO. 91-114)**

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States received on May 2, 1969, under the authority of the Senate of May 1, 1969, which was referred to the Committee on the Judiciary:

*To the Congress of the United States:*

American homes are being bombarded with the largest volume of sex-oriented mail in history. Most of it is unsolicited, unwanted, and deeply offensive to those who receive it. Since 1964, the number of complaints to the Post Office about this salacious mail has almost doubled. One hundred and forty thousand letters of protest came in during the last nine months alone, and the volume is increasing. Mothers and fathers by the tens of thousands have written to the White House and the Congress. They resent these intrusions into their homes, and they are asking for federal assistance to protect their children against exposure to erotic publications.

The problem has no simple solution. Many publications dealing with sex—in a way that is offensive to many people—are protected under the broad umbrella of the First Amendment prohibition against any law "abridging the freedom of speech, or of the press."

However, there are constitutional means available to assist parents seeking to protect their children from the flood of sex-oriented materials moving through the mails. The Courts have not left society defenseless against the smut peddler; they have not ruled out reasonable government action.

Cognizant of the constitutional strictures, aware of recent Supreme Court decisions, this Administration has carefully studied the legal terrain of this problem.

We believe we have discovered some untried and hopeful approaches that will enable the federal government to become a full partner with states and individual citizens in drying up a primary source of this social evil. I have asked the Attorney General and the Postmaster General to submit to Congress three new legislative proposals.

The first would prohibit outright the sending of offensive sex materials to any

child or teenager under 18. The second would prohibit the sending of advertising designed to appeal to a prurient interest in sex. It would apply regardless of the age of the recipient. The third measure complements the second by providing added protection from the kind of smut advertising now being mailed, unsolicited, into so many homes.

**PROTECTING MINORS**

Many states have moved ahead of the federal government in drawing distinctions between materials considered obscene for adults and materials considered obscene for children. Some of these states, such as New York, have taken substantial strides toward protecting their youth from materials that may not be obscene by adult standards but which could be damaging to the healthy growth and development of a child. The United States Supreme Court has recognized, in repeated decisions, the unique status of minors and has upheld the New York State Statute. Building on judicial precedent, we hope to provide a new measure of federal protection for the young.

*I ask Congress to make it a federal crime to use the mails or other facilities of commerce to deliver to anyone under 18 years of age material dealing with a sexual subject in a manner unsuitable for young people.*

The proposed legislation would not go into effect until the sixth month after passage. The delay would provide mailers of these materials time to remove from their mailing lists the names of all youngsters under 18. The federal government would become a full partner with parents and states in protecting children from much of the interstate commerce in pornography. A first violation of this statute would be punishable by a maximum penalty of five years in prison and a \$50,000 fine; subsequent violations carry greater penalties.

**PRURIENT ADVERTISING**

Many complaints about salacious literature coming through the mails focus on advertisements. Many of these ads are designed by the advertiser to appeal exclusively to a prurient interest. This is clearly a form of pandering.

I ask the Congress to make it a Federal crime to use the mails, or other facilities of commerce, for the commercial exploitation of a prurient interest in sex through advertising.

This measure focuses on the intent of the dealer in sex-oriented materials and his methods of marketing his materials. Through the legislation we hope to impose restrictions on dealers who flood the mails with grossly offensive advertisements intended to produce a market for their smut materials by stimulating the prurient interest of the recipient. Under the new legislation, this form of pandering could bring a maximum penalty of 5 years' imprisonment, and a fine of \$50,000 for a first offense and 10 years and a fine of \$100,000 for subsequent offenses.

**INVASION OF PRIVACY**

There are other erotic, sex-oriented advertisements that may be constitutionally protected but which are, nonetheless, offensive to the citizen who receives them in his home. No American

should be forced to accept this kind of advertising through the mails.

In 1967 Congress passed a law to help deal with this kind of pandering. The law permits an addressee to determine himself whether he considers the material offensive in that he finds it "erotically arousing or sexually provocative." If the recipient deems it so, he can obtain from the Postmaster General a judicially enforceable order prohibiting the sender from making any further mailings to him or his children, and requiring the mailer to delete them from all his mailing lists.

More than 170,000 persons have requested such orders. Many citizens however, are still unaware of this legislation, or do not know how to utilize its provisions. Accordingly, I have directed the Postmaster General to provide every Congressional office with pamphlets explaining how each citizen can use this law to protect his home from offensive advertising. I urge Congress to assist our effort for the widest possible distribution of these pamphlets.

This pandering law was based on the principle that no citizen should be forced to receive advertisements for sex-oriented matter he finds offensive. I endorse that principle and believe its application should be broadened.

*I therefore ask Congress to extend the existing law to enable a citizen to protect his home from any intrusion of sex-oriented advertising—regardless of whether or not a citizen has ever received such mailings.*

This new stronger measure would require mailers and potential mailers to respect the expressed wishes of those citizens who do not wish to have sex-oriented advertising sent into their homes. The citizens will put smut-mailers on notice simply by filing their objections with a designated postal authority. To deliberately send such advertising to their homes would be an offense subject to both civil and criminal penalties.

As I have stated earlier, there is no simple solution to this problem. However, the measures I have proposed will go far toward protecting our youth from smut coming through the mails; they will place new restrictions upon the abuse of the postal service for pandering purposes; they will reinforce a man's right to privacy in his own home. These proposals, however, are not the whole answer.

The ultimate answer lies not with the government but with the people. What is required is a citizens' crusade against the obscene. When indecent books no longer find a market, when pornographic films can no longer draw an audience, when obscene plays open to empty houses, then the tide will turn. Government can maintain the dikes against obscenity, but only people can turn back the tide.

RICHARD NIXON.  
THE WHITE HOUSE, May 2, 1969.

**MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS**

Messages in writing from the President of the United States were communi-

cated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on May 1, 1969, the President had approved and signed the following acts:

S. 458. An act for the relief of Yuka Awamura; and

S. 672. An act for the relief of Charles Richard Scott.

#### EXECUTIVE MESSAGES REFERRED

As in executive session, The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of Peter A. Bove, of Vermont, to be Governor of the Virgin Islands, which nominating messages were referred to the appropriate committees. (For nominations this day received, see the end of Senate proceedings.)

#### WAIVER OF CALL OF THE CALENDAR

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

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

#### LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

#### COMMITTEE MEETINGS DURING SENATE SESSION

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

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

#### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar, beginning with Calendar No. 307, Message No. 247.

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

The PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated, as requested by the Senator from Montana.

#### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The bill clerk read the nomination of William Hill Brown III, of Pennsylvania, to be a member of the Equal Employment Opportunity Commission.

Mr. DIRKSEN. Mr. President, when I first learned of the nomination of Mr. Brown—I believe it was probably 3 weeks

ago—at a leadership meeting at the White House, I went to see my very esteemed friend, the Senator from Pennsylvania (Mr. SCOTT), who is the sponsor for Mr. Brown. I told Senator SCOTT that if the name of Mr. Brown came to the calendar, I would be constrained to place a "hold" on it. Senator SCOTT said, "I hope it would not be for more than a reasonable period."

But, Mr. President, I wanted to know something more about Mr. Brown, and there was a very good reason for it. Mr. Brown was nominated by former President Johnson, but his nomination was never confirmed. However, Mr. Brown did go with the Equal Employment Opportunity Commission to California in March of this year, and there he participated in a series of hearings covering the aerospace industry, the motion picture industry, a couple of unions, and others.

He participated actively, notwithstanding the fact that he had never been confirmed, and therefore was not legally a member of the Commission.

I went back to examine the record of the hearings and the transcript of that meeting, and there I discovered that he had actively participated, had asked questions of the witnesses, and had made some comment.

I felt that I ought to know more about it, particularly because that series of hearings seemed to me like a vendetta, if I ever heard of one. It was described in the California newspapers as something of a carnival. The audience was unruly. They shouted their hostility when there was an adverse witness. They shouted their approbation when somebody testified whom they liked.

They had one bit movie actor by the name of Marty, who I understand—maybe I had better not say it. I do not want to reflect on him, except to say that he described the movie industry, because they were not treating him better, as a lot of dogs; and then he described them as racist pigs. The chairman in charge of the hearing let him run on. There was no restraint. And Mr. Brown interposed no restraint, either.

I called Senator SCOTT and said I would be delighted to see Mr. Brown, and this morning, together with Senator SCOTT, he came to my office; and I fancy we spent at least 45 minutes together.

Now, this Commission will have \$16 million to spend, and it will have 850 people. Many of them will be courting around over the country, examining into industry to see how many minority employees it has, whether it achieves the kind of ratio they like, and so forth.

I made the point that they were harassing the business and industrial fraternity of the country, and I meant to raise my voice in protest until this situation was cured. The reason I do it, Mr. President, is that the Commission was created by title VII of the Civil Rights Act, and that title was written in my office, after weeks and weeks of time. I have never yet heard anybody charge me with being in favor of discrimination. I just wanted that title to work, and I am still interested in seeing that it works and that it does not create a new reservoir of prejudice in the country. We can-

not afford to be traveling on two streets at once in that field, because it is shot through with so much emotion.

When Mr. Brown arrived this morning, I found him a very attractive and a very personable person. He visits well. His antecedents, according to those presented to the committee, in my judgment, are quite excellent. He belongs to an excellent law firm. He has done rather well. He is evidently a good trial lawyer, because he was an assistant to the present district attorney in Philadelphia, Arlen Specter, as I recall. So, Mr. President, those are good antecedents.

But what I wanted to know was his viewpoint, his outlook, in the enforcement of the Equal Rights Act. That is the important thing. So there were some questions to be raised; and I am delighted that Senator SCOTT was there, because he can concur in everything I say.

For example, I raised this question: We have recognized, in collective-bargaining agreements, that they can put in a seniority clause, and it has been acknowledged and recognized in the courts. I do not believe there has been a direct case that has gone to the Supreme Court on that point. But other courts have recognized it. Now comes the staff of this Commission; and when the time comes for an industry to take back an employee who has some seniority, the staff intrudes and says, "You cannot have preference over the minority who ought to be served."

Are we going to invalidate a solemn contract made between a labor union and an industry? Well, the courts generally have upheld those clauses, and maybe we had better get a Supreme Court ruling on it before it is too late.

But that is one of the difficulties that arise here. I have pointed out other difficulties, particularly the conduct of the hearings so that they become nonobjective. Hearings are ruined by the kind of demonstration that took place at the hearings in California.

Frankly, I think Mr. Brown satisfied me pretty well on that score and I believe that he will certainly improve the conditions so far as the Commission is concerned.

I have one other point. In connection with the work of the Commission I discovered that they violate the very law under which they operate. It is written in that law as clear as crystal that there be no preferential discrimination. Yet, in that transcript and in the data that has come to my attention I find that where, for instance, the minority population in an area was 16 percent and the industry in question had 16 percent, some staff member of the Commission says, "You have to appoint more Negroes." That is a violation of the discrimination clause in title VII, so they violate their own act. That is an irresponsible performance and it is not worthy of any Federal agency. The sooner we clean it up and the sooner we do something about courtesy and good manners in some of these bureaus which haul people before them and scale them down according to their desires, the sooner this will be a government that is better taken by the people.

Mr. President, I have had a chance, by this rule, to make my protest and to talk to Mr. Brown. I am rather impressed with what I think he will do by measuring up to his responsibility under the law. The other thing is that the Committee on the Judiciary, of which I am a member, will have oversight powers, and I mean to pursue it as a member of the committee.

So I approve Mr. Brown, and there is no "hold" on him.

The PRESIDENT pro tempore. Is there objection to the confirmation of the nomination of Mr. Brown?

Mr. FANNIN. Mr. President, reserving the right to object, I would like to ask the distinguished minority leader whether Mr. Brown clarified his statement that he would be just as militant as former Chairman Alexander. That statement was very depressing to me, and I wonder whether Mr. Brown clarified his position.

Mr. DIRKSEN. I did not see that statement, and, therefore, I did not confront him with it. But frankly he does not look like an overzealous militant type to me. I thought he comported himself as a gentleman, and he would have to comport himself in that fashion in the line of work he has been in in Philadelphia.

Mr. FANNIN. I have been concerned since I learned of his position, and I know of the testimony that is in the record as to what he did in Los Angeles, the questions he asked. I share this concern. I have talked to the minority leader about it. Perhaps the distinguished Senator from Pennsylvania would like to clarify that point.

Mr. SCOTT. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. SCOTT. I thank the Senator. I think we can clarify the point. I think that the minority leader's observation of Mr. Brown as he has commented on it here is in line with my experience. He is a fairminded and competent man, as I have said. He is from a law firm of excellent reputation. He has made the point only this morning that he would, indeed, be very quick to see that hearings were conducted fairly, he regrets any lack of dignity, and he commented on the fact that the hearings on the west coast involved a choice between two evils, an evil that existed of misbehavior in the room and a possible worse outcome had they not ridden through that hearing, which he indicated was distasteful to him.

I think it is clear that if he were conducting the hearing it would be conducted in an entirely different fashion, and it should be.

Mr. FANNIN. If the Senator will read the testimony he might not agree with what he has interpreted. I am concerned because some companies in my State have been involved. I resent what has been done. I do not want to make an issue of this matter but I will be watching his record with a great deal of interest. I hope each of us will be willing to take action if he does continue with the present policies of the Commission. I do not object.

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

Mr. DIRKSEN. I yield.

Mr. KENNEDY. Mr. President, just so the RECORD is quite clear on this matter, Mr. Brown appeared before the Committee on Labor and Public Welfare and in his appearance before the committee he was asked a number of different questions about his own attitude, his background, his experience, and his qualifications for service on the EEOC.

I think that former President Johnson is to be commended for making his recommendation and that President Nixon should be commended for carrying through on that request.

I think it is important that those who read this RECORD understand that the EEOC has an extremely important function, and what some people have been so quick to label as harassment, others have realized and recognized as fulfilling the responsibility of the EEOC under title VII. Whether or not it was written in someone's office, it is clear what that title provides.

I would certainly hope that when Mr. Brown reads this RECORD he feels it is the sense of those who supported title VII, and the sense of the membership of this body, that we expect him to carry through with his duties in a way which, while courteous and respectful of the interests which are represented, fully and vigorously meets his responsibility under that title.

I think he brings to this new responsibility a solid background and varied experience. I think he can do the job well. I do not think any of us would expect from the comments made here that there is any lessening of interest by any of us in having the EEOC perform responsibly and well. It has a responsibility in a very important area of our Government.

I appreciate the Senator from Illinois yielding.

Mr. DIRKSEN. Mr. President, I am fully aware of what is in title VII. It conveys no license upon this Commission. It does not give them authority to exercise bad manners. It gives them no authority to exhibit discourtesies all over this country. It does not give them authority to inspire fear in the business community of the country, and that is what their overzealous staff people have been doing.

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

Mr. DIRKSEN. I yield.

Mr. KENNEDY. If businesses are interested in complying with the purpose and scope of the provisions of title VII, there is no need for having any kind of confrontation with the EEOC. No one is saying, obviously, that there is room for discourtesy by any agency. We all know that. But to set up any particular group or body, and say they are discourteous and, therefore, evil, is demagoguery, because any industries interested in compliance with the provisions of the title are not going to be brought in or questioned. Therefore, I think it is important that we keep the discussion in some perspective.

Mr. DIRKSEN. If the Senator from Massachusetts means to imply that this is demagoguery, he does not know what he is talking about. That is the long and the short of it.

I sat in the hearings with the Senator and I had to stop him most of the time to get back on the track and, because of the television cameras in the hearing room of the subcommittee, it got to be a show. But I had the California record. I read to Mr. Alexander his own words.

Mr. KENNEDY. Will the Senator from Illinois yield further?

Mr. DIRKSEN. Oh, yes, I yield.

Mr. KENNEDY. When the Senator talks about getting back on the track, the whole purpose and scope of the hearings related to changes in administrative procedures which had been accepted by the Department of Defense and the Department of Transportation. Of course, as much as we were interested and as valued as the comments of the Senator from Illinois were in his lengthy questioning, the purpose of all of us was to get back on the track of the subject of the hearings.

At that time we were focusing on administrative procedure changes which were certainly at variance with the regulations and blunted the impact of the applicable law. But we were always interested in the comments that were made.

Mr. DIRKSEN. I do not have to be patronizing. I know my business. I pursue it. I am just interested in a viable and workable commission. That is the only reason. But I do protest when we get people who are trying overnight to correct the injustices of 100 years and, in so doing, are disrupting the industrial processes of this country, knowing, of course, that they have a weapon; namely, that if an industry is cited for being in violation of the law, it cannot get a Federal contract.

When we stop to consider the procurement powers of this Government, they are a tremendous weapon. That is why this Commission is so important. It is far more important than what the Senate thinks. Maybe they had better get alert to it before the Empire State Building falls on it. Because that is what is going to happen. I am not being kidded about it. Now we are going to double the personnel. Just wait until they start moving through this country.

I am banking on Mr. Brown, but I am going to be watching Mr. Brown, too, because I have some interest in this.

Mr. President, that is all I have to say.

The PRESIDENT pro tempore. The question is: Will the Senate advise and consent to this nomination?

Mr. ALLEN. Mr. President, there appears to be no rollcall vote on this nomination, and I therefore ask unanimous consent that the junior Senator from Alabama be recorded as being in opposition to this nomination.

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

The question is: Will the Senate advise and consent to this nomination?

The nomination was confirmed.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—NOMINATION PASSED OVER

The bill clerk read the nomination of James E. Allen, Jr., of New York, to be Commissioner of Education.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that this nomination be considered later on in the morning.

The PRESIDENT pro tempore. Without objection, the nomination will be passed over temporarily.

DEPARTMENT OF DEFENSE

The bill clerk read the nomination of Philip N. Whittaker, of Maryland, to be an Assistant Secretary of the Air Force.

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

U.S. DISTRICT COURT

The bill clerk read the nomination of John B. Hannum, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania.

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

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

BOARD OF PAROLE

The bill clerk read the nomination of George J. Reed, of Oregon, to be a member of the Board of Parole for the term expiring September 30, 1974.

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

U.S. CIRCUIT COURT

The bill clerk proceeded to read sundry nominations in the U.S. Circuit Court.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

DEPARTMENT OF JUSTICE

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be

considered en bloc; and, without objection, they are confirmed.

U.S. PATENT OFFICE

The bill clerk read the nomination of William E. Schuyler, Jr., of Maryland, to be Commissioner of Patents.

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

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

The PRESIDENT pro tempore. The motion was agreed to.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

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

ORDER OF BUSINESS

Several Senators addressed the Chair.

Mr. MANSFIELD. Mr. President, I was going to turn to the general calendar but, evidently, it would not be appropriate at this time. I would therefore like to make a few remarks on my own, on a different subject.

The PRESIDING OFFICER (Mr. ALLEN in the chair). The Senator from Montana is recognized.

THE THREE SISTERS BRIDGE

Mr. MANSFIELD. Mr. President, negotiations are now underway, we have been told by the press, which will produce a new highway plan for the District of Columbia, including immediate construction of the Three Sisters Bridge across the Potomac and, at a future date, a North Central Freeway. I was shocked when I read in last Friday's papers that the Deputy Mayor said publicly that the Three Sisters Bridge is the price the city has to pay to build a subway system. He said it is willing to pay that price.

Is this the way to plan the Nation's Capital?

Only a few months ago, in December, the duly constituted planning agency for the District—the National Capital Planning Commission—adopted a highway plan that eliminated these two freeway entrances to the city. The District of Columbia Council approved the plan unanimously and, I understand, is still unanimously committed to it. The Planning Commission represents the Federal interest in this city as well as the District's interest. The District Council is the voice of the people, or as close to the voice as we can get in a nonvoting community.

Can those who are now involved in what the press calls "negotiations" really believe that an extensive freeway system will enhance the quality of life, the economic strength, or the great beauty of the Capital of the United States? Why do

they want to build a bridge that is fervently opposed by the citizens on both sides of the Potomac?

In my years in Washington I was rejoiced in the parks of this city and been grateful for the foresight of our predecessors in Congress who made the park system possible. With dismay I learned recently that in the past 10 years 350 acres of parkland have been taken for other uses, almost all for highways. If the highway system resulting from the current "negotiations" is built, many more acres of parkland will be paved over. There is no way to make an overall estimate, but I do know from a review of past plans that a bridge across the Potomac at Three Sisters Islands would mean the loss of approximately 25 acres on the District side and more than that on the Virginia side.

The land to be used on the Virginia side was set aside for all time by Congress for park and parkway purposes unless the local jurisdiction agreed to a change in use. The Arlington County Board, the elected officials of the affected jurisdiction, have voted repeatedly over past years against the Three Sisters Bridge. On the District side the land to be used for the bridge's approaches would be taken from the historic C. & O. Canal and from Glover Archbold Park. This park was given by two public-spirited citizens to the people of Washington. To use any part of the park for highway purposes would be a betrayal of the trust those citizens put in public authorities.

Bridges stop at the water's edge, but traffic does not. I read that there is to be a tunnel along the Georgetown waterfront. But tunnels can go only so far. Where does the traffic surface and how does it get across town?

Plans in the past have shown a route called the North Leg which would pave over Rock Creek Park from the river up to P Street, then rip through the city to the east, taking homes and businesses, cutting neighborhoods in half, and displacing thousands of people. Another possible route would be a tunnel and ditch along K Street, through the city's busiest commercial area. A third possibility—unbelievable as this may seem, it has some official status—is to carry the traffic along E Street and in a tunnel under the south lawn of the White House.

I have outlined these possibilities to make it clear that a decision to build the Three Sisters Bridge has much wider implications than the construction of a span over the Potomac River.

By law an interstate freeway must be designed to carry truck traffic. But why should interstate truck traffic be routed through the heart of the Nation's Capital? The beltway makes it possible for trucks with other destinations to bypass the city, and the highway plan approved last December would improve access to the city's warehousing and industrial area.

I have addressed myself to the Three Sisters Bridge rather than the North Central Freeway because the news stories have been vague about those ne-

gotiations. All early plans would have displaced hundreds of families, taken numerous businesses, and paved over many more acres of parkland. I believe the negotiators are deliberately vague about the North Central Freeway, hoping to persuade the black residents of northeast Washington that the Three Sisters Bridge is a problem only for affluent whites in Georgetown, sentimental park lovers, and bird watchers. I do not believe they will succeed.

There is one issue on which almost every resident of the District agrees: opposition to more freeways. This is true of the rich and poor, the black and white, and people in every geographical area of the city and in Arlington. These citizens also agree in their desire for a good subway system.

It is inconceivable to me that the proposed subway system could be held a hostage to more unwanted freeways. The Congress should not sit idly by while these freeways are forced on the Nation's Capital—disrupting the lives of its residents and destroying its great beauty. I invite my colleagues to look to the right as you leave Capitol Hill today to see the extent of the clearance—the great asphalt canyon—that construction of the Center Leg has made necessary. If the Three Sisters Bridge is built, we can expect a canyon like that, filled with exhaust fumes, to run from the Georgetown waterfront somewhere across the city to its Northeast boundary.

All of us are concerned with national programs to improve the quality of our environment, to control air pollution and noise, to preserve our natural heritage. All of us should be gravely concerned about what is happening right now here in the Nation's Capital.

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

Mr. MANSFIELD. I am happy to yield to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I want to associate myself with what the Senator from Montana has just said. There is a very grave possibility that we are creating a huge pad of concrete which will become the city of Washington if we keep on going into the programs which have been put forth up to date. I certainly do not wish to see the city of Washington turned into that kind of monstrosity.

When I was on the Senate District of Columbia Committee, I asked personnel in the Interior Department and elsewhere whether they had made any study of the pollution factors which would be created by additional automobiles coming in as a result of the additional traffic which was anticipated. I was told that no such study had been made and that no preparation had been made for one. They had not even made any preparations for offstreet parking of any kind.

We did make some progress with the parking legislation but, so far as I know, we do not have any satisfactory explanation as to what will be done about the pollution problem or the potential enormous pad of concrete which will be built up in Washington over and above its surface.

Mr. MANSFIELD. Starts have been made. There is even a proposal to go

under the White House, to build a road under the south lawn of the White House. That is what is being used as a bargaining point. We are told that more concrete to be poured everywhere is the price we must pay to obtain a subway. Included in the bargain we are told is the agreement to go ahead with the building of the Three Sisters Bridge. Such a posture flies in the face of the unanimous opinion of the City Council and the findings and recommendations of the National Capital Planning Commission.

Mr. DOMINICK. I am glad the Senator from Montana has spoken on this subject. I am no longer a member of the District of Columbia Committee, so there is not very much I can do about it except to express my opinion and accord with the statement of the Senator from Montana.

#### SPEECH BY SENATOR SCOTT ON SUBSTANTIAL REDUCTION OF U.S. FORCES IN VIETNAM

Mr. SCOTT. Mr. President, I ask unanimous consent that a speech which I delivered in Pittsburgh on May 3, be included at this point in the RECORD.

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

#### SENATOR SCOTT URGES "SUBSTANTIAL REDUCTION" OF U.S. FORCES IN VIETNAM

The war in Vietnam has achieved all kinds of tragic superlatives. However good our motivations, however just our reaction to evil aggression, the hard facts are that this is the longest war in American history and one of the most expensive.

We have suffered more than 34,000 dead and more than 216,000 wounded in the past eight years. Those casualties surpass our Korean War losses.

President Nixon's number one priority is to end the war in Vietnam. He wants to end the killing to save lives. But he also wants to give us an opportunity to redirect this Nation's mighty resources toward the many domestic problems that are crying for solution.

But a war which has been escalating for nearly a decade cannot be ended overnight. Nor can American forces be left at the mercy of an enemy without adequate protection for U.S. forces remaining committed.

Two actions on the part of the United States have brought responses by the enemy. I am going to suggest a third.

On March 31, 1968, President Johnson announced a partial halt in the bombing of North Vietnam. Within days the North Vietnamese agreed to send representatives to talk peace with the United States and shortly thereafter both countries agreed to meet in Paris.

On October 31, 1968, President Johnson announced that the bombing halt would apply to all of North Vietnam north of the Demilitarized Zone. Three months later—after some wrangling about the shape of the negotiating tables, and after the election of President Nixon—the talks were expanded to include the South Vietnamese and the Viet Cong.

Now I suggest a bold move to flush out the intentions of the other side.

I urge the withdrawal of a substantial number of American troops from Vietnam.

I hope that the White House will announce such a move in the near future.

I make this recommendation because I believe the situation is ripe for progress. The Nixon Administration seems to have reached a new understanding with the South Vietnamese Government whose representatives now present a less rigid stance. We have

gained from the leaders in Saigon considerable assurances that they are ready to assume more of the burden of the fighting.

Now we need to prod the North Vietnamese out of the sea of propaganda and onto the high ground of real bargaining sessions.

If North Vietnam responds with comparable actions of its own, we could then consider additional withdrawals.

Hanoi has already anticipated the possibility of a measured withdrawal of American troops and has tried to degrade our motives by saying ahead of time that we would only pull out support troops and "ice cream vendors."

This indicates how little the North Vietnamese understand American character. If they knew us better, they would realize that support troops may be the last to go.

The last American leaving Vietnam may very well be driving a beer truck. But who cares what the order of withdrawal should be, as long as it is in good faith?

Diplomatic maneuvering is part of the necessary preliminaries, but at some point there has to be the test of action which points the way to further progress, or spells rebuff. A measured withdrawal would provide that kind of test.

#### RESTRAINT OF FEDERAL GOVERNMENT FROM WITHDRAWING FEDERAL ASSISTANCE TO SCHOOL LUNCH PROGRAMS

Mr. TALMADGE. Mr. President, I have introduced legislation in the Senate to prohibit the Department of Health, Education, and Welfare from withdrawing Federal financial assistance to school lunch programs in desegregation non-compliance cases.

My bill is simple. It seeks only to restrain the Federal Government, through one of its agencies, from any action that would take school lunches away from needy schoolchildren.

There are thousands upon thousands of children to whom the school lunch, either free or at a reduced price, is the only nourishing meal they receive each day. I find no justification anywhere—not in the Office of Education school guidelines, not in the legislative history of title VI of this act, for crippling or destroying school lunch programs or for denying needed food to small children, black and white.

We have just about every other department of the Federal Government going all out to do everything possible to alleviate hunger and poverty in the Nation, while the Department of Health, Education, and Welfare is in effect contributing to this problem, very often with severe consequences.

Schoolchildren in dire economic circumstances are today going without lunch at their schools because of this ill-advised, uncompromising approach being taken by the Department of Health, Education, and Welfare. They are ill nourished in their homes because of a parental situation over which they have no control, and they are going hungry at school because of political controversy they do not understand.

This is bureaucracy at its worst. I hope Members of Congress will take note, and join me in demanding that this practice be stopped. School lunch programs, especially those in areas where there are heavy concentrations of needy children, must be protected from such heavy-handed Federal action.

Mr. President, there appeared in the April 25 edition of the Wall Street Journal an excellent front page article on the tremendous damage being inflicted upon school systems in fund cutoffs.

I bring it to the attention 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:

**IRONY IN THE SOUTH: BLACK SCHOOLS SUFFER MORE THAN WHITE ONES IN FEDERAL FUND CUTOFF—SEGREGATED DISTRICTS SCORE PENALTIES—MOST OF MONEY WENT TO NEGRO STUDENTS—TEACHERS GONE, LABS IDLE**

(By Neil Maxwell)

AMERICUS, GA.—President Nixon has made it perfectly clear: He will continue the Johnson Administration's policy of cutting off Federal funds as the "ultimate weapon" in prodding Southern public school systems to desegregate.

Educators in the Sumter County school system here, and their counterparts across Dixie, have just one question: At whom is the ultimate weapon aimed?

"They are hurting precisely the ones they are trying to help—the Negro children," fumes Ed Bailey, superintendent of schools in Sumter County, where U.S. funds have been withheld. "Not a dollar of that money was going to the white schools."

The Sumter County superintendent points up a curious situation: Inquiries around the South indicate that the fund cutoffs, manifestly designed to speed integration, are in practice having a disastrous effect on the Negro schools that the money was intended to help. And, adding to the irony, the cutoffs are harming predominantly white schools hardly at all.

#### WE WON'T CHANGE

The situation finds white school officials in rare unanimity with their black counterparts and with civil rights officials. All agree that the strategy of penalizing delinquent school systems just isn't working. However, whereas the white officials vow that they simply won't knuckle under to pressure, civil rights leaders urge even stronger penalties to force compliance.

A few Southern systems have sought to meet Federal guidelines to avoid cutoffs, but the overwhelming majority of white school authorities say financial pressure won't persuade them to change their methods. "Darn it, it's just not right to penalize the children because we aren't in compliance," says W. M. Ferrigin, superintendent of schools in Choctaw County, Miss. "If we aren't in compliance, let the courts deal with us."

Most of the Federal money is dispensed under Title One of the Elementary and Secondary Education Act of 1965. Title One money is designed to "support special educational programs in areas with a high concentration of low income families."

In the South, low income often means black families, and most of the money has been going to black schools. In Sumter County, and other systems that have lost funds, observers report a serious decline in the quality of Negro schooling. The effect on the white schools has been negligible. Few of them were getting Federal money to begin with. Where there has been difficulty, taxes have been raised or priorities reshuffled in school budgets to minimize the damage to white schools.

#### ONE OF MANY

Sumter County is one of 535 school systems in six Deep South states that the Department of Health, Education and Welfare is pressing to meet integration guidelines, and one of 93 that have lost funds. (Some 235 other systems are under court orders to integrate; their funds can't be touched while the court orders are in force.)

Sumter, deep in the peanut- and cotton-growing region of south Georgia, is typical of the affected systems in many ways. In the two years before funds were cut off at the end of the 1966-67 year, \$380,000 in Federal money was spent on "poverty" schools here. The impact of the cutoff already is great.

Three lavishly equipped reading laboratories that cost \$12,700 each stand padlocked in the black schools here. Electronic teaching equipment is gathering dust. Specialist teachers hired to operate the equipment have been dismissed due to lack of funds. In the science laboratories, the situation is similar. There is no money to buy new physics equipment, and, says Mr. Bailey, when the chemistry lab's chemicals are used up, I don't know what they'll do.

Title One grants great latitude in the use of funds: Musical instruments, free lunches and shoes for the children fall within its guidelines. In Sumter County, Federal money dressed the band members at the Negro high school in 40 resplendent uniforms. But now they are beginning to look shabby; there isn't any money to replace worn-out uniforms.

Much more serious for the poor children, most free lunches have been ended. Federal funds, first used for purchase of equipment here, gradually were diverted to buy food. If you are hungry, you can't learn, says Mr. Bailey in explanation of that allocation.

#### IT MAKES A DIFFERENCE

"We were feeding 1,367 children free and now we are feeding 255, and the 1,100 difference shows up in the classroom," the superintendent asserts. He says that failures dropped from 442 to 296 over a two-year period of free lunches. "It's a definite fact that some children come to school for the meal," Mr. Bailey says.

Moses Lightfoot, hulking Negro principal of the Lee County Training Center outside Leesburg, Ga., gets so upset when he thinks about the Federal policy that he talks in incomplete phrases: "If they have the money to help the poor people . . . all the children know is that they stop eating . . . they don't care about any ideology . . . it's beyond my comprehension. . . ."

Mr. Lightfoot says he has protested to HEW, without getting a reply. "I wrote Dr. Hugh Brim (of HEW) in Atlanta, trying to reach his heart, and I told him there was no trickery here, but still they cut us off," he says. "We teach the children about this great country, this land of plenty. What are they supposed to say about their country when we tell them the Government is cutting them off from lunch?"

In Coahoma County, Miss., Federal funds were used to buy such equipment as 50 "add on" classrooms for the Negro schools, then to hire 64 teachers, aides and other personnel to staff the rooms. Now funds have been cut off. The classrooms still are there, but the 64 have been dismissed for lack of funds to pay them (most of them have remained on the job, staging a "teach-in" to protest the cutoff, but school officials say there isn't any money to rehire them).

Some systems, like the one in Dooly County, Ga., find the small losses almost as hard to take as the large ones. Dooly County lost 32 teachers and aides and most of the free lunches in the Negro schools in the cutoff. It also lost the three nurses serving the schools.

"We miss one particularly," says W. F. Stone, superintendent of schools. "When she wasn't taking care of the children's health, she was making clothes for them. She made so many clothes we set up some money to buy her cloth."

Some Southern educators just can't fathom the reasoning behind the use of the ultimate weapon. "We want children to go where they want to go, but we would have to send them where they don't want to go to get our Fed-

eral money back," says John Ware, a farmer who was elected superintendent of schools in Oktibbeha County, Miss., last year.

The Oktibbeha County system uses the "freedom of choice" method of assigning pupils. About 20 of the 3,000 Negro students in the county now attend schools with the 900 whites. No whites go to black schools.

"I tried for months to get our funds back, but now I'm through messing with them," says Mr. Ware. "I don't care how you feel personally, it's just not fair to say I've got to have so-much per cent of one race in one school and so-much per cent of another race in another. It's against all the principles of Christianity."

Federal statistics for 11 Southern states show that 518,607 Negroes, or 20% of the black student population are in white schools now, compared with 14% a year ago. But such evidence of progress doesn't satisfy civil rights leaders.

Earlier this month representatives of several civil rights groups sent a telegram to HEW Secretary Robert H. Finch demanding that all Federal funds—including highway funds and crop support money—be cut off from Southern districts that don't meet school integration guidelines. The black leaders reason that such a drastic blow would produce prompt action by educators in Dixie.

#### MR. JUSTICE FORTAS AND CANONS OF JUDICIAL ETHICS

Mr. MILLER. Mr. President, many of us were shocked to learn from the morning papers that Mr. Justice Fortas had received a \$20,000 fee in January 1966, only 3 months after being sworn in, from a family foundation of financier Louis Wolfson, recently sentenced to prison for violation of our security laws.

We were shocked over disclosure last year of his acceptance of a \$15,000 fee for delivering a few lectures at American University with the funds coming from a fund supported by large contributors who were former clients of his law firm.

The point at issue is whether or not these disclosures involve a violation of the canons of judicial ethics which require that a judge's conduct be free from either impropriety or the appearance of impropriety. Taken together, these two incidents strongly suggest that Mr. Justice Fortas should resign. They place a cloud over the Court which is already in disrepute among a majority of the people of this country.

They also underscore the point I made last year during the debate on proposed acceptance, by the Senate, of a majority of the Judiciary Committee's recommendation that Mr. Fortas be confirmed as Chief Justice of the Supreme Court in line with the nomination by President Johnson. My point was that a majority of the Judiciary Committee had performed a disservice to the Senate in not doing an adequate job of checking on Mr. Fortas before making its recommendation to the Senate. The same could be said of the American Bar Association's Committee on the Judiciary, which recommended confirmation even before the Senate hearings disclosed the American University fee matter, and certainly never detected the Wolfson foundation fee incident.

I trust, Mr. President, that any future nominations to the Supreme Court and, for that matter, to any other court, will be given far more thorough scrutiny by both the administration and the Senate

Judiciary Committee than was the case with the nomination of Mr. Justice Fortas. Moreover, it would seem that the courts, themselves, should take some action regarding any of their members who are of a mind to engage in practices which violate the canons of judicial ethics.

#### ACCEPTANCE OF FEE BY MR. JUSTICE FORTAS

Mr. WILLIAMS of Delaware. Mr. President, in this week's Life magazine there appears a shocking allegation that another member of the Supreme Court has accepted a \$20,000 fee from a foundation controlled by a man who had cases pending before the Department of Justice.

This is the second time that a member of the Supreme Court has been caught accepting fees from tax-exempt foundations controlled by men who are in trouble with the Department of Justice. Justice Fortas' attempt to dismiss his acceptance of this \$20,000 fee from the Wolfson Foundation on the premise that he voluntarily returned the fee 11 months later—in December 1966—does not minimize the implications. In fact, the point that he still sees nothing morally wrong with such an arrangement is even more disturbing.

It is significant that Justice Fortas never returned this \$20,000 fee until after Justice Douglas had been caught with his hands in the same cookie jar and had been severely reprimanded in the press throughout the country. This was 11 months after it had first been received.

On October 16, 1966, Justice Douglas was exposed as having been on the payroll of the Albert Parvin Foundation, a tax-exempt foundation controlled by a group of Las Vegas gamblers, who likewise are in trouble with the Department of Justice.

Let us review the chronology of Justice Fortas' \$20,000 fee from the Wolfson Foundation.

I ask unanimous consent to have printed in the RECORD immediately following my remarks the article appearing in this week's Life and also the article in today's Wall Street Journal which further comments on the Life magazine article of this week.

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

(See exhibit 1.)

Mr. WILLIAMS of Delaware. Mr. President, on August 11, 1965, Mr. Fortas was confirmed as a member of the Supreme Court.

On January 3, 1966, Justice Fortas accepted a \$20,000 fee from the Louis Wolfson Foundation. At that time Mr. Wolfson was under investigation by a Federal agency.

Two months later, in March 1966, the SEC sent to the Justice Department a recommendation for the criminal prosecution of Louis Wolfson and his associate Mr. Gerbert.

On June 14, 1966, Justice Fortas was a guest at Louis Wolfson's home in Florida.

In August 1966 the Department of Justice began to present testimony to the Federal grand jury.

September 19, 1966, Messrs. Wolfson and Gerbert were indicted on charges involving the Continental Enterprise stock.

On October 16, 1966, the first scandal involving payments to members of the Supreme Court broke in the national press. This was a charge that Justice Douglas had been on the payroll of the Albert Parvin Foundation, a foundation established by a group with extensive gambling interests in Las Vegas and that he was still on the payroll of that foundation at around \$12,000 per year.

October 17, 1966, the story regarding payments to Justice Douglas was referred to by several other Members of Congress and me, and the press, in editorials throughout the country, denounced this questionable policy.

I ask unanimous consent that a copy of the article as appearing in the Washington Post of October 16, 1966, be printed immediately following my remarks.

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

(See exhibit 2.)

Mr. WILLIAMS of Delaware. On that same date, October 17, 1966, I directed a letter to Chief Justice Earl Warren calling his attention to these charges against Justice Douglas and asking for his comments as to the policy of the Court.

On October 31, 1966, Chief Justice Warren replied and took the position that since this was a personal matter involving Justice Douglas he was enclosing a copy of a letter which he had received from Justice Douglas on the same date defending his action.

I ask unanimous consent that my letter of October 17 as addressed to Chief Justice Warren and his reply thereto of October 31 and Justice Douglas' letter of the same date as addressed to the Chief Justice be printed following the previous insertions.

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

(See exhibit 3.)

Mr. WILLIAMS of Delaware. Mr. President, As a sample of the editorial comment on Justice Douglas' being on the payroll of these Las Vegas interests I ask unanimous consent that there be printed following the previous insertions an article which appeared in the Los Angeles Times of October 19, 1966. I quote the last two paragraphs of that editorial:

Other members of the Supreme Court thus far have not commented upon the Douglas case, but they cannot remain silent. His conduct and the standards of conduct for all members of the court can no longer be ignored.

If the justices fail, Congress must act to assure that the integrity of the Supreme Court is not compromised.

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

(See exhibit 4.)

Mr. WILLIAMS of Delaware. Mr. President, it was not until then, after Justice Douglas had been exposed, that Justice Fortas reexamined his conscience, and on December 22, 1966, refunded the \$20,000 fee—a fee which he never should have accepted in the first place.

It should be emphasized at this point that Justice of the Supreme Court are lifetime appointments and that their present salary is \$60,000 per year with the further benefit that upon retirement they continue to draw this full salary for the remainder of their lives—no contributions are deducted from their salaries for the pension fund. This adequate salary with its liberal pension is awarded to the members of the Supreme Court on the premise that they are to be isolated from the need for accepting fees or retainers and free from being obligated to any individual or group of individuals. There is no excuse for the members of the Supreme Court to accept these outside legal fees on the basis of financial need, and most certainly their acceptance violates the moral standard of ethics that we expect from men holding these high positions.

The mere fact that Justice Fortas takes the same position that did Justice Douglas—namely, that they still see nothing wrong with what they did—causes one to assume that they will do it again, only hoping that the next time they will not get caught.

Payments by these foundations to any public official who is serving either as a member of the Court, or in some other capacity, are wrong, and they cannot be condoned.

They represent an additional danger in that since contributions made to these foundations are under our existing tax laws a deduction from the contributors' taxable income; therefore when lawyers are retained and paid through a foundation such lawyer fees are in effect being deducted from the taxable income of the individuals.

Let there be no misunderstanding, payments made by any tax-exempt foundation to public officials are made with one thought in mind; and that is, some service will be rendered. Surely no public official capable of holding public office is so naive as not to understand that reasoning.

This practice has got to stop and accordingly I am today introducing a bill which will: first, repeal the tax-exempt status of any foundation which makes or offers to make a payment—of any kind or description either under the guise of honorariums, grants, payment of trips, retainers, fees, and so forth—to any public official either at the Federal or at the State level or to any member of the courts—either Federal or State courts—while such public official is in office, or which makes any such payments to a Federal or State official during the 2-year period following his retirement from such public office or position on our courts, and, second, this bill also provides an additional penalty for the judge or public official who accepts such payments while in office or who accepts a paid position with a tax-exempt foundation during the 2 years following his retirement from public office in that in addition to the normal income taxes, the full amount of all such fees will be taxable at a 100-percent rate. In other words, 100 percent of whatever fees are accepted from such foundations by a public employee must automatically be

turned over to the Federal Government, and in addition, the foundations making such payments would lose their tax exemption.

This proposal is being introduced today as a bill, but it will be reintroduced as an amendment to the first appropriate bill that comes over from the House. Therefore I am suggesting that any foundation that objects to this bill contact the Senate Finance Committee requesting an opportunity to testify, at which time they can explain why they support payments being made to public officials.

I ask unanimous consent that following the earlier insertions there be printed an article as appearing in the Los Angeles Times of April 16, 1968, entitled "Las Vegas Case Stuns Federal Racket Bust-ers."

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 5.)

Mr. WILLIAMS of Delaware. Mr. President, following this article I ask unanimous consent to have printed in the RECORD, two articles, as appearing in the April 28, 1969 and May 2, 1969 issues of the Wall Street Journal, further commenting in the manipulations of the Parvin-Dorman stock transactions.

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

(See exhibit 6.)

The PRESIDING OFFICER. Does the Senator introduce his bill?

Mr. WILLIAMS of Delaware. I send to the desk the bill, and ask for its appropriate reference.

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

#### EXHIBIT 1

[From Life magazine]

#### FORTAS OF THE SUPREME COURT: A QUESTION OF ETHICS—THE JUSTICE AND THE STOCK MANIPULATOR

(By William Lambert)

On Tuesday, April 1, the Supreme Court of the United States shut the door on an appeal by financial manipulator Louis Wolfson and his longtime associate, Elkin "Buddy" Gerbert. It was very nearly the last hope of the two men to set aside the first of two convictions for violating U.S. securities laws. In the announcement of denial of the writ, one of the Justices, Abe Fortas, was noted as "recused," a lawyer's expression meaning he declined to take part in the decision.

On the surface, the recusal seemed usual and proper, for it was widely known that the Justice's former law firm—Arnold, Fortas & Porter—had represented a Wolfson company, New York Shipbuilding Corp., while Fortas was a member of the firm. Moreover, after Fortas had ascended to the bench and his name had been scraped off the law firm's door, Arnold & Porter had represented Gerbert in his two criminal trials with Wolfson. Actually, quite apart from the actions of his former firm, Justice Fortas had reason to abstain from judging Louis Wolfson.

In an investigation over a period of several months, Life found evidence of a personal association between the Justice and Wolfson that took place after Fortas was seated as a member of the nation's highest tribunal.

The basic facts are simple: While a member of the High Court, Fortas was paid \$20,000 by the Wolfson Family Foundation, a tax-free charitable foundation set up by Wolfson and his brothers. Ostensibly, Justice Fortas was being paid to advise the foundation on ways to use its funds for charitable,

educational and civil rights projects. Whatever services he may or may not have rendered in this respect, Justice Fortas' name was being dropped in strategic places by Wolfson and Gerbert in their effort to stay out of prison on the securities charge. That this was done without his knowledge does not change the fact that his acceptance of the money, and other actions, made the name-dropping effective.

Justice Fortas ultimately refunded the money to the foundation—but not until nearly a year after receiving it. By that time Wolfson and Gerbert had been twice indicted on federal criminal charges.

Wolfson is no stranger to litigation. He began his rise in financial circles in the 1930s when he took over the family junk business his immigrant father had built. By the early '50s his tall, lean figure and ruggedly handsome face, which shows some marks of youthful experience as a professional boxer, was a familiar sight at various corporate board meetings and on the newspaper financial pages. He took over the Washington, D.C. transit company and siphoned off its rich capital reserves. He nearly succeeded in gaining control of Montgomery Ward, but was narrowly beaten in a proxy battle. At one time he was the largest shareholder in American Motors, and when he sold out his position, he got embroiled in a dispute with the government over making "false and misleading statements." A prominent financial writer called him "the biggest corporate raider of all time."

On his part, Fortas was a well known figure in legal circles—and a high-powered political operator as well—long before he was appointed to the Court. As a leading partner in one of Washington's most prestigious law firms before his elevation to the bench, he is widely considered to be more than comfortably rich. He is acknowledged a brilliant legal scholar and also a violin virtuoso and a connoisseur collector of art and antiques.

From Lyndon Johnson's days as a congressman through his term as President of the United States, Fortas was counsel and close confidant. In 1964, when Johnson aide Walter Jenkins ran afoul of the law, it was Fortas (along with Clark Clifford) who tried to get the newspapers to suppress the story. If a person had to see the President, Fortas was the man who could arrange it. If the President wished to fend off influential tormentors—including the press—Fortas frequently was dispatched to do the fending.

Fortas continued to advise and do favors for President Johnson after he took his seat on the Supreme Court in October, 1965. That extrajudicial activity finally got him in trouble and cost him the job of Chief Justice.

When Johnson nominated him to succeed Earl Warren last June 26, 1968, Fortas had to face a not altogether friendly Senate Judiciary Committee. Some Republicans wished to hold the job open for a possible Republican appointment; conservative senators attacked Fortas for his liberal positions on criminal law and censorship. But there were also considerations which seemed germane to his judicial fitness.

His cronyism with the President bore on the doctrine of separation of powers among the branches of government. There were accusations that Justice Fortas had been functioning as a conduit for presidential wrath against friends who opposed his policies; that Fortas had tried to arrange appointments to the State Department and the federal bench; that he had functioned as a presidential consultant on various problems and position papers. He irked some senators by declining to comment on certain aspects of these matters.

The issue of his appointment approached a climax when a newspaper revealed that Fortas had accepted \$15,000 for lecturing at American University's Washington College of Law. Such compensation (though overlarge)

was not in itself criticized; but when it developed that Fortas' former law partner, Paul Porter, had solicited funds for the lectures from five of his or Fortas' influential friends, consternation prevailed even among Fortas supporters. One contributor was Troy Post, a wealthy Texan and Fortas friend whose son had been helped by Porter after an indictment for mail fraud. Another was Maurice Lazarus, who at one time sat with Fortas on the board of Federated Department Stores. Others were investment bankers Gustave Levy and John Loeb and New York lawyer Paul Davis Smith.

Critical senators were eager to press questioning about the fund and other matters. But on Sept. 13, in a letter to the chairman, Fortas declined to appear again before the committee; and on Oct. 2, 1968, at Fortas' request, President Johnson withdrew his nomination.

Fortas' personal association with corporate tycoon Wolfson appears to have begun about four years ago. Wolfson himself recalls that Milton Freeman, a partner in Arnold, Fortas & Porter and a highly skilled securities lawyer, was active in his behalf as early as December 1964 in regard to his growing difficulties with the Securities and Exchange Commission. Fortas himself says that apart from the firm's representation of one of Wolfson's companies since May or June, 1965, his "only 'association' with Mr. Wolfson had to do with conversations beginning when I first met him in, 1965, in which he told me of the program of the Wolfson Family Foundation...."

This statement is contained in a letter to Life written in response to a request for a meeting where he would be given an opportunity to explain any information in Life's possession that might be construed in any way as an impropriety on his part. The request was turned down. "Since there has been no impropriety, or anything approaching it, in my conduct, no purpose would be served by any such meeting," Fortas wrote.

It is not easy to pin down the exact extent of the Wolfson-Fortas relationship, nor has Life uncovered evidence making possible a charge that Wolfson hired Fortas to fix his case. But the conflicting accounts of participants (some of whom refuse to tell all or anything), coupled with the findings of Life's independent investigation, yield certain facts.

On Jan. 3, 1966, three months after Fortas was sworn in as Associate Justice, a check for \$20,000 was drawn to him personally on a Jacksonville, Fla. bank account of the Wolfson Family Foundation, and signed by Gerbert as foundation treasurer. It was endorsed with the Justice's name and deposited in his personal—not his old law firm's—bank account.

In February, Alexander Rittmaster, a Wolfson business associate who later was to be indicted with him, asked Wolfson what he was doing about the Securities and Exchange Commission's investigation, then at least 15 months in progress. Rittmaster said Wolfson told him it was going to be taken care of "at the top," and that the matter wouldn't get out of Washington. He also said that Fortas was joining the foundation.

On March 14, the SEC forwarded a report to the Justice Department in Washington and to U.S. Attorney Robert Morgenthau in New York. The report, highly classified, recommended criminal prosecution of Wolfson and Gerbert. The charge was that they conspired to unload secretly their control shares in the Wolfson-dominated Continental Enterprises, Inc., by failing to publicly register their projected stock sales. (The SEC investigation showed they realized \$3.5 million from the sale, after which the remaining stockholders found their shares had dropped from \$8 to \$1.50.)

On June 10, the SEC forwarded to Morgenthau's office another report, also classi-

fled, recommending prosecution of Wolfson, Gerbert, Rittmaster and two other Wolfson associates, Joseph Kosow, a Boston financier, and Marshal Staub, president of the Wolfson-controlled Merritt-Chapman & Scott Corp. The charges: buying secretly, in violation of securities laws, \$10 million in Merritt-Chapman stock and selling it back to the company for a \$4 million profit.

This was a particularly trying period for Wolfson. Government lawyers believe he learned almost immediately that the criminal reference reports had been forwarded to the Justice Department. He had clearly not expected this development. (Later, in support of a defense motion, Dr. Harold Rand of Miami indicated that those troubles had aggravated Wolfson's heart condition: "In June, 1966, Mr. Wolfson had several bouts of severe substernal pain and heaviness on his chest after prolonged long-distance calls of distressing news from meetings.")

On June 14, the day after the Supreme Court had gone into a week's recess, Justice Fortas flew to Jacksonville. Gerbert met him at the airport and drove out to Wolfson's elegant Harbor View Farm near Ocala, where Wolfson runs one of the largest Thoroughbred horse-breeding spreads in the country.

On June 15, while Fortas was a house guest at Harbor View, the SEC's long-feared investigation finally came to public attention. An SEC attorney indicated what was up when he asked a New York State judge to hold up settlement of several stockholders' suits against Merritt-Chapman directors pending results of the SEC study.

The next day Fortas returned to Washington.

Later that month (the exact date is in question), Wolfson told Rittmaster—according to Rittmaster—that Fortas was "furious" because the SEC had reneged on a pledge to give the Wolfson group another hearing before forwarding a criminal reference report. Rittmaster said he was further reassured by Gerbert that there was no need to worry, that Fortas had been at the horse farm to discuss the SEC matter and that it was to be taken care of.

On July 18, Wolfson wrote a long letter to Manuel Cohen, SEC chairman, complaining, among other things, that "I had understood from my counsel that before the investigation was concluded responsible officials of the SEC would give us a chance to fully explain the results of the investigation." He asked that the criminal reference report be recalled to Washington, and that his associates and counsel be given a chance to appear.

On Aug. 16, 1966, a federal grand jury in Manhattan began to take testimony in its investigation.

On Aug. 19, when Wolfson was under oath before the grand jury, Assistant U.S. Attorney Michael Armstrong recalled the letter to Cohen, and offered Wolfson an opportunity to be heard. Now, Wolfson took the Fifth Amendment.

On Sept. 8, before the same grand jury, Prosecutor Armstrong asked Merritt-Chapman President Staub this question: "Have you had any discussions with anybody relating to this grand jury investigation and to the effect that the investigation was going to come to a halt as a result of influence used in Washington?"—at which point Staub took the Fifth, and Armstrong lectured him that Washington influence would have no effect on the grand jury's deliberations. (Later, in arguing before the U.S. Circuit Court of Appeals against a defense contention that Armstrong's question was improper, Assistant U.S. Attorney Charles P. Sifton queried, "And I would ask where else such a warning can be given, where the government has reason to believe—as it had in this case—that pressure was being brought?")

On Sept. 1, Wolfson and Gerbert were indicted in the Continental Enterprises case.

On Oct. 18, Wolfson, Gerbert, Kosow, Rittmaster and Staub were indicted in the Mer-

ritt-Chapman & Scott case on charges of conspiring to obstruct the SEC investigation. Wolfson and Gerbert were also indicted for perjury.

On Dec. 22, Fortas drew a personal check for \$20,000 on his own bank account, payable to the Wolfson Family Foundation, thus paying back the money he had received from the Wolfson foundation more than 11 months earlier.

Attorney Paul Porter, as Fortas' spokesman, told Life that the \$20,000 was paid to Justice Fortas after Wolfson asked Fortas to help trustees of the foundation outline future charitable and scholarship programs for the fund. Porter affirmed that the money was paid to Fortas personally, not the law firm; that he—Porter—understood "a secretary" put it in Fortas' bank account, and that it was later refunded by the Justice "because Abe had a whole sackful of petitions for writs; the business of the Court took so much of his time he couldn't do the work for the foundation."

Fortas' interest in the foundation, Porter said, stemmed from his long-time involvement in charitable activities and his interest in education—the foundation had a program for granting scholarships for theological studies. He said Fortas made two trips to Florida to meet with foundation trustees, one before he went on the bench and the other after he became Associate Justice.

Mrs. Fortas—Carolyn Agger, as she is known in her role as tax attorney and partner in Arnold & Fortas—gave an account to a government agent which corroborated Porter's account in most respects, but in addition suggested that her husband's role was that of advising the trustees on possible civil rights projects.

The question arises: Aside from legal advice, what manner of counseling service could Fortas perform for the foundation that would justify a \$20,000 fee? In the light of other recorded foundation expenditures, the amount seems generous in the extreme.

In its 1956 fiscal year, the foundation's gross income from capital investment was \$115,200. Its outlay for expenses was \$9,300 and included taxes, interest and \$415 in miscellaneous costs. Its total grants for charity, scholarships and gifts came to \$77,680. A \$20,000 item—apparently the Fortas fee—was identified as "exchange" and was listed on the foundation's federal tax information return as an asset. One accountant said it appeared to be a prepayment for service expected to be rendered. The item disappears on the 1967 return, which would indicate Fortas' repayment.

In his letter to Life, Fortas fails to mention the payment at all, nor does he concede discussing foundation matters in any way with Wolfson. He says only that he was "told" by Wolfson of the foundation's works and admits being present at Wolfson's horse farm near Ocala, Fla. in June 1966, while others discussed the charitable programs.

The letter stated: "Mr. Porter, of Arnold & Porter, has told me you are interested in obtaining a chronology, and I am glad to send you the following information: The firm with which I was associated before I became a justice of this Court was retained by one of Mr. Wolfson's companies in May or June 1965, as I remember. I was nominated as an Associate Justice of the Supreme Court in July of 1965, and took office in October. I began reducing my activities in the firm after the nomination, pending actually taking office, and most of the work on the account was done by others in the firm. If you are interested in more information on this subject, Mr. Porter has access to the facts and can presumably answer any questions concerning this that may be appropriate. I understand he has offered to do so.

"Apart from this, my only 'association' with Mr. Wolfson had to do with conversations beginning when I first met him in 1965, in which he told me of the program

of the Wolfson Family Foundation in Jacksonville to promote racial and religious understanding and co-existence and to provide financial assistance, on a nondenominational basis, to candidates for the clergy.

"In June of 1966," the Fortas letter to Life continues, "I had the pleasure of a brief visit to Mr. Wolfson's famous horse farm, and during that trip to Florida I was present at a meeting of the Wolfson Family Foundation during which some of those present described some of its programs and, as I recall, discussed some of the pending scholarship applications. I did not, of course, participate in any of Mr. Wolfson's business or legal affairs during that visit, nor have I done so at any time since I retired from law practice. In fact, my recollection is that Mr. Wolfson himself was not present at the meeting of the Family Foundation."

Wolfson's reputation and his troubles with the SEC were well known in financial and legal circles. Fortas' questionable association with such a man was rendered even more serious by the fact that money passed between them. And if Rittmaster is to be believed—that Wolfson and Gerbert were using Fortas' name to calm their troubled co-conspirators and keep them from cooperating with government prosecutors—the relationship had far more serious implications. Rittmaster's story was unfolded to the government in August 1966. (Later, he was to testify for the government in the Continental Enterprises case.)

Rittmaster told government investigators of pressures supposedly brought by Wolfson to stop the criminal proceedings, and Fortas' name quickly arose. Rittmaster said Gerbert had told him that he—Gerbert—had picked up Fortas at the airport and driven him to the Wolfson farm, and that Fortas had discussed the SEC problems. Fortas himself had made Rittmaster's claim credible—he was in Ocala, Assistant U.S. Attorney Armstrong, obviously skeptical, dispatched the chief investigator in the Wolfson cases, SEC financial analyst Stuart Allen, to Florida, ostensibly to interview other prospective witnesses. Allen affirmed that the Justice had made the trip from Miami to Jacksonville on the date in question. He found a round-trip ticket to Jacksonville in Fortas' name in the files of Eastern Air Lines in Miami.

Other aspects of Rittmaster's story were also checked. The government attorneys finally concluded he was telling the truth.

Then they began to worry: there was, on the basis of Rittmaster's account, an outside possibility that Fortas himself might appear as a witness and testify that while in private practice he might have suggested to Wolfson that the financier had no legal problem in his handling of Continental Enterprises stock. Wolfson's defense, in essence, was ignorance of the law. If he could plead that he acted improperly with *advice of counsel*, and if a Supreme Court Justice then backed him up, the government's case might go down the drain. It is a measure of how seriously government prosecutors regarded the Wolfson-Fortas relationship that they viewed this as a serious contingency, and were prepared, if necessary, to cross-examine Justice Fortas.

The government still had to get the Merritt-Chapman case to trial, and here again there is no doubt that Fortas was regarded as a possible factor in the defense.

When that case came to trial nine months later, with Assistant U.S. Attorney Paul Grand heading the prosecution, Rittmaster walked into the courtroom and pleaded guilty, and the court was told that he would be a witness for the government against Wolfson and Gerbert. The jury apparently believed Rittmaster's testimony—an important consideration in weighing the credibility of his accounts of the Wolfson-Gerbert uses of Fortas' name—and voted conviction. (Without Rittmaster's testimony, the prose-

cution later conceded, the government would have lost its case.)

When Wolfson appeared for sentencing in the Merritt-Chapman case, Prosecutor Grand recalled to the court Rittmaster's testimony that Wolfson had said "if he had to he would go as far as Capitol Hill to see that nothing happened, and that at most these people would receive only a slap on the wrist."

Grand told the judge: "Mr. Wolfson, as the evidence indicates, stood ready to use what power and what influence he had, even beyond his own perjury, to prevent the investigation from proceeding."

It remained for Wolfson himself to have the last word. In an interview with a *Wall Street Journal* reporter, just days before he went to prison, the embattled industrialist said that through political connections he could have gotten a pardon from President Johnson last December if he had asked for it. He told the reporter he received that assurance "from somebody who is as close as anybody could be" to Mr. Johnson.

But, said Wolfson, he turned down the offer. He didn't want any favors.

[From the *Wall Street Journal*, May 5, 1969]  
WRONGDOING DENIED—FORTAS LANDS IN CONTROVERSY AGAIN OVER WOLFSON FOUNDATION'S CHECK

(By a *Wall Street Journal* staff reporter)

WASHINGTON.—Supreme Court Justice Fortas again found himself embroiled in controversy, after *Life* magazine reported that he accepted and subsequently returned a \$20,000 check from a charitable foundation established by financier Louis Wolfson.

Mr. Fortas stated yesterday the check wasn't connected with any wrongdoing.

Mr. Fortas had been the subject for stormy Senate hearings after President Johnson nominated him for Chief Justice, and the Senate refused to confirm him. This time, the controversy creates complications of several kinds for the Nixon Administration.

Wolfson and an associate, Elkin B. Gerbert, were convicted of violating the securities laws by selling unregistered stock of Continental Enterprises Inc. Wolfson was sentenced to a year in prison and a \$100,000 fine.

The Supreme Court, without Justice Fortas participating, on April 1 refused to review the conviction. On April 25, Wolfson began serving his sentence at a minimum-security Federal prison camp in his home state of Florida.

#### USE OF NAME CHARGED

*Life* said it hadn't "uncovered evidence making possible a charge that Wolfson hired Fortas to fix his case." But the magazine charged that, "whatever services he may or may not have rendered to the foundation," Mr. Fortas' name was "dropped" by Wolfson and Gerbert "in their effort to stay out of prison."

Earlier, in an interview with *The Wall Street Journal* just before he went to the prison camp, Wolfson said he could have obtained a pardon from former President Johnson relieving him of the sentence. He didn't say who had offered the pardon, but asserted the offer came "from somebody who is as close as anybody could be" to Mr. Johnson.

Justice Fortas, closeted in his Supreme Court office yesterday, refused to see reporters but issued a statement saying that he didn't believe the fee tendered him by the Wolfson family foundation was motivated by "any hope it would induce me to intervene on Mr. Wolfson's behalf." Justice Fortas also declared that "at no time have I spoken to or communicated with any official about Mr. Wolfson, whether with respect to a pardon or his criminal cases."

Members of the Wolfson family couldn't be reached for comment.

The Supreme Court's press officer, who distributed the Fortas statement, was asked by

reporters whether Mr. Fortas was going to resign from the Court, and he replied, "not to my knowledge."

#### COMPLICATIONS FOR NIXON

The *Life* magazine charges Wolfson's statement to this newspaper and Justice Fortas' response all add up to complications for the Nixon Administration.

The Justice Department, for instance, issued a short but carefully worded statement. It said the department "is aware of the content of the article in *Life* magazine and currently has the matter under consideration."

The statement was drafted with care because, even if the department concludes that Justice Fortas engaged in something more than impropriety, it's uncertain what steps could be taken. Lawyers aren't sure, for example, whether under the Constitution the Executive Branch could institute a normal kind of legal action against a Supreme Court Justice, or whether impeachment would be the sole course available. If so, they don't know for sure whether the Executive Branch could recommend impeachment to Congress.

The Fortas-Wolfson matter also complicates President Nixon's task regarding the Supreme Court.

#### NOMINATION DUE SOON

Mr. Nixon soon will nominate a new Chief Justice to succeed Earl Warren. President Johnson last year proposed to elevate Justice Fortas to Chief Justice, succeeding Mr. Warren, but the Senate, after stormy hearings, didn't confirm Mr. Fortas. Thus, the nomination falls to Mr. Nixon.

Senators who succeeded in blocking Mr. Fortas' confirmation as Chief Justice recited a long list of objections to him. A principal objection of Senate conservatives was Mr. Fortas' voting record, as an Associate Justice, in favor of decisions widening the rights of the criminally accused and narrowing police powers. But the nomination also brought forth charges of "cronyism," stemming from President Johnson's long and close personal relationship with Mr. Fortas. And some Senators raised questions about Mr. Fortas' personal conduct, such as his role in advising President Johnson on a variety of matters at the time he was sitting on the High Court.

President Nixon hasn't given any hint of whom he will nominate, but Senate aides predict that because of the protracted and bitter fight over the Fortas nomination, the Senate will ponder any Nixon nominee long and hard. The Fortas-Wolfson affair almost certainly will prompt many Senators to examine the Nixon nomination even longer and harder.

An additional complication may concern Mr. Fortas himself. Ever since the Senate refused to confirm him as Chief Justice, rumors have persisted that he would resign from the High Court, sooner or later. If Mr. Fortas entertained thoughts of resigning, however, it seems highly unlikely that he voluntarily would leave while under attack in the Wolfson matter.

At the moment, it's certain only that Justice Fortas received a fee from the Wolfson Foundation and returned it and that, whatever caused Mr. Fortas to do what he did, Wolfson was convicted and wasn't pardoned. But it's also true that many Washington scandals result from the appearance of wrongdoings, without the allegations ever being proved.

#### FEE FOR STUDIES, ADVICE

*Life* magazine said, and Justice Fortas' statement yesterday seemed to confirm, that Mr. Fortas and Wolfson first met in 1965, the year before President Johnson named Mr. Fortas to the Supreme Court. Mr. Fortas then was a partner in the Washington law firm of Arnold, Fortas & Porter, which was retained by one of Wolfson's companies. According to Mr. Fortas, it was in 1965 that he met Wolf-

son and discussed with him the Wolfson foundation's work in racial and religious relations. The fee was for studies and advice in these matters, Mr. Fortas said.

According to *Life*, another partner in the firm in late 1964 first began to represent Wolfson in his difficulties with the Securities and Exchange Commission.

*Life* reported this sequence of events: On Jan. 3, 1966, after Mr. Fortas had gone on the High Court, the Wolfson foundation wrote a \$20,000 check payable to the Justice. The following month, Alexander Rittmaster, then a Wolfson associate, asked what was being done about the SEC investigation, and Wolfson allegedly replied that the SEC matter would be taken care of.

March 1966, the SEC sent to the Justice Department a recommendation for criminal prosecution of Wolfson and Gerbert. On June 14, Mr. Fortas visited Wolfson's home in Florida. That same month, according to *Life*, the SEC's investigation began to come to public attention.

In August, the Justice Department began to present testimony to a Federal grand jury. On Sept. 19, the grand jury indicted Wolfson and Gerbert on charges involving Continental Enterprises stock. And on Dec. 22, Justice Fortas returned the \$20,000 check to the Wolfson foundation.

#### LIFE SOUGHT LETTER

*Life* said it asked for and received from Mr. Fortas a letter explaining the Justice's role in the events. In the letter, according to *Life*, Mr. Fortas confirmed that he visited the Wolfson home in Florida in June 1966 and asserted that during the visit he discussed foundation affairs and didn't talk about Mr. Wolfson's legal troubles.

In his statement to the press yesterday, Mr. Fortas distinguished between his personal interests in racial and other matters of concern to the foundation and his work as a member of the Supreme Court.

He said in the statement that the foundation's work in racial and religious areas "is an area in which I have and have had a continuing interest apart from my official judicial or legal functions."

He didn't say how much he received from the foundation or how long he retained the amount. But he explained that the foundation in 1966 "tendered a fee to me . . . in the hope that I would find time and could undertake, consistent with my Court obligations, research functions, studies and writings connected with the work of the foundation." He said that he later returned the fee, "with my thanks," because he concluded "I could not undertake the assignment."

The statement didn't say why he decided he couldn't undertake the work for the foundation.

But Mr. Fortas emphasized that he hadn't any reason to believe, and still doesn't believe, that the fee was motivated by an expectation on Wolfson's part "that it would induce me to intervene or make representations on Wolfson's behalf."

Mr. Fortas said he had never given Wolfson, Wolfson's associates or his foundation "any legal advices or services, since becoming a member of the Court."

#### EXHIBIT 2

[From the *Washington (D.C.) Post*, Oct. 16, 1966]

VEGAS-LINKED FUND PAYS JUSTICE DOUGLAS  
(By Ronald J. Ostrow)

An unusual situation involving Supreme Court Justice William O. Douglas has come to light bearing upon the broad issue of a judge's sources of income and outside activity.

The uncontested facts are these:

Douglas receives \$12,000 a year from the tax-exempt Albert Parvin Foundation that derives much of its income from a mortgage on a Las Vegas hotel and gambling casino.

A principal asset of the Foundation is an interest in the first mortgage on the Hotel Flamingo. Albert B. Parvin, chief benefactor of the Foundation, has an interest in three other Las Vegas gambling casinos.

Based in Los Angeles, the Foundation supports fellowship programs for students from underdeveloped nations to study at Princeton University and UCLA as a means of promoting international peace and understanding.

The Foundation's board of directors includes two of the Nation's best-known educators—Robert M. Hutchins and Robert F. Goheen. Hutchins, former president of the University of Chicago, now heads the Center for the Study of Democratic Institutions in Santa Barbara, Calif. Goheen is president of Princeton.

Douglas, however, according to the Foundation's tax returns, is the only official of the organization to receive regular compensation.

Douglas, in an interview, said the \$12,000 a year is assigned to him "largely as an expense account" for trips in connection with Foundation work. He said drawing the funds, almost one-third of his annual \$39,000 salary as a Justice, raises no ethical question in his mind.

Douglas has been with the Foundation, which he serves as president, since its formation in 1960. But the allowance did not begin until about 1962. It was instituted over Douglas' strenuous objections, according to Parvin, a Los Angeles businessman.

Douglas said that expenses he incurs in serving the Foundation are "pretty close" to the \$12,000. According to Parvin, the Foundation asks for no itemization of Douglas' expenses and the Justice submits none.

In addition to the income it derives from the Flamingo mortgage, the Foundation has another, less direct link with Las Vegas—stock in Parvin-Dohrmann Co., which was donated by Parvin and other individuals.

#### CLIENTS ON STRIP

Parvin is president and chief executive officer of Parvin-Dohrmann, a Los Angeles concern that specializes in furnishing restaurants and hotels. Its top clients include major hotels on the Las Vegas Strip.

Last July, the company, after nearly a year of intense negotiations, acquired the Fremont Hotel and gambling casino in Las Vegas.

Purchase terms provided five-year employment contracts for two officers of the Fremont, Edward Levinson and Edward Torres. Their salaries: \$100,000 a year each.

Levinson invoked the Fifth Amendment privilege against possible and self-incrimination in 1964 and raised other objections in refusing to answer questions of the Senate Rules Committee investigating the dealings of Bobby Baker, former secretary to the Senate Democrats.

Regardless of the Las Vegas connection, Douglas' expense account would appear to raise an ethical question that is not clearly answered by the American Bar Association's Canons of Judicial Ethics.

Many observers regard the 36 canons as being far from definitive. The fourth canon, for example, known as the "Caesar's wife" doctrine, says that "a judge's official conduct should be free from impropriety and the appearance of impropriety."

Federal judges are not required to disclose their financial holdings, outside income or activities under present law.

Under existing statutes, they cannot practice law, and they are required to disqualify themselves from ruling on cases in which they have an interest. But assessing personal involvement or interest is left up to the individual judge.

Douglas cited the power to disqualify oneself as a safeguard against conflicts of interest that may arise from any justice's outside activities. He noted that no case involving a

company in which the Parvin Foundation has an interest has been before the Court.

Competent authorities on the Nation's judicial system privately expressed concern over details of Douglas' relationship with the Foundation. None of these authorities, however, was willing to speak for the record.

"While I don't think this is entirely proper," said one eminent student of the Supreme Court, "I don't want to say anything that will detract from the popularity of the Court and give ammunition to the 'know-nothings.' The problem with criticizing Justice Douglas is that he's attacked by the wrong people for the wrong reasons."

The Foundation was established in 1960 by Parvin with 75 per cent of the proceeds he realized from the 1959 sale of the Hotel Flamingo. The Foundation's share amounted to between \$1.5 million to \$2 million, he estimated.

Parvin put together a group to buy the Flamingo in 1954 when the hotel ran into problems in meeting its payments to the furnishing firm that Parvin heads. The group sold the facilities in 1959, but retains a first mortgage.

Parvin recounted how the Flamingo sale led to establishing the Foundation. He said he found himself with \$2.5 million and no need for the money.

"I felt I wanted to do something to pay a vote of thanks for the good fortune I had," he said.

On the strength of reading Douglas' books, particularly the volume "America Challenged," Parvin wrote the Justice and told him of his desire to teach people of emerging countries about the American way of life.

Douglas responded; he and Parvin met to discuss plans and select directors, and the foundation was launched.

In addition to Douglas, Hutchins, Goheen and Parvin, the Foundation's board includes Illinois U.S. District Judge William J. Campbell and journalist Harry Ashmore.

Douglas recalled that when he agreed to head the organization he knew its assets included the Flamingo investment. He stressed that the Flamingo is a legitimate enterprise.

But Douglas, 27 years on the High Court and one-time Chairman of the Securities and Exchange Commission, said he thought the interest in the Flamingo "was owned for a brief period, but disposed of by the (Foundation's) finance committee," which he does not serve on.

Known as Parvin Fellows, the Foundation recipients—12 to 16 each year—attend Woodrow Wilson School at Princeton. Most come from Africa, the Middle East and Asia, Douglas said. The Foundation sponsors a similar program at UCLA for Latin Americans.

The two universities select the fellowship recipients. Douglas travels to the campuses to advise the fellows, to bring them to Washington and to make appointments for them with Government officials.

In addition to this work, Douglas also serves as "a sort of clearing house" for the Foundation board in assessing requests for funds. Proposals for as many as 24 to 36 different projects flow into the Foundation each week.

As Parvin recalls, it was after Douglas returned from a trip to South America on Foundation business that the \$12,000 first was provided.

The Foundation's board was meeting in Santa Barbara, and Hutchins suggested providing the funds, Parvin said. Despite Douglas' objections, the board voted the money.

The concern of legal observers stems in part from clashes between Federal law authorities and some Las Vegas gambling figures, such as Levinson, who now is employed by Parvin-Dohrmann.

Levinson, who had business dealings with Bobby Baker, has a suit for damages pending against the FBI in a Nevada court, charging that the FBI's bugging of his office invaded his privacy.

The bugging issue already is before the Supreme Court in the appeal of Fred B. Black Jr., a Baker associate who has been convicted of income tax evasion. The Justice Department has admitted the FBI bugged Black's hotel suite.

In Black's petition to the Court he maintains that he telephoned his lawyer from various sites in Las Vegas, including the Fremont Hotel. He alleges that FBI agents may have monitored some of these conversations.

Justices Abe Fortas and Byron White have disqualified themselves in the case, Fortas because he was Baker's lawyer, White because he was a government prosecutor.

#### EXHIBIT 3

OCTOBER 17, 1966.

The CHIEF JUSTICE,  
The Supreme Court,  
Washington 25, D.C.

MY DEAR MR. CHIEF JUSTICE: In yesterday's Washington Post there appeared a front-page story alleging that a Las Vegas group has over the past four years been paying Associate Justice Douglas a \$12,000 annual fee.

There is a grave question as to the propriety of his accepting such payments, and I would appreciate your reviewing these charges and advising me whether or not the Supreme Court condones such practices and if not, what steps will be taken to protect the integrity of the Court.

Yours sincerely,

JOHN J. WILLIAMS

SUPREME COURT OF THE UNITED STATES,  
Washington, D.C., October 31, 1966.

HON. JOHN J. WILLIAMS,  
U.S. Senator,  
Washington, D.C.

MY DEAR SENATOR WILLIAMS: This is in reply to your letter of October 17th concerning the association of Mr. Justice Douglas with the Albert Parvin Foundation, a charitable trust under the laws of California. This, of course, is a matter personal to Mr. Justice Douglas.

Since the receipt of your letter and after reading the newspaper article to which you refer, I received a letter from Mr. Harry Ashmore, Secretary of the Foundation, outlining its objectives, organization and activities. He also enclosed a commendatory article concerning the Foundation, dated November 8, 1964, which appeared in the Los Angeles Times, the same newspaper which initiated the recent critical article referred to by you. I am enclosing a copy of Mr. Ashmore's letter and the enclosures.

Mr. Justice Douglas has written me, for the information of the Court, a statement of the purposes of the Foundation and expressing his pride in its humanitarian accomplishments. He has advised me that he has no objection to my making it available to anyone who might be interested, and I enclose it herein.

I feel that these communications shed considerable light on the newspaper article to which you refer, and that you should have them.

Sincerely,

EARL WARREN.

SUPREME COURT OF  
THE UNITED STATES,  
Washington, D.C., October 31, 1966.

MY DEAR CHIEF JUSTICE: In light of some recent vicious press articles concerning me and the Parvin Foundation, I thought you and the Brethren should know what the truth is. The Secretary of the Foundation, Harry Ashmore, has released a statement summarizing in skeleton fashion the basic facts concerning the Foundation, and I attach herewith a copy of that statement. But I wish to amplify it so that you will have a clear idea as to the origin and nature of the work and functioning of the Foundation and my relationship to it.

There has been criticism of the portfolio of the Foundation. Except for minor items, the selection of the portfolio was made solely by Mr. Parvin and was transferred by him to the Foundation as an irrevocable gift. Moreover, the Foundation has no connection with the operation of any enterprise whatsoever.

Let me also say that there has been no conflict whatsoever between the Foundation and my work on the Court. Historically, many Justices have had outside connections or activities—as a trustee or overseer of a college, as a professor of law or as a lecturer or author, as the owner of securities in a corporation. Every single Justice has been meticulous in observing the fundamental principle that he will not sit in a case in which he has a direct or even indirect interest. The only exception, I believe, is the one worked out during Justice Brandeis' regime when, as he told me, the Justices decided not to withdraw from a case involving an insurance company merely because they held a life or accident policy in that company. Nothing coming before the Court has involved matters in which the Foundation has had even an indirect, remote interest.

The formation of the Foundation goes back to the Walter E. Edge Lectures which I delivered at Princeton in 1960. They were published by the Princeton University Press in a book entitled "America Challenged." Albert Parvin of Los Angeles read the book, and it apparently put together in his mind some ideas he had had for combating the forces of communism at the world level. He decided to form a Foundation directed to that end.

The Foundation was created under California law and its income has been dedicated primarily to phases of the international situation.

The first project we undertook was at Princeton, where originally ten Parvin Fellowships were established. Men between the ages of 25 and 35 were brought in from Africa, the Middle East, and Asia for a year's study at the Woodrow Wilson School. We chose men in government, in journalism, in education, our hope being that after exposure to both the theory and the practical operations of a free society, they would return to their own countries with new insight into how the forces of communism could be combated.

We have been very proud of their achievements. Many of them have already moved into important positions in their native countries, and we are confident that over the years we will produce many Prime Ministers, many Secretaries of State, many journalists, many professors, all dedicated to the democratic cause.

The project at Princeton was so successful that we decided to launch a similar one at UCLA. There we decided to take only men and women between 25 and 35 from Latin America. Those who speak English in Latin America usually come from the "upper crust." We were anxious to reach lower down into the strata where the communists seem to operate most effectively. So we decided to take only those who did not speak English. We bring them to UCLA and give them an intensive English language course first, followed by a year of study in the operations and institutions of the free society. The program, although more recent than the Princeton program, has also had very encouraging and promising results.

We decided to give occasionally an award to the man or woman across the globe who had done the most in that year to promote international peace. We voted a \$50,000 award to Hammarskjöld, but before he could be presented with it, he died. So we established a trust fund for that amount at the National School of Law and Administration, Leopoldville, where the income from that trust fund is used to give annual lectures in his memory.

The Parvin Foundation developed, with the assistance of the National Association of Broadcasters, of which Governor LeRoy Collins was the head, some 80 TV films for use in the Dominican Republic. These were designed to teach adults how to read and write Spanish through the medium of TV.

We have sent various lecturers into Latin America, speaking to student groups and faculty groups at various universities. We have collaborated with the press of Latin America, trying to inculcate some of the American ideas concerning the requirements of the free press, and we have occasionally made gifts to the Center for the Study of Democratic Institutions at Santa Barbara, primarily in an effort to set up a Dialogue between experts in this country and experts in Latin America. In those various ways we have hoped to contribute to a democratic leadership which offers effective resistance to the spread of the communist ideology in the underdeveloped nations.

We of the Parvin Foundation have been very proud of these educational ventures. As I said before, they have already produced some rich dividends. And if they are continued into the future, as I hope they will be, they will drastically influence the shape of things to come in the underdeveloped nations, many of which have few leaders with roots deep in the democratic society. It must be remembered that in some areas there are few lawyers and no law schools; and in others few university graduates and few schools, if any, worthy of the name of a university.

Our foreign aid has often done good. But if the tides of communism are to be turned back, these underdeveloped nations need primarily dedicated leaders on the democratic front; and it is to that end that the Foundation has directed itself.

I wanted you and the Brethren to know what this educational venture was, because it has been very much distorted in the press.

As the work and activities of the Foundation increase, I am not sure how much longer I can direct its affairs. But I am very happy that I could help guide its course in those early years, and project its activities into those international fields where there is a great vacuum in which the forces of communism freely operate as I reviewed in my book *Democracy's Manifesto*.

There has been no conflict whatsoever between these activities and my duties as a Justice. I would have written you earlier but I have been out of the city.

WILLIAM O. DOUGLAS.

#### EXHIBIT 4

[From the Los Angeles Times, Oct. 19, 1966]

#### ETHICS AND THE SUPREME COURT

The United States Supreme Court, created as a separate but equal branch of government, exercises the ultimate authority of the judiciary. As the last court of appeal, the final arbiter of constitutionality, the Supreme Court can overrule Congress and the President.

The nine men given that immense power must deliberate and decide free from any outside influence. To assure their independence and impartiality, Supreme Court justices are appointed for life and given a \$39,500 annual salary—which continues even after retirement.

Acceptance of outside income by a member of the highest court in the land, therefore, raises grave ethical questions.

Those questions must now be faced in the case of Supreme Court Justice William O. Douglas, who since 1962 has received \$12,000 annually in outside expense funds. The Times disclosed Sunday that the money has been paid to Douglas as president of the Parvin Foundation, which is dependent in part upon Las Vegas gambling interests for its financing.

Justice Douglas said that acceptance of

the money poses no problem of ethics. The Times disagrees.

So does Sen. John J. Williams (R-Del.), who said Douglas' action "raises a serious question as to whether he should now be permitted to remain on the court."

"To condone the right of any member of the Supreme Court to accept fees from outside clients would be indefensible," declared Sen. Williams, "and it would raise grave questions as to the integrity of the court itself."

The senator challenged the court to respond by asking Chief Justice Earl Warren "what steps will be taken."

No statute or specific rule prohibits a Supreme Court justice from accepting such funds. Douglas' expense account, therefore, was legally—if not morally—defensible. The money, he said, went for his expenses as president of the foundation, which grants fellowships at UCLA and Princeton University for foreign students.

Principal support of the foundation comes from a mortgage on the Flamingo hotel and gambling casino. Albert Parvin, who set up the foundation, also has an interest in three other Las Vegas gambling casinos, including the Fremont.

The Supreme Court now has before it an appeal of tax evasion conviction by Fred Black Jr., a business associate of Bobby Baker and of Edward Levinson, a \$100,000-a-year employe of the Fremont Hotel. Levinson is also suing the FBI for invasion of privacy in a case that may reach the Supreme Court.

Other members of the Supreme Court thus far have not commented upon the Douglas case, but they cannot remain silent. His conduct and the standards of conduct for all members of the court can no longer be ignored.

If the justices fail, Congress must act to assure that the integrity of the Supreme Court is not compromised.

#### EXHIBIT 5

[From the Los Angeles Times, Apr. 16, 1968]

LAS VEGAS CASE STUNS FEDERAL RACKET BUSTERS—U.S. OFFICIALS SAY RESULT OF TAX TRIAL DAMAGES DRIVE AGAINST ORGANIZED CRIME

(By Ronald J. Ostrow and Gene Blake)

WASHINGTON.—Federal racket busters are shocked and demoralized by the sudden and unusual end of a major tax evasion case against Las Vegas casino operators.

These Internal Revenue Service and Justice Department officials said the government's organized crime drive has been damaged by the skimpy results of the case in which operators of two casinos were charged with skimming gambling profits before paying taxes.

These sources, who insisted on remaining anonymous, said they suspected an agreement had been made to end the once-heralded case so one defendant would in turn drop his \$2 million bugging suit against the FBI.

The two assistant attorneys general whose Justice Department divisions handled the cases deny there was an agreement or that the cases were related in any way. So, too, does the lawyer for the tax case defendant who brought the damage suit.

#### NOT CONVINCED

But some inside the Justice Department and IRS are not convinced. They contend it is "just too coincidental" that the suit against the FBI was dropped the day after the criminal case ended.

So obvious is their dismay that Mitchell Rogovin, assistant attorney general in charge of the tax division, met last week at his request to discuss the case with IRS intelligence men who conducted the casino investigation.

"There appeared to be a misunderstanding," Rogovin said. "They felt a lot better

hearing from me what actually had happened."

The tax evasion case is linked to the organized crime campaign because the government has long maintained that skimmed funds from the casinos are a major source of the underworld syndicate's revenues.

Racket busters note that Henry E. Petersen, chief of the Justice Department's organized crime and racketeering division, did not know the skimming case was being ended until it was all over.

Petersen refused to discuss the subject with a reporter.

"I refuse to talk because I don't know anything about this," he added.

The shock waves began March 28 when two of the seven defendants in the criminal tax case pleaded no contest in federal court in Las Vegas to having helped file a false tax return for their casinos.

The government objected, which is a standard move in such cases, but Judge Roger Foley accepted the plea. He fined Edward Levinson, former president of the Fremont Hotel in downtown Las Vegas, \$5,000. Joseph Rosenberg, manager of the Riviera Hotel's casino, drew a \$3,000 fine.

#### OTHER COUNTS

The government then moved to dismiss other counts against Levinson and Rosenberg and the charges against five other men, three of whom were former Fremont stockholder-employees and two Riviera owner-employees.

Two days later Levinson's lawyers filed papers in Nevada State Court dismissing his suit against four FBI agents whom Levinson had accused of invading his privacy by illegally bugging his office.

This suit, filed three years before, greatly embarrassed the FBI. It indicated how pervasive the bureau's electronic eavesdropping had been in Las Vegas. It also helped support claims by Bobby Baker that he was the victim of "massive" government eavesdropping.

Baker, former secretary to Senate Democrats and a protege of President Johnson when he was Senate majority leader, had business dealings with Levinson. Baker has cited the government bugging in defending himself against charges of conspiracy, theft and tax evasion. Baker was found guilty in federal court. His appeal, now pending before the U.S. Circuit Court of Appeals in Washington, is based partly on the bugging.

#### DAMAGES SOUGHT

At any rate, Levinson's suit was a real thorn to the FBI, partly because it sought money damages from the four agents involved, an attack the Nevada courts had been sustaining.

Edwin L. Weisl Jr., assistant attorney general in charge of the civil division which was responsible for defending the FBI agents, said the first indication that Levinson might drop his suit came in mid-February.

Weisl, son of the Democratic national committeeman from New York, was in Las Vegas in February to argue a motion that would have absolved the agents of financial responsibility for the bugging, an argument the state court rejected. He met there with Levinson's lawyer, Thomas A. Wadden Jr., who he said spoke of entering pleas on behalf of some of the lesser defendants in the criminal case.

Wadden, Weisl said, made no mention of dropping the civil suit against the FBI.

#### FORMAL DEAL DOUBTED

"I don't think they ever formally approached (the government) with a deal," Weisl said. "It was assumed and understood" that the civil suit would be dropped once the criminal matter was settled.

At that point, Weisl said, he and Wadden agreed to defer argument of other motions pending in the civil suit against the FBI.

Without confirming or denying the sub-

stance of the mid-February conversation as recalled by Weisl, Wadden told a reporter there was "no arrangement" to drop the civil suit in return for settling the criminal case.

Weisl said he reported his conversation with Wadden to Rogovin when he returned to Washington.

Rogovin said that because Wadden was both the defense lawyer in the criminal tax case and the plaintiff's lawyer in the civil suit, "we were made aware . . . we knew what was going on."

"They said they were considering dismissing the case," Rogovin said. "We made it eminently clear that this would have no bearing" on the criminal case.

#### NO DIFFERENCE

Wadden met with Rogovin in the Justice Department on Feb. 28 and March 8.

"I told them at the first meeting that it didn't make any difference" what happened in the civil case, Rogovin said.

"Mitch Rogovin made damn sure I understood that from the beginning . . ." Wadden said.

Then why did Levinson drop his suit against the FBI at that point?

"When the criminal cases went to bed, we wanted to clear the entire matter up," Wadden said. "It just fell that way."

A related suit against Central Telephone Co. for allegedly aiding the FBI in bugging Levinson's office is still pending. It's believed that negotiations have been held to settle the suit out of court.

At their Feb. 28 meeting, Rogovin said Wadden "wanted to know if they pleaded in a certain fashion whether we would go ahead with the trial."

"There were no negotiations," Rogovin said. "We merely told them what would be appropriate."

Rogovin would not disclose what plea Wadden mentioned at their first meeting, but said that it "was not satisfactory."

"After the March 8 meeting," Rogovin was asked, "Did Wadden know you would drop the other counts if Levinson and Rosenberg pleaded no contest?"

#### WOULD BE SATISFIED

"We told them we wanted them to plead guilty and would object to a nolo (no contest plea)," Rogovin said. "It was clear we were going to be satisfied if two people pleaded guilty to a felony."

"For all practical purposes," Rogovin said, a no contest plea "is like a sentence of guilty."

Why didn't the government proceed with the charges against the other defendants? Would not this have been more of a deterrent against skimming?

"The indictments went to the heart of the question—whether there was skimming in these two hotels," Rogovin said. The case "satisfactorily demonstrated there was skimming."

#### TWO CONVICTED

Rogovin recalled that state officials and the defendants were claiming there was no skimming in Las Vegas casinos.

"There is. Two men were convicted of it," he said.

"Two men pleaded guilty to a major count. What purpose would the ordeal of a long, arduous trial serve?" Rogovin asked.

He said unhappiness over the case really stemmed from the sentences the two men drew, not from his division's handling of the case.

Rogovin conceded he, too, was "disappointed" that the sentences were not stronger, but not surprised.

His division did an 11-page study of Judge Foley's record in tax cases. In 14 of them over the last six years, "he has given a jail sentence once," Rogovin said.

Rogovin is convinced the government's handling of the case was "proper." He said

Atty. Gen. Ramsey Clark and Petersen's boss, Fred Vinson, assistant attorney general in charge of the criminal division, knew in advance of the government's strategy.

Weisl went further in hailing the result of the case.

"It served notice that skimming will have to stop," he said. "The government is aware and watching."

Weisl, who did not consider the criminal case to be a strong one, said that if a trial had been held and the defendants won, "they would have laughed at the government. This way they don't know if they can get away with it or not."

But one lesser official who had a role in the case noted that the investigation cost the government more than \$100,000 and thousands of man-hours.

"Now the gamblers and the mob think they're immune from attacks on skimming," he said.

[From the Wall Street Journal, Apr. 28, 1969]  
PARVIN-DOHRMANN STOCK ACTION PROMPTS AN INQUIRY BY AMERICAN BOARD'S GOVERNORS

(By Charles J. Elia)

NEW YORK.—The American Stock Exchange has escalated an inquiry into Parvin-Dohrmann Co. stock activity to the board of governors level, it was learned.

Trading in stock of the hotel equipment and gambling casino concern was suspended by the exchange before the opening of trading last Thursday, pending the exchange's inquiry into certain transactions, merger activities and disclosure.

The investigation will be conducted by a committee of exchange governors with staff assistance, it was learned. In the past, such inquiries have been handled at the staff level. Wall Street sources say they can't recall any instance in which exchange governors handled the initial information search.

Edwin B. Peterson, a partner of Francis I. Dupont & Co. and a governor of the exchange, has been selected chairman of the committee, it was learned.

A spokesman for the exchange declined comment on the report. He said an exchange statement last Thursday announcing that company officers and unspecified "other persons" will be asked for data "speaks for itself."

William Scott, president of Parvin-Dohrmann, was scheduled to travel to New York yesterday for a conference with American exchange officials this morning, the company said.

Stock of the Los Angeles-based concern closed last Wednesday at \$126.

The exchange hasn't elaborated on what information it seeks. Some sources believe the inquiry was prompted in part by volatile action of the stock in the last four days on which it traded. It climbed \$22 a share on heavy turnover in that period.

Brokers said the price action suggests a possible or potential squeeze on available supply of the stock. The company has 1.2 million shares outstanding, of which about 350,000 shares, or nearly 30%, are closely held.

The short position in the stock—representing borrowed shares that have been sold and must eventually be replaced, mainly by purchase—climbed to 76,840 shares as of mid-April from 59,450 in mid-March.

The exchange also is understood to be concerned over ownership and disclosure questions surrounding recent transactions in the stock.

The company had no comment Friday on the reported raising of the inquiry to the exchange's governing level. Mr. Scott earlier had expressed surprise at the exchange's trading suspension but voiced confidence that the matter would be "favorably and promptly resolved."

The trading suspension is the second in a

month for the stock. Activity was halted March 26 and 27 pending public disclosure—at the exchange's insistence—of the sale last October of 143,200 shares by Delbert W. Coleman, chairman of Parvin-Dohrmann, to a group of investors, including FOF Proprietary Funds Ltd. of Geneva, Switzerland, at \$35 a share.

Last week, under pressure from the Nevada Gaming Control Board, FOF was reported by Parvin-Dohrmann to have sold its entire holding of 81,800 shares to an unidentified group of private and institutional investors. Nevada authorities said FOF, part of the Investors Overseas Services Inc. mutual fund complex headed by Bernard Cornfeld, wasn't eligible to own the stock because it had other gambling casino holdings in the Bahamas.

Until their own current investigation into the company is completed, Nevada authorities also have said they won't permit further planned acquisitions of hotel and casino operations by Parvin-Dohrmann.

[From the Wall Street Journal, May 2, 1969] SEC SAYS IT IS LOOKING INTO TRADING OF STOCK OF PARVIN-DOHRMANN—"ROUTINE INQUIRY" IS UNDER WAY; SHARES, SUSPENDED ON AMERICAN EXCHANGE, TRADING OVER COUNTER

NEW YORK.—The Securities and Exchange Commission's Washington staff is conducting what the SEC terms a "routine inquiry" into recent and current trading in stock of Parvin-Dohrmann Co.

Trading in the stock was suspended on the American Exchange last Thursday. The exchange is conducting a high-level inquiry into merger activities, transactions and disclosure practices of the company. Since that time, the stock has been trading over the counter.

Donald O'Connor, chief of market surveillance at the SEC, confirmed reports that he has initiated inquiries into transactions in the stock, including recent trades on the exchange. "When a stock is halted by the exchange we continue that surveillance. This is one of our routine surveillances," he said.

It's understood the SEC inquiry was prompted by the stock's activity and volatility in American exchange trading.

The stock last traded on the exchange at \$126 last week before the suspension was announced. Troster Singer & Co., a large over-the-counter firm that has been making a market in the stock in the last few days, quoted the stock at \$110 bid, \$120 offered yesterday. The firm said trading has been "very quiet." Several hundred shares changed hands yesterday.

Both Troster Singer and another firm whose name appeared alongside a request for offers on the stock in the daily "pink sheets" listing over-the-counter quotations have been contacted by the SEC surveillance staff, it was learned. Troster Singer has been asked for details on all trades it has handled, including the identity of the buyers and sellers. Schweikart & Co., which requested offers of the stock via the pink sheets earlier this week, has since withdrawn its entry.

The American exchange inquiry is continuing. Officials of the company met with exchange officials Wednesday and were understood to have met again yesterday. They couldn't be reached immediately for comment.

Parvin-Dohrmann is in the hotel supply and equipment business and owns a Las Vegas resort.

Mr. CURTIS. Mr. President, this morning's paper carries the shocking news, which was originally disclosed by Life magazine, that a member of the Supreme Court had accepted a fee of \$20,000 3 months after he went on the bench. The same article quotes the Justice in a manner that confirms that the

fee was paid. This news account also reports that 11 months later, after an individual connected with the payment of the \$20,000 fee was indicted, the Justice returned the money.

Mr. President, I rise to suggest that the ethics law which the Senate of the United States imposed upon itself be applied to the Supreme Court of the United States. Under the terms of that law, fees and honorariums, and contributions, are disclosed to the public. The Senate ethics law applies to the higher-paid employees of the Senate as well.

If it is in the public interest for the Senate to require the staff members of individual Senators and Senate committees to make such disclosures, why is it not in the public interest to apply it across the board in the Federal Government?

If this Justice's actions are not in violation of accepted standards of ethics and honesty, then it would be perfectly all right for an individual or a corporation or a foundation to pay a fee of \$20,000 for research to a staff member for a committee of the Senate handling the most sensitive matters or a staff member of a committee who could influence the course of our tax program or some other important national policy.

If a \$15,000-a-year staff member must file a disclosure of fees and honorariums, why should not a member of the Supreme Court who is paid \$60,000 for life?

SENATE RESOLUTION 194—SENSE OF THE SENATE RESOLUTION IN REGARD TO CHANGES IN THE JOB CORPS PROGRAM—REPORT OF A COMMITTEE—MINORITY AND INDIVIDUAL VIEWS (S. REPT. NO. 91-163)

Mr. CRANSTON. Mr. President, on behalf of the Committee on Labor and Public Welfare at the request of the Senator from Wisconsin (Mr. NELSON), chairman of the Subcommittee on Employment, Manpower and Poverty, I am today reporting to the Senate an original resolution expressing the sense of the Senate in regard to changes in the Job Corps program.

I am also submitting the committee's report on this resolution, based on morning and afternoon hearings on the shut-downs held on April 18, April 25, and May 2, 1969. I ask unanimous consent that the report be printed together with minority and individual views, and that the committee have until midnight tonight to file the report with minority views.

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

Mr. CRANSTON. Mr. President, I also ask unanimous consent that the names of the following 31 Senators be shown as cosponsors of this resolution when it is printed: Mr. BAYH, Mr. BROOKE, Mr. BURDICK, Mr. CANNON, Mr. CHURCH, Mr. DODD, Mr. EAGLETON, Mr. GORE, Mr. GRAVEL, Mr. HARRIS, Mr. HART, Mr. HUGHES, Mr. INOUE, Mr. KENNEDY, Mr. MCGEE, Mr. MCCARTHY, Mr. MCGOVERN, Mr. MAGNUSON, Mr. METCALF, Mr. MONDALE, Mr. MONTOYA, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mr. PELL, Mr. RANDOLPH, Mr. RIBICOFF, Mr. TYDINGS, Mr. WILLIAMS of

New Jersey, Mr. YARBOROUGH and Mr. YOUNG of Ohio.

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

Mr. CRANSTON. This resolution expresses the sense of the Senate that any action to shut down Job Corps camps should be deferred until the Congress has had an opportunity to review the Job Corps program and to decide upon the legislation which would extend the Economic Opportunity Act of 1964, as amended, and to determine appropriations for that program. It is thus substantively the same as Senate Resolution 183 which I submitted on April 25.

The only differences in language are that one whereas clause has been deleted and some minor wording changes have been made in the rest of the title and in the resolving clause. It is reported as an original committee resolution because of technicalities surrounding the procedure for amendment of the whereas clauses as part of the title of a resolution.

The purpose of the amendment was to seek a nonpartisan approach to the problem with no language involved that might in any way suggest any effort to quarrel with the administration on the underlying substantive considerations relating to the Job Corps.

I would like to add a few comments at this time about the purpose of this resolution.

Over the past 2 weeks, the Poverty Subcommittee has heard some very impressive and extensive testimony from many sources.

We have heard from the most able Secretary of Labor and his deputy, from the distinguished Comptroller General of the United States, from Mr. Louis Harris, whose firm authored an indepth study of the Job Corps, from Mr. John Gardner, chairman of the Urban Coalition Action Council and his associate, Mr. J. Irwin Miller, from Mr. Francis Keppel, chairman of the board and president of General Learning Corp., which administers the Women's Center at Clinton, Iowa, from distinguished Senators, Congressmen, and local officials, from representatives of the AFL-CIO, American Indians, concerned citizens groups, training schools, conservation organizations, and community action programs, from members of the National Advisory Commission on Civil Disorders, and from a number of corpsmen and former corpsmen from the Job Corps itself.

These corpsmen, themselves, have been perhaps the most eloquent witnesses—and certainly the most moving—asking for a chance, not for themselves, but for those, like them, who will lose out if the closings proceed.

The majority of these witnesses have spoken in opposition to the closings. A great deal of statistical data has been produced, dissected and generally subjected to the most intensive scrutiny possible in light of the time limitations under which we have been working.

Certainly, the subcommittee, let alone the full committee, has not had an adequate opportunity to digest this material and to decide upon the future course of legislation for the Job Corps.

I, for one, have not yet come to a conclusion on the best course.

I will want to discuss this with my colleagues in subcommittee sessions and elsewhere.

I, as most all of my colleagues, I am sure, need an opportunity to reflect more on the often divergent testimony we have received.

Although Secretary Shultz and his deputy were asked on several occasions why they felt it necessary to proceed with the closings before Congress had an opportunity to act on the program, no satisfactory response was ever forthcoming. The best that could be obtained was to the effect that, "We had to start sometime, somewhere." That kind of answer is hard to dispute, but I think it misses the point.

We who support this resolution are not necessarily opposing the idea of making changes in the structure of the Job Corps program, including, where demonstrably necessary and desirable, the closing of existing facilities. Rather, we are opposing the method used to decide upon and implement action, and the overall precipitous nature of these actions that will deprive Congress of a fair opportunity to legislate meaningfully on the future shape of the program.

That is what we object to, and that is why, since April 9, we have been urging the President to suspend any closing action for the time being.

To these concerns can be added our increasing skepticism at the administration's ability to deliver effectively on its surely well-intentioned promise of a job training opportunity for every displaced enrollee who wants it.

We have received very clear indications that this is not happening uniformly across the country in the numerous centers involved and that, inevitably, the intentions of the Washington Bureaucracy, no matter how sincere or well-motivated, are not capable of automatic implementation by the people in the field.

Although this undoubtedly would be a problem with any phaseout, it is sorely aggravated here by the lack of adequate advance planning and effective information transmission.

The end result is that young men and women presently in centers being shut-down now, and those who were in the process of enrolling, are being disappointed and once more deprived of opportunities held out to them.

There is one more facet of this situation that I think should now be highlighted.

In the list of witnesses I mentioned above, there is one conspicuous absence—those from the Job Corps Washington Administration.

It is certainly understandable that those who have been running this program for the past 5 years and those who are now proposing to cut it back so sharply do not see eye to eye.

It is thus also understandable that Job Corps spokesmen have been most reluctant to offer testimony which might be seen as contradictory to that offered by spokesmen of the administration they are now serving.

Although I say that we can under-

stand this problem, our understanding does not alter the fact that the U.S. Senate sorely needs this testimony.

Any attempt by this body to decide upon the future course of the Job Corps program without hearing it will obviously be based upon inadequate and incomplete information.

Unfortunately, this shortfall of vital information severely handicaps Congress in considering this matter.

On Friday, unnamed sources leaked information to one of the wire services which formed the basis for what some apparently regarded as a shocking vice exposé of the Job Corps.

Let me note parenthetically that information regarding sexual misbehavior, violence, and use of drugs in Job Corps centers is not new to me or to anyone familiar with the Job Corps. These manifestations of a deprived environment are one of the main reasons why the Job Corps was created—and they represent what it was intended in part to obliterate. I might add that these very same problems are presently besetting a great many of our colleges and universities, to say nothing of our high schools, across the country.

And the appropriate response is not "Let's close down the schools," but rather "Let's try to resolve the causes of these conflicts and these difficulties."

I also wish to point out that there has not been a riot in any Job Corps center despite the disappointing news that they have been receiving from Washington in regard to their hopes for the continuation of these centers.

This kind of information contained in the wire story, if indeed it has official origins in terms of the source to the newspaper, was never provided to the subcommittee. Instead, the press story said it was being held in reserve to be brandished as some sort of last-ditch whipping rod.

This, too, is the sort of information Congress is entitled to examine before it acts.

Over the weekend I received a call from the Assistant Secretary of Labor for Manpower, Mr. Arnold Weber, informing me that he was disturbed by the press stories. He disavowed for himself and the Secretary any responsibility for the leak of the information to the press. I accepted his statement in the good faith in which it was offered. I assumed that the leak was due to some irresponsible actions by some overzealous employee somewhere.

I again call upon all those with information on the Job Corps to present it publicly to the subcommittee, and I urge that the hasty action by the Labor Department halt until Congress has time to consider all relevant data, good and bad.

We all want to learn as much as possible about the program before making a judgment on it and this chance is being denied to us. If truly derogatory evidence is being withheld by any source, I know that all members of the subcommittee wish it to be brought out in the open where it can be examined and evaluated.

Finally, this information gap now confronting the subcommittee was broad-

ened this past Friday when a very articulate and knowledgeable witness—who is currently director of one of the large men's urban centers to be closed—became unavailable to testify before the subcommittee at the 11th hour.

We had hoped to learn from this gentleman exactly what has been happening in Job Corps centers since rumors about the closings began circulating in early April and since the shutdown orders were issued.

But Friday morning we were called by a representative of the corporation administering the camp in question advising that the witness would not appear that afternoon. We were told that his presence was required immediately at his center.

I suppose we could speculate on this incident at considerable length. We made attempts to determine the nature of the situation which required his presence. We were not able to do so to our satisfaction. But inevitably the judgment of necessity in this sort of situation is for those on the scene responsible for the consequences of any misjudgment.

So I do not wish to attempt to second-guess anyone on that score.

I am willing to accept the situation at face value.

The fact does remain, nevertheless, that the subcommittee was denied this witness and his testimony at a very crucial time, and we are the worse informed for that denial.

I thus hope, again, that the Senate will adopt this resolution and that the administration will respond by postponing the closings, so that Congress will then have time to study the matter carefully, with full access to all the information it needs if it is to act wisely.

I know that all those with pertinent information on the Job Corps will be encouraged to come forward to enlighten us—if we are given time to be enlightened.

Mr. President, I wish to thank the distinguished chairman of the Committee on Labor and Public Welfare, the Senator from Texas (Mr. YARBOROUGH), and the distinguished subcommittee chairman, the Senator from Wisconsin (Mr. NELSON), for permitting me the opportunity to submit, on behalf of the Labor and Welfare Committee, the committee report and resolution to the Senate this afternoon.

#### JOB CORPS

Mr. BROOKE. Mr. President, later this week the Senate will be voting on a resolution introduced by the junior Senator from California (Mr. CRANSTON), urging that the Job Corps be kept at its present status until the Congress has had an opportunity to study and to advise on the question of its future.

I am proud to be a cosponsor of that resolution. For despite the fact that I have on occasion been critical of the Job Corps, I believe that a promise has been made to the young men and women presently enrolled in the program, and I believe that their welfare should be paramount.

The present plan to close 59 Job Corps

centers before adequate and appropriate slots are available in other comparable training programs is a source of great concern to me and to the people of New England. I have received hundreds of letters—from Job Corpsmen, from teachers, from parents, and from members of the community who have come to appreciate and to participate in the work of the training centers—protesting this particular economy measure. Some of these letters are particularly eloquent, and I ask unanimous consent that a representative sampling of these views may be printed in the RECORD for the edification of my colleagues.

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

CAMP WELLFLEET, CAPE COD,  
April 13, 1969.

DEAR MR. PRESIDENT: We at the Wellfleet Job Corps Center feel that you could give us a chance to improve our selves. Most of us didn't have anyone to care for us until we came here.

We also feel that you should give us a chance to complete the program and if you give us this chance we will try to work to the best of our ability. Most of us before we came here couldn't read or write, but since we have been here we have learned many things. So we here would like for you to keep our center open so you can give this chance and many boys like us to become useful citizens.

Your truly,

The CORPSMEN OF  
WELLFLEET JOB CORPS CENTER.

PROVINCETOWN, MASS.,  
April 21, 1969.

DEAR SIR: We are sure we join with many others across the country in strongly protesting the closing of Job Corps camps. Our main concern is the camp at Wellfleet. It seems unfair to play politics with young boys lives, especially when they have been promised a chance and then it is taken away from them in a rude and shocking manner. What must they think of their country now?

Your attention is called to lead story in the Provincetown Advocate of April 17, 1969, for ideas as to how the Corpsmen feel. What about the staff, especially local?

And, after the many thousands of dollars put into the camp for new buildings, renovation of buildings, the most brand new and expensive of equipment (kitchen, gym, etc.), is it to meet the same fate as the Camp Wellfleet it replaced? Stripped by local citizens, right down to lavatory items, showers, kitchen equipment, electric fixtures, tiles, flooring, roofing, ceiling tiles, windows, and anything not nailed down. Yes, what is to become of it.

Maybe some of the millionaires and million-dollar corporations who escape millions in taxes, would each be willing to take over and run a camp, in exchange for some kind of a tax advantage. Private enterprise and all that.

Probably the bad start the camps made in the beginning, is now coming back to haunt them, and is cause for their closing. But, how can some bureaucrat sitting in a plush Washington office issue such a closing order based only on paperwork? These camps should be visited individually, not by some underling, but by the higher-ups who issue the final orders. Each should be judged on its merit, and then, and only then, should closing orders be issued. Until such time as these evaluations are made, the present closing order and deadline should be rescinded. Implore you to fight for these boys, and give the kids a break.

LEROY and VIRGINIA ATKINS.

EVERETT, MASS.,  
April 16, 1969.

Senator EDWARD W. BROOKE,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR BROOKE: I am writing to you because I am deeply disturbed over the impending plans of gradually phasing out the Job Corps program. I am particularly saddened by the proposed closing of the center located in Poland Springs, Maine.

As a social worker I am aware that many young men and women have greatly profited from their experiences in the Job Corps. At the present time I am primarily concerned with one girl, age 19, who is now discharged from my agency and is receiving training at the Job Corps Center in Poland Springs. She is heartbroken at the prospects of terminating prematurely from her program. Her efforts there have been tremendous and the benefits she was to have derived would have been invaluable to her. However, with the advent of the untimely termination, I can not help but question whether the investment made in this girl's education and future will not prove to have been in vain. She has not completed the program and is not yet prepared for being self-sufficient.

What would you suggest for this girl and others like her? Are alternative programs being considered? I sincerely hope that these young people are not being abandoned by the government. I would surely appreciate anything that you would do to prevent this injustice to our young citizens.

Thank you for your attention.

Very truly yours,

(Mrs. M. C.) CYD OSTROSKY.

CLEARWATER DRIVE,  
HARWICH, MASS.,  
April 22, 1969.

HON. EDWARD BROOKE,  
U.S. Senate,  
Washington, D.C.

DEAR SIR: As one of the volunteers for the past three years in the Reading Program at the Willfleet Job Corps Conservation Center I am distressed at the announcement of its closing. The Corpsmen have contributed their services in many ways to the various towns in their vicinity and have shown responsibility and enthusiasm in this work.

It has been a most rewarding experience to see the change in attitude and outlook of these boys as they develop a sense of pride and accomplishment in their reading and other educational advancement. This personalized study appears to have reached these young men, who had not responded to the usual educational patterns, and to have given them self-esteem and confidence for a better future.

To deprive them of their opportunity for further self-improvement seems to be letting them down and could be a possible source of additional discontent on our city streets this summer.

I trust that the closing of this Job Corps Center may be reconsidered, allowing it to continue the educational training of disadvantaged young men to prepare them to take a more meaningful place in our society.

Yours truly,

CHARLOTTE P. SIMS.

SPRINGFIELD, MASS.,  
April 22, 1969.

Senator EDWARD W. BROOKE,  
U.S. Senate,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR BROOKE: Having been somewhat involved, through Springfield College, with Job Corps I have followed the news items on this program with some interest even though we have not managed a project for a couple of years now. I am familiar with some of the problems of mismanagement, real and apparent, which plague any scheme

for instant social progress and Job Corps has been far from immune to these. I would venture an offhand guess that its boondoggles and honest errors have been less of an expense to the taxpayer than those indulged by the private sector through contracting with the government.

At any rate, to cut back the Job Corps program before it has had a reasonable chance to prove itself, and before a well worked out alternative to it is ready to absorb the youth involved, would be unjustified by any economic theory or political ideology however well phrased.

Once again I ask you to note that I speak for myself and not necessarily for the College.

Sincerely yours,

PAUL U. CONGDON,  
Academic Dean.

#### HOW PRESIDENT NIXON CAN END OUR UNDECLARED WAR IN SOUTHEAST ASIA

Mr. YOUNG of Ohio. Mr. President, our former colleague Ernest Gruening, who has the affection and admiration of all Senators who served with him in the Senate of the United States, recently wrote an excellent article published in The Nation on the subject "How President Nixon Can End Our War in Southeast Asia."

This is so important and so convincing that I ask unanimous consent to have it printed in the RECORD at this point as a part of my remarks.

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

ERNEST GRUENING: HOW PRESIDENT NIXON CAN END OUR WAR IN SOUTHEAST ASIA

It is, and for some time has been, obvious that the most important issue facing our nation is to get out of the war in Southeast Asia. All our other issues and problems are slighted, impaired and unresolved until we halt the fighting, stop the concomitant continuing drain of blood and treasure, and turn to the long-neglected and pressing needs at home.

During his election campaign Richard Nixon told the American people that he had a plan to end the war, but did not want to disclose it for fear of interfering with the negotiations in Paris. After three months in office President Nixon gives us no indication of any formula or proposal for achieving that widely desired objective.

On the contrary, draft calls are undiminished, casualties mount and we continue, as we have for the last five years, to be winning the war only in the optimistic pronouncements of our military leaders and their supporting newspaper columnists. The President has shown a commendable restraint in not re-escalating the battlefield activity, having no doubt learned that every time our military propose just one more upmanship we get in that much deeper. But the prospect is for continued warfare.

A new approach is desperately needed, and I offer it in the fervent hope that President Nixon who, I doubt not, would like to rid his Administration of the albatross bequeathed him by President Johnson, will lay aside his preconceptions and the assumptions that have underlain our policies to date. For that purpose a review of what has happened is appropriate.

Five years ago, on March 10, 1964, I delivered the first major opposition speech on this issue made in Congress. It was entitled, "The United States Should Get Out of Vietnam." With exhibits, it occupied 30 pages in the Congressional Record. It would have been easy for President Johnson to accept that counsel and to withdraw at that time, since

no United States units had been committed to combat, and the casualties had been very few.

The opening sentence of that March 10 address was: "The mess in Vietnam was inherited by President Johnson." That holds true for President Nixon today; he is under no more obligation than was President Johnson to perpetuate his predecessor's policies.

That we have lost some 34,000 young Americans killed in action, several thousand more through other causes, more than a quarter of a million wounded, some horribly crippled for life, have killed tens of thousands of innocent noncombatants, created more than a million homeless refugees, sunk in excess of \$125 billion unrecoverably in the Asian quagmire, and sacrificed our moral standards before the conscience of mankind, does not lessen but increases the need for an alternative course. To continue to permit our men to die in vain—as they all have died in this war—is not short of criminal.

The extent of our folly, despite official propaganda and the ever optimistic and misleading reports of military and diplomatic experts on the scene, has dawned increasingly on the American people. The desire and need to disentangle ourselves have been widely expressed, and as widely countered with the hopeless and unimaginative retort: "Well, maybe we shouldn't have gone in but we're there now," with the accent on the "there," implying that we have to keep on with what we have been doing.

More recently, this has been refined by acknowledgments that, while we must find a way out, it must be an "honorable" way—which can be translated to mean victory for our position. The "unthinkable" proposal that we withdraw unilaterally (why not, since we barged in unilaterally and in violation of all our treaty commitments?) is met with the loaded cliché, "You wouldn't scuttle and run, would you?" I'll examine that in a moment.

Let me urge that any way out would be more honorable than to continue the needless slaughter, and the ever deepening submergence of our nation's interests and values. But actually the most honorable way out would be to repudiate the whole dishonorable episode (made even more demonstrably so, since the Fulbright committee hearings last year revealed that the Tonkin Gulf incident was spurious), to make an "agonizing reappraisal" and confess error.

Defense Secretary Laird has recently revived the shopworn proposal that we strengthen the South Vietnamese army and turn the war over to it—Congress to appropriate additional millions of dollars for that purpose. This would mean merely further subsidy to the corrupt and dictatorial Saigon regimes which have been successively self-imposed by military coups or by electoral fraud, thereby justifying the struggles of the anti-Communist opposition, as well as of the Vietcong against puppet regimes which have no popular support and are maintained solely by American armed might and financial aid.

On February 26 of last year, addressing the Senate shortly after the rigged South Vietnamese elections and the sentencing to years at hard labor of the defeated non-Communist opponents of the Thieu-Ky ticket (it was as if President Nixon after his victory had ordered Mr. Johnson and Mr. Humphrey to the chain gang!), I made a specific recommendation to the President. It appeared in the Congressional Record under the heading, "One Possible Solution to the Vietnam Dilemma," and follows:

"Recommendations for extrication of the United States from its Vietnamese folly are not the responsibility of those who for years have dissented from United States policy in Vietnam. It is the responsibility of those who got us into the Southeast Asia mess.

"However, if President Johnson really

wants to get the United States out of the morass in Vietnam, and save us from ever-mounting and ever-deepening disaster and the increasing slaughter of the flower of our youth and of thousands of Vietnamese non-combatants, his opportunity is here and now.

"He could go on nationwide radio and television and, if effect, say to the American people:

"My fellow citizens, I have tried for four years and my predecessors have tried for a decade previously to bring a semblance of self-government and democracy to the people of South Vietnam. It has become clear beyond peradventure that it is not their desire, and that the United States, despite its prodigious efforts in manpower and money, and the sacrifice of thousands of American lives, cannot achieve these desired results for them.

"I have today ordered the unconditional cessation of all bombing of North Vietnam and of all offensive operations in South Vietnam. In addition, I have directed there be an immediate in-place cease-fire in South Vietnam on the part of the United States and I have requested the South Vietnamese Armed Forces to do likewise, with only defensive action authorized. I have called upon the forces of the National Liberation Front and of North Vietnam in South Vietnam to do the same. It is my purpose, which I now declare, to initiate a phased military withdrawal which should be completed within a year. In the meantime, behind the shield of American military forces with the leverage afforded by U.S. military and economic aid, U.S. representatives in South Vietnam will insist that the Thieu-Ky government broaden the base of its government to include their non-Communist opponents, represented in large measure by those whom they have now jailed and put in protective custody, and that this broadened South Vietnamese Government begin immediate negotiations with the National Liberation Front so that all these Vietnamese components can work out their own destinies.

"In addition, I have directed our Ambassador to the United Nations to work with other nations there to find places of refuge in other lands for those who would not want to live in South Vietnam under the new regime which will be formed and I will ask the Congress for such additional authority as may be needed to admit such refugees to the United States and to assist in their resettlement elsewhere.

"Further, I have instructed our Ambassadors to Great Britain, the Soviet Union, Canada, India and Poland to propose a greatly strengthened International Control Commission to supervise any elections to be held in South Vietnam to obtain an expression of the people's will.

"The United States will assist in the reconstruction and rehabilitation of the burned villages, destroyed buildings and defoliated fields, and give suitable fiscal assistance to economic development. But our military efforts will cease. We will make every effort to assist the people of both North and South Vietnam to establish whatever form of government they can develop.

"Here lies a solution which both Americans and Vietnamese, I am confident, will welcome."

This proposal in substance—with a few minor emendations because of changed conditions and its enunciation by a different President—is as valid for President Nixon today as when I proposed it to President Johnson fourteen months ago. President Johnson, of course, turned a deaf ear to it as to all other proposals for U.S. extrication. Instead, he exonerated himself by announcing his withdrawal from office, a move which averted his certain defeat at the November elections.

This withdrawal was a confession of error even if he could not bring himself to admit

such. He was lucky to have escaped impeachment proceedings which might have been his not undeserved fate, because of his betrayal of his campaign pledges, but was never a possibility because a supine Congress with its Democratic majority was a *particeps criminis* in the whole Southeast Asian affair.

Johnson's withdrawal, however, diminished the tension at home and allayed the mounting opposition to the war based on the hope that the "peace talks" in Paris could bring peace. This is an utterly vain hope because the premises of the two adversaries are diametrically opposed and irreconcilable. We have proceeded on the premise that we are there to repel aggression. Our adversaries maintain that the United States is the aggressor—a view substantiated by an objective review of the facts, many of them kept from the American people. That being so, our adversaries will naturally insist that we withdraw from Asia and let Asians settle their own problems. I doubt whether this proposition is negotiable and that peace by negotiation will be achieved. We should ask ourselves by what right we are there; what we have to gain by maintaining that presence, and whether the price is worth the costs—human, material and spiritual—which will haunt us for generations.

As for the secondary justification for our military intrusion to Southeast Asia—we must halt communism—it should be clear by now that we are actually aiding communism; that if the rulers of Communist Russia and Communist China desire our nation's debilitation and downfall, they could not devise a policy more likely to achieve that objective than the one our country is pursuing. To date, neither the Russians nor the Chinese have committed a single soldier to combat. And if our aim was to prevent the southward expansion of Mainland China we have pursued the worst possible policy; we have weakened and sought to destroy Vietnam, which has been hostile to the Chinese for centuries and would fight their aggression as it has successively fought that of the French, the Japanese and the Americans.

What would be the consequences of a unilateral American withdrawal? It would not be "scuttle and run." A phased withdrawal would require months and could be replaced by a nation-wide coalition government more responsive to the Vietnamese Nationalist aspirations.

Would there be a blood bath? One is going on now and it will continue as long the United States clings to its present policies. We can be confident that long before our withdrawal was far advanced the few hundred corrupt Vietnamese officials would have retired to Paris or the Riviera, to enjoy in luxury and ease the fortunes they have filched from our bounty. If some thousands of others would prefer to leave Vietnam, it would pay handsomely to arrange for their relocation and sustenance, if necessary for life, in other climes. It would be far less costly and more humane than the present \$3 billion monthly military bill.

The others—the peasantry—would be absorbed and return to the life they had anticipated in the independent countries of Laos, Cambodia, and reunited Vietnam which the Geneva agreements predicated and we had agreed to support.

President Nixon has the opportunity to end the war and end it honorably by adherence to principles upon which our nation was founded and through which it grew to greatness until a faulty leadership began to abandon them and got us into the present tragic disaster. That disaster—already great—will only be magnified and intensified unless President Nixon reverses the policy that has brought our nation to unfathomable depths. The Congress, too, has a responsibility to change its course and stop voting the military authorization and appropriations which have supported Presidential misleadership.

Mr. YOUNG of Ohio. Mr. President, Senator Gruening had a distinguished career before being elected to the Senate in 1958 and again in 1962.

For many years he was Governor of the territory of Alaska, and when Alaska achieved statehood, he became one of its first two newly elected U.S. Senators. In addition, his scholarly attainments are remarkable, and he has been the author of many important and interesting books, including "Mexico and its Heritage" and "The Battle for Alaskan Statehood."

I feel that my Senate colleagues and others will profit by reading his most recent statement pointing the way to ending our war in Southeast Asia, and stopping the bloodletting of American youngsters in Vietnam, in that undeclared, immoral, and most unpopular war.

#### STATEMENT OF DR. PANOFSKY BEFORE SENATE ARMED SERVICES COMMITTEE AGAINST THE ABM PROPOSAL

Mr. YOUNG of Ohio. Mr. President, in connection with the authorization bill for the procurement of aircraft, missiles, ships, and research and development for fiscal year 1970, the Committee on Armed Services held public hearings on April 22 and 23 on the proposed Safeguard ABM.

It was my privilege and that of my colleagues on the committee to hear testimony from one of the most distinguished scientists in our Nation, Dr. W. K. H. Panofsky, director of the Stanford University Linear Accelerator Center. Dr. Panofsky, who made one of the finest presentations before a congressional committee that it has been my privilege to hear, presented in the most cogent and logical manner his arguments in opposition to deployment of an anti-ballistic-missile system at this time. He questioned not only the need of this proposal but also the actual technical concept of its planned execution. After listening to his testimony and his answers to questions asked by members of the committee, I became more convinced than ever of the absurdity of proceeding with the ABM boondoggle.

Dr. Panofsky is one of the foremost experts in the world in the fields of X-rays and natural constants, accelerator design, nuclear research, and high-energy physics. He has a distinguished record of service to the Nation and of excellence in the academic community. In 1961 he was awarded the Ernest Orlando Lawrence Memorial Award; in 1966 he received the Alumni Distinguished Service Award from the California Institute of Technology; and in 1967 was named California scientist of the year. Dr. Panofsky is consultant to the Office of Science and Technology in the Executive Office of the President, and a member of the high-energy physics advisory panel to the Atomic Energy Commission.

Dr. Panofsky clearly and concisely pointed out the fact that the safeguard ABM, formerly called the Sentinel ABM, is completely unnecessary to our national

security, and that in the broader sense it would be detrimental to the overall security of our Nation and the world.

I commend to my colleagues Dr. Panofsky's statement before the Armed Services Committee on April 22, 1969, and ask unanimous consent that it be printed in the RECORD as a part of my remarks.

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

#### STATEMENT BY W. K. H. PANOFSKY BEFORE THE COMMITTEE ON ARMED SERVICES OF THE UNITED STATES SENATE, APRIL 21-22, 1969

Mr. Chairman and Members of the Committee: I am deeply grateful for the opportunity to appear before your committee. I am testifying as an individual citizen who has been involved in the ABM problem since 1955, and who has been serving on numerous advisory committees to various agencies of the Federal Government since that time. However, I did not participate in any advisory capacity to any branch of the government in reviewing the decision to deploy the current modified Sentinel or Safeguard System.

My regular full-time activity is basic research work on high-energy particle physics. Currently I am the Director of the Stanford Linear Accelerator Center at Stanford University; as it happens many of the techniques involved in the operation of that unique research instrument overlap in character with some of the essential elements of ballistic missile defense radar.

##### A. THE THREAT

I consider the arms race with the Soviet Union to be one of the great tragedies of our time. However, until meaningful arms control has been established, I believe that maintaining an adequate and reliable deterrent force against plausible projections of Soviet threat remains our best hope of preventing nuclear war.

The Administration's request for authorization of the modified Sentinel System was made in the framework of President Nixon's strategy statement of March 14, 1969, which proclaimed that (a) any completed ABM should not be interpretable by the Soviets as threatening their ability to deter U.S. nuclear attack, and (b) that this deployment decision should not affect adversely the chance of success in the forthcoming talks with the Soviet Union aimed at achieving limitation or reduction of offensive and defensive strategic forces. President Nixon's statement acknowledges that U.S. strategic planners consider "damage limitation" in case nuclear war breaks out to be an essentially hopeless strategy, and that prevention of nuclear war through a combination of political steps, deterrence and arms limitation remains the primary hope of survival in the nuclear age.

Since I am in basic agreement with the President's statement, I do not oppose some of the stated purposes of the modified Sentinel system; rather I question its present urgency as well as the actual technical concept of its planned execution. First I will address the question of present urgency and then I will discuss the compatibility of its technology with its stated missions.

It is now clear that the Soviet Union has generated an impressive and growing second strike force including land-based missiles in hardened silos in numbers comparable to our own (but still inferior in numbers of deliverable warheads), and a submarine fleet which is also growing, although its numbers are a small fraction of the corresponding U.S. Polaris and planned Poseidon force. The present urgency of initiating deployment of the modified Sentinel ABM system is, however, attributed to the newly raised technical

possibility that the Soviets may have developed a first strike capability by 1975.

What does such a first strike posture imply? It would mean that the Soviet planners could make a decision with a high degree of confidence of success that they could launch an attack against U.S. strategic forces so well synchronized that all of its components—the U.S. land-based strategic missiles (Minuteman, Titan), and SAC bombers, and the Polaris and Poseidon fleet, not to mention the tactical nuclear armed aircraft in Europe, would be taken out of action simultaneously with such a precision of timing that none of these forces could mount significant retaliatory action.

During the past decade we have built up the strength of these strategic forces so that each individual component alone—the land-based missiles, the SAC bombers, and the Polaris/Poseidon fleet—could each by itself deliver on target more than the minimum retaliatory destruction required for deterrence.

I am aware of no technical prospects or of any current intelligence indicating a threat to our Polaris/Poseidon submarine force. Thus, unless the Soviets develop totally unforeseen methods for quickly and reliably destroying these boats at a precisely controlled time, they serve as an invulnerable second strike force by themselves. Furthermore, as a hedge against future possible Soviet ABM deployments the U.S. has developed MIRV's for the Poseidon force so that the warheads will arrive in sufficient numbers to overpower and saturate a possible Soviet ABM.

Even ignoring this submarine based missile capability for the moment I consider it extremely implausible that the Soviets could mount a successful first strike against our combined land-based missile and bomber force. The Secretary of the Air Force, when testifying before this committee one year ago, described the reasons for this diversification and duplication of the land-based missile and bomber forces:

"We should not discount the possibility of the Soviets temporarily being able to attrite significantly either our bombers or missiles, by destruction before launch, or by active defense. But if we continue to make wise development and deployment choices, such an enemy capability will be shortlived, and there will be practically no chance for him to degrade unacceptably either our bombers or our missiles, and no chance at all for him to degrade both simultaneously."

The essential basis to this statement is the existence of warning of a massive launch of Soviet ICBM's and the peculiar timing advantages afforded by the simultaneous existence of a strategic bomber and a strategic missile force.

Bombers can take off from their runways on very short delay. If we did imagine a coordinated attack both on our missile sites in the north by multi-megaton missile warheads, and at the same time an attack from the sea on our bomber bases, then the amount of warning available to us from detecting the launch of a massive ICBM attack against our missiles would be ample to get the SAC bombers into the air. On the other hand, if the bomber bases were attacked first, although part of the bomber force might not escape destruction, our missiles would be intact and the Soviet planners would know that they would be exposed to an overwhelming retaliatory strike from our Minuteman force. They also know that the Minuteman force by itself far exceeds the level of destructive capability required for a retaliatory second strike. Furthermore, in a period of heightened international tension it is possible (as we have done in the past) to put our SAC bomber force on "airborne alert," that is, to keep a substantial fraction of them in the air at all times to give additional security against a successful first strike.

Therefore the combined strategic bomber and land-based missile force assure survival of one or the other from attack. Only in assessing the Minuteman force separately do we find that the numbers are such that survival of the force in the mid-70's against attack may be endangered, but a large extrapolation from current knowledge is required. Let me explain:

The recently declassified intelligence relating to the SS-9 indicates a growth of these large payload, silo-launched missiles to a number in the neighborhood of about 200; the Soviets have also about 1,000 of the smaller hardened missiles comparable in size to our Minuteman force. Projection of the function of the SS-9 force into the year 1975 requires a number of steps: (1) evaluation of the technical features of this force as we observe it now; (2) extrapolation of growth in numbers into the mid-1970's; (3) extrapolation of future Soviet MIRV potential from the uncertain data available; (4) estimate of the use to which the large payload of these vehicles will be put; and (5) evaluation of intent of the Soviet planners in deploying this force. I am enumerating these steps here in order to indicate how large an extrapolation from firm knowledge is the statement that our information about the SS-9 signifies first strike intent on the part of the Soviet Union. It is consistent with known technical intelligence information on their high yields and accuracy on target that SS-9 missiles could destroy Minuteman launch control centers, and/or silos. Each Minuteman can be fired even if the launch control centers are disabled and therefore a Soviet first strike would have to put each Minuteman silo out of action independently. Moreover an attacker would have to compensate for the limited reliability of his force by targeting at least two and possibly more warheads against each of the 1,000 Minuteman silos. The additional 1,000 Soviet small missiles can serve a useful anti-Minuteman role only if their aiming precision is improved beyond present best estimates. I present these numbers here to emphasize how far one has to extrapolate beyond the present observation of some 200 SS-9 missiles before concluding that the Soviets are in fact developing a first strike capability against Minutemen as has been claimed by Defense Secretary Laird.

Assigning the SS-9 to a first strike mission against the Minuteman force is far from being a unique interpretation of available intelligence. The large payload of the SS-9 could well have been designed for assuring penetration of a possible U.S. ABM deployment which has now been under discussion in the U.S. for many years. The large payload could be used for (a) multiple independent re-entry vehicles (MIRV's); (b) decoys; (c) hardening of re-entry vehicles against the effect of an attacking anti-missile. In this respect I note that the U.S. decision several years ago to proceed with MIRV deployment was reached primarily as a penetration aid against conjectured, but not as yet discovered, Soviet ABM defenses; we could well attribute a similar line of reasoning to the Soviets. As a third interpretation of the SS-9 deployment one might consider it as an anti-population weapon for deterrent purposes against large urban areas.

I thus disagree with Secretary Laird's definite assignment of the SS-9 to a first strike role on a numerical basis, and also conclude that there is no basis in the available intelligence to indicate intent on the part of the Soviets to consider the SS-9 as a first strike weapon.

Let me summarize: We have confidence in survival under attack of the Polaris/Poseidon fleet and in the survival of the combined land-based bomber and Minuteman complex. Then how can the Soviets possibly have confidence in the success of a coordinated and synchronized first strike attack against our entire strategic force? We must recognize

that such a "first strike" implies that the Soviet decision makers would have to make a rational decision for such a fully coordinated attack in the absence of having carried out any operational full-scale tests involving nuclear warheads. I consider a first strike threat to be an extremely implausible projection of our available intelligence, including that concerning the SS-9.

I have thus shown that it is almost unimaginable that our deterrence can be endangered by 1975 through a Soviet first strike capability; therefore a case for urgency for deploying ABM to protect our retaliatory forces cannot be made.

#### B. THE MISSION OF "SAFEGUARD" VERSUS EXPECTED PERFORMANCE

The purposes of the Safeguard system stated by Secretary Laird are:

1. A local defense of the Minuteman missile silos.
2. Early warning and area defense of our bomber bases and command and control systems.
3. A defense of the continental United States against the kind of attack which the Chinese Communists may be able to launch in the mid-1970's.
4. Protection against an accidental or small attack from any source.

To this list I should like to add one item which has frequently been given as an additional motive for early Sentinel deployment:

5. Early experience with an operational ABM system.

Let me discuss these roles of the Safeguard system separately.

##### 1. Minuteman defense

How is the present modified Sentinel actually configured? The first chart shows the Defense Department's deployment plan. In Phase I which is the only decision now under consideration, only two of our Minuteman bases are to be protected but in the follow-on phases bomber bases are also to be defended, some of which are in areas fairly close to cities but not near any Minuteman launch sites.

I turn now to serious criticism of an engineering nature in connection with those installations which are intended to protect the Minuteman force. My point is that an economical and effective hardpoint defense—that is a defense of sites which have already been hardened to withstand impact of megaton weapons at relatively close distances—requires a design greatly different from a defense of soft targets such as cities. The next chart tabulates this comparison. The Sentinel System was originally designed to defend "soft" targets, but now the same components have been taken over for a completely different purpose. (The exception is that additional faces have been added to the MSR radars for looking in all directions.) Let me elaborate on the essential difference in requirements.

1. A hardpoint defense radar can be much simpler and cheaper than one intended for city defense since it is permissible to intercept the incoming missiles at very much lower altitudes where the atmosphere has done most of the job in filtering out decoys or other innocuous material accompanying the warhead.

2. The defense installation should be extremely hard itself if it is going to be able to defend a set of hard targets. The MSR radars can withstand an overpressure of less than one-tenth of what can be tolerated by the missiles they are to defend. Clearly an enemy in planning a first strike would attack primarily the more vulnerable radar and thereby totally deny the effectiveness of defense. The smaller Soviet missiles which are deployed in large numbers, could readily destroy the MSR's. Since the Safeguard system contains only a few very large radars, the offense needs to destroy only few targets to defeat the system.

3. For the hardpoint mission the short-range missiles required for terminal intercept could be much smaller in size and range and simpler than the Sprints which cost at least one million dollars each; the Spartan missiles cost about twice as much. The large underground nuclear tests now planned for ABM purposes at Nevada and Amchitka, Alaska would not be required for the hardpoint defense mission.

4. Opinions have been voiced by many critics of the Sentinel system that it will not work when actually deployed because it will remain untested for long periods of time until actually needed in an emergency; then it needs a "hair-trigger" response. Certainly the planned Sentinel system is an installation of unprecedented electronic complexity; it is also true that United States experience with its complex electronic military systems meeting either their specifications or their budgets has been poor. A system reduced to hardpoint defense only could be greatly simplified and should therefore be more reliable; moreover the standards of reliability for a hardpoint defense can be lower than those for a city defense: Hardpoint defense serves deterrence only and thus partial protection is sufficient; city defense should be complete.

The only acceptable excuse for deploying a system as unsuitable as the Safeguard system for a "hardpoint" defense would be extreme urgency to protect Minuteman against first strike attack. As discussed earlier I do not believe that such urgency exists. Moreover, the Soviets could offset the effect of the present system with its relatively small number of anti-missiles by increasing their offensive forces correspondingly.

If one believes that the Soviets are preparing for a first strike—and if future Soviet missile deployments make this interpretation more plausible that it is now—we may need a really effective defense of our missiles and surely the cost to achieve this is highly relevant; inefficient design of the system for this purpose would make such a race a losing one for the United States, quite apart from the strong incentive to prevent this kind of a race at all.

To summarize, if the Soviet threat continues to grow rapidly I would support development of a system which would truly implement the President's decision to defend the hardened Minuteman sites. The relative value of increasing, hardening or defending the Minuteman force is a complex question; however, I agree that it would be less provocative to the Soviet Union to defend the force we have; rather than to increase it. Such a defense can, however, be much more efficient if designed for this purpose and for this purpose only.

##### 2. Defense of bomber bases

The inclusion of bomber defense in the modified Sentinel plan as an element of a defense against a first strike makes little military sense. As we discussed previously, the land-based bombers and missiles cannot both be destroyed in a synchronized first-strike attack; a missile strike against Minuteman would have to be launched 30 minutes beforehand; this gives ample warning time to put the SAC bombers into the air. If the bombers are attacked from the sea, there is time for Minuteman to retaliate. Furthermore the U.S. can again put our SAC bomber force on "airborne alert" during periods of threatening conflict. Inclusion of the coastal sites for bomber defense makes the system less easily distinguishable from a first step toward a city defense which would, as President Nixon has said, be provocative.

In short I can see no rational justification whatsoever for including bomber defense in an ABM system designed to protect our retaliatory force.

##### 3. Defense against Chinese attack

Protection against a Chinese attack was the initial motive for proposing deployment of the original "thin" Sentinel system and this

has remained one of the objectives of the modified system.

Technically what protection of our cities against Chinese attack in the mid-1970's can the Sentinel give? Any prediction of Chinese power in 1975 is an even farther extrapolation from known facts than is the prediction of the Soviet threat. If the Chinese choose to dedicate a large fraction of their industrial and scientific resources toward penetrating the Sentinel system soon after it was deployed then technically they could do so, using decoys or other techniques. Moreover, the Safeguard could probably be by-passed by a submarine or ship-launched weapon.

Our projections of Chinese capability have been revised radically downward during the last year as a result of our evaluation of the impact of the "cultural revolution"; moreover, it is possible that the Chinese may choose to exploit their entry into the nuclear club for political and propaganda purposes only. It is, of course, possible, and in fact likely, that Chinese actions will be influenced substantially by U.S. decisions. I conclude that the modified Sentinel system may protect some cities against simple forms of Chinese missile attack for some unknown but very limited period of time after its deployment; the duration of this time can be controlled by Chinese decisions.

There is complete agreement that should the Chinese carry out or even threaten any nuclear attack in the mid-1970's they would be subject to totally devastating retaliation. U.S. superiority in weapons over the Chinese will remain so enormous that we could even carry out a pre-emptive attack specifically aimed against Chinese launch sites.

#### 4. Protection against accidental nuclear missile attack

The modified Sentinel system is intended to give some protection against a small accidental launch and I consider this to be a valid objective in particular in protecting command and control centers. However, the degree of protection it does offer is highly limited. For one thing the chance of such an accident occurring is in itself directly related to the level of armaments and the degree of tension in the world, and therefore heightening of the arms race increases the likelihood of an accident.

The technical effectiveness of the modified Sentinel in preventing damage from an accidental launch would depend very much on the nature of the accident. If it were due to some malfunction of control, the "accident" could include the dispersal of decoys or could involve multiple warheads; then in general the modified Sentinel System would be penetrated. It is true that a single accidental launch might be stopped; however, here we have the practical problem of whether the state of alertness of the system in peacetime can be kept at a high enough level that it would be effective against a single incoming missile. In short the modified Sentinel has very limited value in providing protection against accident, and accident of the ABM system itself can also occur.

#### 5. Early experience with a deployed ABM

In earlier testimony it has been suggested that deploying Sentinel now would be essential so that operational experience with an ABM system of some kind could be obtained at the earliest possible date. Note that Research and Development of ABM technology has been pursued for about a decade at a cost close to one-half billion dollars per year.

What does operational experience mean? Clearly actual intercepts using nuclear explosions to exercise the system cannot be undertaken by any signatory of the Nuclear Test Ban Treaty. As far as testing technical performance is concerned the present R&D facilities are very much more suitable than the operational sites to be located at Grand Forks Air Force Base and Malmstrom Air Force Base. Several successful exercises have been carried out in which missiles launched from Vandenberg Air Force Base out over the Pacific Test Range have been tracked and intercepted from the R&D installations at Kwajalein. Unless the range safety policies now governing the firing of missiles over inhabited land areas are grossly modified it would be impossible to carry out such exercises with missiles fired into the operational Sentinel installations. Thus "Operational Experience" with the Sentinel installations will mainly relate to production, organization and training, but will be inferior to R&D exercises technically. Operational experience with all military systems has shown that transfer of a system from R&D to operational status greatly lengthens the time cycle over which improvements can be incorporated. Since design of a modified Sentinel system is far from optimum for its new mission of protecting hard strategic targets I would conclude that transferring the system from an R&D to operational status now would actually interfere with evolving a system suitable for the indicated mission.

#### CONCLUSION

I can think of no better prescription for accelerating the arms race than to take the position that we must prepare a fully safe counter measure for any technically imaginable contingency. This race has led to our current situation in which our true military security has decreased steadily while the cost of maintaining the degree of security we do possess has increased.

On reviewing the stated purposes of the modified Sentinel system I conclude that the mission of defending the Minuteman force is the only one which may become a valid and important motive in the future. However, the modified Sentinel system which is a simple reconfiguration of components designed for city defense is not a reasonable engineering solution for this problem. A good technical solution for this purpose should involve smaller and less expensive missiles and larger numbers of simpler hardened radars.

Considering the enormous combined second strike power of the Polaris and Poseidon fleet, the SAC bombers, Minuteman and Titan, and the tactical nuclear armed aircraft in Europe, it appears impossible that the Soviet Union can attain first strike power by the mid-1970's. For this reason we could well afford the time to develop a properly designed active defense for Minuteman, should it be required.

Since agreed limitation or reduction of armaments appears at last to be in sight I feel that the military value of any step such as the ABM which feeds the arms race should be examined most critically. It is my considered judgment that authorization of the ABM modified Sentinel system now would be an unwise decision—both in the sense of increasing military security within given total resources and in the broader sense of increasing the overall security of our nation and the world.

#### DR. HERBERT F. YORK STRONGLY OPPOSES ABM PROPOSAL OF PRESIDENT NIXON

Mr. YOUNG of Ohio, Mr. President, on April 22, 1969, Dr. Herbert F. York testified before the Committee on Armed Services on the proposed safeguard antiballistic-missile system in connection with hearings on the authorization bill for fiscal year 1970 for the procurement of aircraft, missiles, ships, and research development.

Senators will recall that from 1958 to 1961, Dr. York was Director of Defense Research and Engineering in the office of the Secretary of Defense and is one of the Nation's foremost experts on defense weaponry. He was chancellor of the University of California, San Diego, from 1961 to 1967, and is presently professor of physics there. From 1964 to 1967, Dr. York was a member of the President's Science Advisory Committee; from 1962 to 1969, he was a member of the General Advisory Committee to the U.S. Arms Control and Disarmament Agency. He is presently a trustee of the Institute for Defense Analyses.

There are few men in our Nation as qualified as Dr. York to testify on the proposed ABM. He made a magnificent presentation before the Armed Services Committee, setting forth in detail his grave doubts as to the wisdom of proceeding with the deployment of an ABM system because of the fact that the safeguard system is technically questionable, and because its deployment would accelerate the arms race.

Perhaps the worst implication of the ABM with regard to arms control, as Dr. York put it, is that it would deceive Americans into believing that there is a technical solution to protection against nuclear attack.

Of course, our best defense against any possible nuclear Pearl Harbor or a nuclear attack of any kind from the Soviet Union or from Red China is our power of immediate retaliation, sometimes termed our second-strike capability, with our Polaris submarines and with our land-based missiles. On such a second strike we could completely obliterate every city in the Soviet Union, and every railroad, every airbase and military base in the vast expanse of the Soviet Union or Communist China within a matter of hours. Therefore, it is the height of stupidity to proceed with an ABM defensive missile system.

I commend Dr. York's opening statement before the Committee on Armed Services to the attention of the Senators. I ask unanimous consent that the statement may be printed in the RECORD.

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

STATEMENT BY HERBERT F. YORK BEFORE THE SENATE ARMED SERVICES COMMITTEE, APRIL 22-23, 1969

Mr. Chairman and Members of the Committee:

I appreciate very much the opportunity to appear before your committee to discuss the proposed ABM program. I had, as you know, an opportunity to discuss this same general problem before a subcommittee of the Senate Foreign Relations Committee on March 11. Since that time, a new threat analysis has been presented, and a new ABM deployment,

#### TECHNICAL REQUIREMENTS FOR ABM

##### CITY DEFENSE

##### High value target

Intercept at high altitude  
Long fly-out range  
Soft or slightly hardened Radar  
Decoy discrimination at high altitude  
Complete elimination of incoming missiles  
Cost per anti-missile may be substantial

##### "HARD POINT" DEFENSE

##### Low value target

Intercept at low altitude  
Short fly-out range  
Very hard Radar  
Atmosphere eliminates decoy  
Attrition of incoming missiles  
Anti-missiles should be inexpensive

called Safeguard, has been proposed. Safeguard appears to be partly a response to the new threat analysis, partly a response to the objectives of many Americans to the deployment of Sentinel components in their backyards, and partly a response to technical objectives to the Sentinel system raised by scientists and engineers, both inside and outside the present defense establishment.

I do not doubt the statements of the Secretary of Defense that the Soviets are now rapidly building up their offensive forces. If we examine the charts presented to this committee by Defense officials a month ago, what is difficult to understand about this matter is why the Soviets settled for being a poor second in intercontinental nuclear arms for such a long time. Conceivably, the suggestion that the Soviets are reaching for a first strike capability may be true, but their actions can be easily understood without appealing to such a notion. In any event, I doubt the wisdom of the proposed U.S. response because (1) the Safeguard System is technically questionable and (2) the deployment of Safeguard would accelerate the arms race.

For our purposes today it is important to note that the Defense Department has in these last few weeks reintroduced the objective of providing an ABM defense capable of coping with a large and sophisticated offense. True, the defense of selected hard points now being proposed for Safeguard is theoretically somewhat easier than the defense of large soft targets such as cities, the goal of Sentinel and its predecessors. However, the designers are now again required to cope with that large variety of very difficult technical problems which defense designers tried unsuccessfully to solve in the days of Nike Zeus and Nike-X. I am referring to that group of qualifiable technical problems which includes radar blackout, penetration aids of all sorts (decoys, chaff, electronic countermeasures and multiple warheads), warhead kill mechanisms and the defenses against them, as well as offensive tactics such as "roll back" and saturation techniques. Fortunately, these matters have been much discussed in public in recent years and especially in recent months. As a result, I think it has become clear to most interested persons that while defense designers have sometimes been on the verge of solving one or two of these problems when they treat them separately and in isolation, they have never come close to coping with them in the complex combinations that even a moderately sophisticated offense can present. I see no reason to suppose that this situation will change.

I should like now to turn to two technical problems that pertain to all the forms of ABM so far proposed, but which unfortunately are not so simple to discuss nor so easy to quantify as that class of problems I have just mentioned.

Any active defense system such as the ABM, must sit in readiness for two or four or eight years and then fire at precisely the correct second following a warning time of only a few minutes. This warning time is so short that many systems designers would like to eliminate human decision-makers, even at low command levels, from the decision making system. Further, the precision needed for the fire time is so fine that machines must be used to choose the precise instant of firing no matter how the decision to fire is made. In the case of offensive missiles the situation is different in an essential way: although maintaining readiness throughout a long, indefinite period is necessary, the moment of firing is not so precisely controlled in general and hence human decision makers, including even those at high levels, may readily be permitted to play a part in the decision-making process. Thus if we wish to be certain that the defense will respond under conditions of sur-

prise, the trigger of the ABM, unlike the triggers of the ICBMs and Polaris, must be continuously sensitive and ready, in short a "hair" trigger for indefinitely long periods of time. On the other hand, it is obvious that we cannot afford to have an ABM fire by mistake or in response to a false alarm. Indeed the Army went to some pains to assure residents of areas near proposed Sentinel sites that it was imposing requirements to insure against the accidental launching of the missile and the subsequent detonation of the nuclear warhead it carries. Moreover Army R&D officials have assured the public that no ABM's would ever be launched without specific approval of "very high authorities." These two requirements, a "hair" trigger so that it can cope with a surprise attack and a "stiff" trigger so that it will never go off accidentally or without proper authorization are, I believe, contradictory requirements. In saying this I am not expressing doubt as to the stated intention of the present Army R&D leaders, and I strongly endorse the restrictions implied in their statements. However, I am saying that if the system cannot be fired without approval of the "highest authorities," then the probability of its being fired under conditions of surprise is less than it would be otherwise. Furthermore, when control over the system passes from the present R&D oriented officers to operations oriented officers, it is not at all clear that these latter will approach the problem with the same degree of sensitivity. It is important to emphasize that this problem exists only in the real world and not in the test range; on the test range there need be no such concern about accidental misfires, the interceptions do not involve the use of nuclear weapons and the day, if not the second, of the mock attack is known. Another essential (but again difficult to quantify) difference between the real world and the test range lies in the fact that the deployed defensive equipment will, normally, never have been fully and realistically exercised and even the supposedly identical test range equipment will never have been tested against the precise target or targets that the deployed equipment would ultimately have to face. In the case of other defense systems which have worked after a fashion, practice using the actual deployed equipment against real targets has been possible and has been a major element in increasing their effectiveness. Thus, the Soviet SAMs in North Vietnam work as well as they do because both the equipment designers and the operating crews have had plenty of opportunities to practice against U.S. targets equipped with real countermeasures and employing real tactics.

For all these reasons, I continue to have the gravest doubts as to the capability of any ABM system I have heard of, whether or not the problem has been defined into being "easy" and whether or not it "works" on a test range. I stress that I am not just talking about some percentage failure inherent in the mathematical distribution of miss distances, nor statistically predictable failures in system components, but rather about possible catastrophic failure in which at the moment of truth either the system doesn't fire at all, or all interceptions fail for some unforeseen reason.

Let us now move from technical to political matters concerning the relationship between the ABM and the arms race. It is frequently said that the ABM, or at least some versions of it, does not have serious arms control implications. The reasons advanced have to do with its intrinsically defensive character. In my opinion such a belief is based on an error which may be called "The Fallacy of the Last Move." It is indeed true that if the last move ever made in the arms race consisted in deploying an ABM system, then deploying the ABM would by definition not have any

arms race implications. But in the real world of constant change in both the technology and the deployed numbers of all kinds of strategic weapon systems, ABMs are accelerating elements in the arms race. In support of this, let us consider a relevant bit of recent history.

At the beginning of this decade, we began to hear about a possible Soviet ABM and we became concerned about its potential effects on our ICBM and Polaris systems. It was then that we began seriously to consider various penetration aid ideas, among them that of placing more than one warhead on a single offensive missile. This idea has since grown in complexity, as these things do, and has resulted in the MIRV concept (Multiple Independently Targeted Reentry Vehicles). There are now additional justifications for MIRV besides penetration, but that is how it all started. As others have pointed out, the MIRV concept is a very important element in accelerating the arms race, and potentially seriously destabilizing. In fact, the possibility of a Soviet MIRV is used as one of the main arguments in support of the idea of hard-point defense and thus we have come one full turn around the arms race spiral. No one in 1960-61 thought through the potential destabilizing effects of multiple warheads, and certainly no one predicted, or even could have predicted, that the inexorable logic of the arms race would carry us directly from Soviet talk in 1960 about defending Moscow against missiles, to a requirement for hard-point defense of offensive missile sites in the United States in 1969. Likewise, I am sure the Russians did not foresee the large increase in deployed U.S. warheads that will ultimately result from their ABM deployment. Similarly no one today can describe in detail the chain-reaction which the Safeguard deployment would lead to. The response of our defense establishment to the Soviet ABM, which I have outlined above, was not the result of our being "provoked," and I emphasize this because we hear so much discussion about what is a "provocative" move and what is not. Rather, our response was motivated by a deep seated belief that the only appropriate response to any new technical development on the other side is further technical complexity of our own. The arms race is not so much a series of political provocations followed by hot emotional reactions, as it is a series of technical challenges followed by cool calculated responses in the form of ever more costly, more complex, and more fully automated devices. I believe that this endless, seemingly uncontrollable process was one of the principal things President Eisenhower has in mind when he made his other, usually forgotten, warning: "we must be alert to the . . . danger that public policy could itself become the captive of a scientific-technological elite." He placed this other warning, also from his farewell address, on the same level as the much more familiar warning about the military-industrial complex.

It may be that the present Soviet offensive buildup is in part a response to one of the earlier versions of our ABM. The Soviet "Pentagonologists" may simply have concluded in the mid sixties that the U.S. Military-Industrial complex eventually would succeed in foisting an ABM on the American people, and the Soviet technologists felt a need to provide a technical response to it, just as we did earlier in the reverse case. Just how correct this hypothetical analysis of our future action was, still remains to be seen.

Thus, although I cannot be sure of the mechanism, I believe that either Sentinel or Safeguard will produce further acceleration of the arms race. It is possible that the deployment of these ABMs will lead to a new round of penetration aid developments with further consequences of the magnitude of those produced by MIRV. It is indeed probable that deployment of these ABMs would

lead to greater numbers of deployed offensive warheads on both sides. We may further expect deployment of these ABMs to lead to the persistent query, "but how do you know it really works?" and thus to increase the pressures against the current Partial Test Ban Treaty. Finally, it is certain that deployment of these ABMs will lead to placing greater reliance on automatic devices for making that ultimate decision about whether or not doomsday had arrived.

Perhaps the worst implication of the ABM with regard to arms control, is that the people and the Congress may be deceived into believing that we are finally on the track of a technical solution to the dilemma of the steady decrease in our national security which has accompanied the steady increase in our military power over the last two decades. Such a false hope would be extremely dangerous if it diverted any of us from searching for a solution in the only place it may be found; in a political search for peace combined with arms control and disarmament measures.

Let me close on a more positive note by saying that I do believe there are circumstances in which an ABM could play a beneficial role. Such a circumstance would be one in which, as part of a bold and strong arms control agreement, at least one offensive missile was eliminated for each defensive missile deployed. Under such circumstances, deployment of an ABM would receive very wide support indeed. But, unfortunately, that's not what we're talking about; instead, the only serious proposals before us seem to involve more of everything.

#### COURAGEOUS EMPLOYEES AND THE C-5A OVERRUNS

Mr. PROXMIRE. Mr. President, the C-5A affair has many ramifications, as an editorial in the Washington Post for Sunday, May 4, 1969, quite properly points out.

Among the points the Post questions is whether a thorough investigation at the Pentagon will, in fact, be made or whether the matter will be glossed over in order to protect the Pentagon's image.

#### QUESTIONABLE CONTRACT

In addition, the editorial quite rightly raises the fundamental issue as to the nature of the contract. Under it, Lockheed can recoup on a second run of the plane any losses or "overruns it encounters on the first run or installment of the plane."

Such a contract obviously puts no premium on cutting costs. Indeed, it gives every appearance of inviting "buy in bidding." That is the practice where a firm's original bid or offer is lower than it knows it can meet. It is made in the knowledge that once the contract is let the differences can be made up through a variety of devices, such as change orders, so that it gets the contract and yet makes big money.

This situation occurs because of the lack of competitive bidding at the Pentagon. The fact that almost 90 percent of all Pentagon buying is through "negotiated" contracts invites these abuses.

#### IMPROPER TO PROTECT COMPANY STOCK

The Post also points out that it is no business whatsoever for the Pentagon to concern itself about how the stock market may react to proper Pentagon announcements. The Pentagon should do what is right, tell the truth, and let the

market assess the impact no matter who is helped or hurt.

It is no business of the Pentagon to shield the stock of any company from the functions of the market.

#### CONGRESSIONAL RIGHT TO KNOW THE TRUTH

There are other matters of great importance connected with the C-5A affair which the editorial does not mention.

First and foremost is the right, in fact, the duty of a Government employee to testify before a committee of the Congress without fear of retaliation. And related to the employee's right to testify is the fundamental right of Congress to know the truth.

It was the Economy in Government Subcommittee of the Joint Economic Committee which first exposed the C-5A affair last November.

#### FITZGERALD TESTIMONY

Mr. A. E. Fitzgerald, an Air Force cost expert, had detailed knowledge of the C-5A overruns. During our hearings I asked him to testify. I asked the Air Force representative at the hearings if the Air Force had any objections. They had none. Mr. Fitzgerald then testified to the \$2 billion overrun. That was the first public expose of the fact that the C-5A would have the overrun. This began what has now come to be called the C-5A affair.

Then things began to happen to Mr. Fitzgerald. A notice that he was to receive a permanent appointment was withdrawn. A memorandum detailing the means to fire him was sent to the Secretary of the Air Force.

Here was a man who testified at the request of Congress and with the permission of the Air Force who was nonetheless the victim of intense retaliation. The Air Force now treats him as if he has smallpox or is radioactive.

Events have shown that his testimony was true. It was his superiors who were wrong and who were trying to hide the facts and cover up the huge cost increases because, among other reasons, such disclosures "might put Lockheed's position in the common—stock—market in jeopardy."

#### COLONEL BECKMAN'S STATEMENT

I hope that Col. K. N. Beckman does not suffer Mr. Fitzgerald's fate. Colonel Beckman is the Air Force colonel who testified to these facts under questioning by Congressman MOORHEAD at a House committee hearing last week. Congressman MOORHEAD is also a member of the Economy in Government Subcommittee of the Joint Economic Committee and had been in on the C-5A affair from the beginning.

#### PROMOTE, DO NOT RETALIATE

Mr. Fitzgerald and Colonel Beckman should be promoted, not retaliated against. They should be given medals, not fired or retired.

Both of them were right.

I will watch with great interest to see if the same fate now attaches to Col. K. N. Beckman of the Air Force that happened to Mr. A. E. Fitzgerald.

I serve notice that I intend to do anything I can to see that these men and other Government employees who testify to the truth at the request of Congress

are insulated from petty retaliation on the part of higher ups who are at fault.

Mr. President, I ask unanimous consent that the Post editorial be printed in the RECORD.

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

[From the Washington Post, May 4, 1969]

Word of Defense Secretary Laird's plan to review the Air Force's contract with the Lockheed Aircraft Corp. to build the giant jet transport C-5A would be more reassuring if it had come unaccompanied by evidence that the Secretary is preoccupied with putting the best face on things. While promising a "thorough" inquiry about the contract, Mr. Laird asked his top aides to design ways to combat what he called "adverse commentary" on the rising costs of the C-5A. In any case, the results of "in house" investigations, even one conducted by a Republican Administration of actions during a Democratic one, are seldom as persuasive as those obtained by full-scale congressional hearings. In the case of the C-5A (also known as the Galaxy), a number of questions—if not allegations—of impropriety have been raised about the contract and about defense procurement policy itself.

Under probing by Rep. William S. Moorhead, an Air Force colonel told a House Government Operations Subcommittee last week that his civilian superiors had approved an effort to cover up huge cost increases in building the Galaxy because public disclosure "might put Lockheed's position in the common (stock) market in jeopardy." The civilians named by the colonel are Robert H. Charles, Assistant Secretary of the Air Force for Installations and Logistics, and Robert N. Anthony, a former Defense Department Comptroller. Whether, in fact, Messrs. Charles and Anthony glossed over cost increases to shield Lockheed's stock has yet to be determined. What is clear is that if they did, they should not have; the Pentagon's responsibilities do not include protecting the market value of stock of firms with which it contracts.

But that is only part of the matter, which really goes to the fundamental question of how the Pentagon buys its hardware. For one thing, the Galaxy contracts involve a \$2.1 billion miscalculation on a \$3.1 billion project. For another, the terms of the contract would seem to reward inefficiency—and at a premium rate.

Without getting engulfed in the esoteric language of cost analysis and weapons procurement it is important to understand a few basic things about the Galaxy contract. In 1964, the Air Force estimated that 120 C-5A aircraft would cost \$3.1 billion. Now the Air Force figures the Galaxy will cost at least \$5.2 billion, or \$2.1 billion more. Excesses of actual costs over estimates, called "overruns" at the Pentagon, are not unique in weapons development and procurement, although a \$2 billion overrun seems on the high side. But the Galaxy contract, which was designed by Assistant Secretary Charles, contains a novel feature which provides that losses suffered by Lockheed on the first installment of 58 planes it produced could be recovered and turned into profits—by a price adjustment—if the Air Force decided to order a second batch of 62 aircraft.

Just how much of the overrun can be attributed to inefficiency on the part of Lockheed or inflation or unforeseen, but normal development problems with the aircraft itself is not known. And it is not easily determined just how much of a loss Lockheed anticipated on the first batch of 58 planes. Rep. Chet Hollifield, the California Democrat who heads the House Committee, not only ordered a witness not to answer that question, but threw in a challenge to at-

tendant newsmen to make what they could of it.

What we make of it is that the instinct for the cover-up in these matters is as strong in certain quarters in Congress as it is in the Pentagon, and that some Congressman or Senator with more courage and candor than Mr. Hollifield ought to step in on the taxpayers' behalf and investigate not only the Galaxy affair but the whole procurement process at the Pentagon.

#### HUMAN RIGHTS CONVENTION ON FORCED LABOR

Mr. PROXMIRE. Mr. President, the investigations which led to the Human Rights Convention on Forced Labor were first recommended by the labor organization here in the United States. In 1947 the American Federation of Labor requested that the United Nations conduct an investigation into the practice of forced labor in any and all areas of the world. For 2 years several Communist countries attempted to block any consideration of this matter by the United Nations, but in 1949 the International Labor Council was asked by the United Nations Economic and Social Council to set up an investigation into this question.

The Council announced that extensive forced labor existed in many nations, among them those Communist countries that had struggled so hard to block the investigation. The findings listed the Union of Soviet Socialist Republics, Red China, Rumania, Hungary, Czechoslovakia, and Bulgaria as the principal offenders.

In June of 1957, in response to the findings of the International Labor Council investigation, a Human Rights Convention calling for the abolition of forced labor was adopted in Geneva. In the 12 years since then, more nations have ratified this convention than any of the other major human rights conventions. There are some notable exceptions that have refrained from taking any positive action on this issue. Among these are Albania, the Union of Soviet Socialist Republics, Bulgaria, and Hungary. The reason for ignoring or denouncing of the convention by these nations is obvious; they are some of the offenders listed by the ILO investigation and their position would be rendered untenable by a ratification.

But why does the United States stand in the ranks of those nations that have failed to ratify the Convention on Forced Labor? It was our own labor organization that originated the call for the convention. The result is a convention which accords with the basic beliefs held and practiced here in America.

It is time for the United States to demonstrate its beliefs to the world community. It is time for the U.S. Senate to ratify the Human Rights Convention on Forced Labor.

#### ORDER OF BUSINESS

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

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

#### FORMER ASSISTANT SECRETARY OF DEFENSE THOMAS MORRIS

Mr. PROXMIRE. Mr. President, on Saturday I made a statement from my office in which I criticized former Assistant Secretary of Defense Thomas Morris for going directly from his position as the chief Pentagon procurement officer to a top job with Litton Industries, one of the Nation's biggest defense contractors. At that time I said:

Morris' hiring by Litton is more serious than the hiring of admirals and generals by defense contractors. Morris has been the big boss on all military procurement.

I pointed out that this is especially important because the nature of our Pentagon procurement is such that holding down costs depends overwhelmingly on the zeal and determination of the Pentagon officer who is dealing with the contractor because procurement is not, by and large, on a competitive basis. Morris has been the Pentagon official responsible for hiring or appointing, for training and directing, and even promoting many of those with whom Litton Industries his new employer will be dealing at all levels, and undoubtedly this would have great influence with those promotion officers in dealing with Litton Industries, which is one of the top contractors in the country. In 1967, Litton's contracts jumped from \$180 million to \$466 million in 1968, a 250 percent jump. That jump occurred the last full year of Morris' power as the Pentagon procurement boss.

I said in my release that Morris' vice-presidency of Litton can be viewed both as a payoff for the huge Pentagon business shifted to Litton in 1968 and as assurance of immense future influence for Litton.

Mr. President, I had a telephone call yesterday from a man I highly respect, who was formerly in the Government, complaining about my statement regarding Mr. Morris. He said Mr. Morris was a conscientious and hardworking man who has very fine character. This is true. Morris' health broke down at times because he worked so hard in the Pentagon. He would work from early in the morning until late at night.

However, we cannot escape the fact that when the chief procurement officer of the Pentagon goes directly to work as a vice president of one of the bigger defense contractors in the country, it does result in influence for that defense contractor in what would appear to be a very strong likelihood of much more profitable associations with the Pentagon.

I called Mr. Morris this morning because the man who called me Sunday said that Morris' relationships with the Litton company had been restricted and preconditioned and that Mr. Morris' actions with Litton would be governed by a considerable degree of discretion. I asked Mr. Morris to tell me exactly what his relations were. He said he would make some notes and call back.

I have just been handed the notes of what he said. I have not had an opportunity to look at them first but I am going to read them into the RECORD. He is

a good man. However, I do not repudiate anything I said, not only about the impropriety but also the unfortunate effect of the top Pentagon procurement official going to work for a large defense contractor.

Mr. President, I shall now read the statement taken over the telephone by my staff. The statement was read back to Mr. Morris and he approved it.

DEAR SENATOR PROXMIRE: I appreciate this opportunity to comment on the statements contained in your press release of May 3 regarding my employment by Litton Industries. I would like to make three points.

1. It was a pre-condition of both Litton and myself that, if employed, I would have no connection whatsoever with defense contracts or with the divisions of Litton who are engaged primarily in defense business. This was readily possible since 70% of Litton business is non-defense.

2. During my five years of service as Assistant Secretary of Defense for Installations and Logistics, I did not participate at any time in the selection of Litton as a defense contractor.

3. Since joining Litton on February 3, 1969, I have been responsible only for overseeing the operations of three companies who produce metal cutting machine tools and related supplies. These companies sell primarily to industrial customers and their government sales are de minimus. In fact, their government sales would amount to a fraction of 1% of total Litton business.

I have not and will not be involved in any way in the sale of any Litton products to the Defense Department.

I hope that you will make these comments available to the public.

Sincerely,

THOMAS MORRIS.

Of course, I am making his comments available now—as of now—and am doing so because I think it is only fair to Mr. Morris.

I repeat, he was the chief procurement officer for the Pentagon. Obviously, he has the finest, the closest and the strongest kinds of ties with the procurement officers in the Pentagon who will be dealing with Litton.

Of course, Mr. Morris will not deal himself, directly or personally, with these officers, but they know that he is employed by Litton and that he is a vice president of that company.

It is my information that the particular branch of Litton for which Mr. Morris will be responsible does 10 percent of its business with the Defense Department and that represents many millions of dollars each year.

I think, under these circumstances, that it is most unfortunate that Mr. Morris has made this connection. There are any number of other jobs that Mr. Morris could have obtained. Therefore, it seems to me to impose no burden upon him to suggest that he should have taken one of these other jobs.

I do hope that the Congress will seriously consider legislation which will, in the future, prevent a top official of the Government, with this kind of influence and background, from making this kind of connection with a defense contractor who obviously, can gain so much from the connection, at the expense, I think, of the American taxpayer.

Mr. President, I ask unanimous consent to have printed in the RECORD my

press release in connection with this matter which was issued on Saturday, May 3, 1969.

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

[From the Office of Senator WILLIAM PROXMIRE, Wisconsin, May 3, 1969]

Senator William Proxmire (D.-Wis.) Saturday night sharply criticized former Assistant Secretary of Defense Thomas Morris for going directly from his position as the chief Pentagon procurement officer to a top job with Litton Industries, one of the nation's biggest defense contractors.

In a statement from his office in Washington, Proxmire said:

"Morris's hiring by Litton is more serious than the hiring of admirals and generals by defense contractors. Morris has been the big boss on all military procurement.

"In hiring Morris, Litton is buying influence with the Pentagon and plenty of it. Morris is the Vince Lombardi of Pentagon procurement influence.

"For years, no one has been more integrally and powerfully involved with every Pentagon decision on the annual \$43 billion dollar military procurement than Morris.

"As a Litton vice president, just consider the powerful associations Morris will have with virtually every Pentagon official who will be dealing with Litton.

"Morris was responsible for hiring or appointing, for training and directing—and even promoting many of those with whom he will be dealing at all levels.

"Here is a conflict of interest at its most vivid and conspicuous. This is especially true because of the following nature of defense contracting:

"1. Almost 90% of defense contracting is not by competitive bidding but by some form of negotiation. Whether Litton or some other firm gets a particular contract will be determined very largely by the subjective attitude of Pentagon officials toward Litton officials.

"With Tom Morris coaching the Litton team, how objective will Morris' former subordinates be in deciding whether or not to give the big profitable jobs to Litton?

"2. Even more useful to Litton and expensive for the taxpayer than landing big contracts will be the way those Litton contracts are handled.

"Morris' influence will help Litton immensely in seeing that Pentagon officials take a 'soft' attitude on any inflations, mistakes or other unjustified reasons for cost increases.

"The right attitude from the Pentagon contracting officialdom can assure juicy profits to any contractor.

"By landing Morris, Litton has virtually assured this right attitude.

"As the recent report of Richard Stubbings of the Budget Bureau convincingly documented, overruns—those costs in excess of estimated costs—for big defense contractors—typically exceed 100 to 200%. How much these costs are allowed to exceed initial estimates is determined by Pentagon contracting officials.

"This determination is the vital factor in defense contractor profits.

"But as Litton's hiring of Morris is a bonanza for Litton stockholders, it is a vivid example of why military waste is such a burden on the American taxpayer.

"The waste in this \$43 billion of annual military procurement is exactly because the influence of defense contractors with the Pentagon has been so potent in keeping procurement costs so high.

"Morris's decision to go with Litton is particularly offensive because in the last full year of Morris's power as the Pentagon procurement boss, Litton's contracts jumped

\$180 million in 1967 to \$466 million in 1968—a mammoth 250%.

"So Morris's vice presidency of Litton can be viewed both as a payoff for the huge Pentagon business shifted to Litton in 1968 and as assurance of immense future influence for Litton.

"I intend to explore fully the possibilities of legislative action to prevent this kind of massive influence buying in the future."

**S. 2055—INTRODUCTION OF A BILL TO PROVIDE THAT INSTITUTIONS OF HIGHER EDUCATION EITHER MAINTAIN DISCIPLINE ON THEIR CAMPUSES OR LOSE FEDERAL CONTRACTS**

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

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

Mr. COTTON. Mr. President, I am introducing, for appropriate reference, a bill to provide that institutions of higher education that have failed to take necessary steps to maintain a reasonable degree of discipline upon their campuses be ineligible to receive Federal contracts.

The Attorney General of the United States in a Law Day speech called for a crackdown by Federal, State, and local law enforcement officials on violence on college campuses. The President has indicated the urgency of some such action.

On the other hand, the 800 delegates assembled in the annual convention of the American Association of University Professors, representing 90,000 college university professors, deplored this "hard line" approach and branded it as an attack upon academic freedom.

In my opinion, Mr. President, there is some justification for both points of view. Certainly, if student violence reaches the point where lives are endangered and the safety of the public jeopardized there would be need for public authority to move in with or without invitation by the college authorities. However, the administration of an educational institution and the enforcement of its discipline is primarily in the hands of the college authorities. Civil authority cannot and must not attempt to administer the affairs of any college. Discipline and the rules to be followed in maintaining it must come from within.

But, though the Federal Government is in no position to take over the administering of any college or university because of disorder and violence upon its campus, it does not follow that the Federal Government should use taxpayers' money in supporting institutions that fail or neglect to take necessary steps to preserve order.

My bill simply provides that the Secretary of Health, Education, and Welfare, or the Secretary of Defense or the head of the National Science Foundation or any other executive of an agency of Government which grants research contracts or other benefits to the educational institution shall cease to make new grants, or enter into contracts, or renewals of contracts because they have failed or neglected to quell disorders. This applies only in cases when the Secretary determines that property is

taken over or the right of students to attend classes has been interfered with, and the administration of such college has not expelled students, prosecuted those participating who are not students and called for police assistance when necessary.

It should be noted that this measure would not call for the interruption of existing contracts but only affects new grants or renewals. It does not encroach upon academic freedom. Any college or university can allow their administration buildings to be occupied, its orderly students deprived of their educational opportunities, and may knuckle under to any and all demands, so long as they pay their own bills.

The Federal Government last year paid colleges and higher institutions of learning \$5,100,000,000, mostly in grants and contracts for research. This support of higher education should go only to those institutions that demonstrate their ability to keep their house in order.

Mr. President, I believe that this is the most effective way for the Federal Government, without exerting heavy-handed force, to stop campus violence. American colleges and universities have come to count on Federal contracts as a prime necessity. The money from these contracts is one-fourth of all that is spent in higher education. If this bill is adopted, many of the faculty members and college executives who are now shouting about academic freedom will take a second look.

It should be noted that this measure has no bearing on scholarships to individual students. It simply relates to benefits and contracts with the institution itself.

Nothing in the measure precludes peaceful picketing or nonviolent demonstrations by students seeking a representation in college administration, or any other objective.

Mr. President, it is my intention to press for passage of this bill. It is also my intention—should the Committee on Labor and Public Welfare not view this bill favorably, or should it fail of passage—as a member of the Appropriations committee to offer a similar limitation both in committee and on the floor of the Senate when the time comes to appropriate.

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

The bill (S. 2055) to provide that institutions of higher education that have failed to take necessary steps to maintain a reasonable degree of discipline upon their campuses shall be ineligible to receive Federal contracts, introduced by Mr. COTTON, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

**THE CALENDAR**

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of bills on the Calendar, beginning with order No. 121.

The PRESIDING OFFICER. Without objection the clerk will state the first bill.

**APPOINTMENT OF THOMAS J. WATSON, JR., TO BOARD OF REGENTS, SMITHSONIAN INSTITUTION**

The joint resolution (S.J. Res. 35) to provide for the appointment of Thomas J. Watson, Jr., as Citizen Regent of the Board of Regents of the Smithsonian Institution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 35

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, shall be filled by the appointment of Thomas J. Watson, Junior, a resident of Connecticut, in place of Jerome C. Hunsaker, resigned, for the statutory term of six years.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-132), explaining the purposes of the joint resolution.

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

Senate Joint Resolution 35 would provide that the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, occasioned by the resignation of Jerome C. Hunsaker, be filled by the appointment of Thomas J. Watson, Jr., of Connecticut, for the statutory term of 6 years.

**REAPPOINTMENT OF DR. JOHN NICHOLAS BROWN TO BOARD OF REGENTS, SMITHSONIAN INSTITUTION**

The joint resolution (S.J. Res. 13) to provide for the reappointment of Dr. John Nicholas Brown as Citizen Regent of the Board of Regents of the Smithsonian Institution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 13

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress, which will occur by the expiration of the term of Doctor John Nicholas Brown of Providence, Rhode Island, on April 25, 1969, be filled by the reappointment of the present incumbent for the statutory term of six years.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-133), explaining the purposes of the joint resolution.

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

Senate Joint Resolution 13 would provide that the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, occasioned by the expiration of the term of Dr. John Nicholas Brown of Providence, R.I., on April 25, 1969, be filled by the reappointment of the present incumbent for the statutory term of 6 years.

**JOINT RESOLUTION PASSED OVER**

The joint resolution (S.J. Res. 11) to provide for the appointment of Robert Strange McNamara as Citizen Regent of the Board of Regents of the Smithsonian Institution, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President. The PRESIDING OFFICER. The joint resolution will be passed over.

**CHANGE IN LIMITATION ON APPRENTICES AUTHORIZED TO BE EMPLOYED BY GOVERNMENT PRINTING OFFICE**

The bill (S. 1655) to change the limitation on the number of apprentices authorized to be employed by the Government Printing Office was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1655

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second sentence of section 305 of title 44, United States Code (82 Stat. 1240; Public Law 90-620), is amended by striking out "two hundred" and inserting in lieu thereof "five hundred".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-135), explaining the purposes of the bill.

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

Section 305 of title 44, United States Code (82 Stat. 1240; Public Law 90-620) provides that the Public Printer shall not employ more than 200 apprentices at any one time. S. 1655 would amend that provision by increasing the limitation on Government Printing Office apprentices to 500.

At a hearing before the Committee on Rules and Administration, Public Printer James L. Harrison stated that the present authority of the Government Printing Office to employ apprentices is quite unrealistic; that it is entirely inadequate to provide for the replacement of the approximately 250 journeymen lost each year by retirement, death, transfer, and other causes. He stressed that for the past several years in order to meet its responsibilities to the Congress and to the various departments the Government Printing Office had to acquire each year approximately 200 of the journeymen who had been trained by the private printing industry for its own use at considerable expenditure of time and money. Such "pirating" of their employees has been resented by private printing plants and criticized by their associations. S. 1655 would greatly reduce this regrettable but necessary impingement by the Government upon the private sector.

**BILL PASSED OVER**

The bill (S. 1647) to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile was announced as next in order.

Mr. MANSFIELD. Over. The PRESIDING OFFICER. The bill will be passed over.

**CITATION OF ALAN AND MARGARET MCSURELY FOR CONTEMPT OF CONGRESS**

The resolution (S. Res. 191) citing Alan and Margaret McSurely for contempt of Congress was considered and agreed to, as follows:

S. RES. 191

*Resolved,* That the President of the Senate certify the report of the Committee on Government Operations of the United States Senate on the appearance of Alan McSurely and Margaret McSurely before the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations on March 4, 1969, in Washington, District of Columbia, at which they—

(1) refused to produce books and records lawfully subpoenaed to be produced before the said subcommittee, and

(2) failed to appear or to produce the said books and records pursuant to the order and direction of the chairman with the approval of the subcommittee before noon on March 7, 1969,

together with all the facts in connection therewith, under the seal of the United States Senate, to the United States Attorney for the District of Columbia, to the end that the said Alan McSurely and Margaret McSurely may be proceeded against in the manner and form provided by law.

**ANA MAE YAP-DIANGCO**

The bill (H.R. 4064) for the relief of Ana Mae Yap-Diangco was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-138), explaining the purposes of the bill.

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

**PURPOSE OF THE BILL**

The purpose of the bill is to facilitate the entry into the United States of the alien adopted child of a citizen of the United States and his wife, a lawfully resident alien.

**DR. ROBERTO DE LA CARIDAD MIQUEL**

The bill (H.R. 3548) for the relief of Dr. Roberto de la Caridad Miquel was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-139), explaining the purposes of the bill.

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

**PURPOSE OF THE BILL**

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Roberto de la Caridad Miquel as of September 8, 1961, thus enabling him to file a petition for naturalization.

**YAU MING CHINN (GON MING LOO)**

The bill (S. 1438) for the relief of Yau Ming Chinn (Gon Ming Loo) was considered, ordered to be engrossed for

a third reading, read the third time, and passed, as follows:

S. 1438

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Yau Ming Chinn (Gon Ming Loo) may be classified as a child within the meaning of section 101(b) (1) (F) of such Act, upon approval of a petition filed in his behalf by Mrs. Fanny Loo Chinn, a citizen of the United States, pursuant to section 204 of such Act: Provided, That no brothers or sisters to the said Yau Ming Chinn (Gon Ming Loo) shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.*

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-140), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in an immediate relative status of an alien child to be adopted by a citizen of the United States.

THI HUONG NGUYEN

The bill (S. 1104) for the relief of Thi Huong Nguyen and her minor child, Minh Linh Nguyen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1104

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Thi Huong Nguyen, the fiancée of Sergeant Richard Beshada, a citizen of the United States, and her minor child, Minh Linh Nguyen, shall be eligible for visas as nonimmigrant temporary visitors for a period of three months: Provid 3, That the administrative authorities find that the said Thi Huong Nguyen is coming to the United States with a bona fide intention of being married to the said Sergeant Richard Beshada and that she and her minor child, Minh Linh Nguyen, are found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Thi Huong Nguyen and her minor child, Minh Linh Nguyen, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Thi Huong Nguyen and her minor child, Minh Linh Nguyen, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Thi Huong Nguyen and her minor child, Minh Linh Nguyen, as of the date of the payment by them of the required visa fees.*

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-141), explaining the purposes of the bill.

There being no objection, the excerpt

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

PURPOSE OF THE BILL

The purpose of the bill is to enable Thi Huong Nguyen and her minor child to enter the United States for the purpose of marrying her U.S. citizen fiancé.

HECTOR ENRIQUE GONZALES

The Senate proceeded to consider the bill (S. 738) for the relief of Hector Enrique Gonzales, which had been reported from the Committee on the Judiciary, with an amendment, strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Hector Enrique Gonzales shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 18, 1958, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-142), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill as amended is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents.

NEW HAMPSHIRE-VERMONT INTER-STATE SCHOOL COMPACT

The bill (S. 278) to consent to the New Hampshire-Vermont Interstate School Compact was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to its consideration.

Mr. PROUTY. Mr. President, the States of Vermont and New Hampshire share much in common, particularly New England pragmatism.

They now seek the assistance of this body in consenting to interstate school districts. The bill now before the Senate for consideration, S. 278, will permit, not require, an efficient consolidation of the educational resources of towns along the border of our two States which are separated only by the Connecticut River.

I urge the Senators to join me in approving this measure and enable the border towns to build educational bridges across the river. Passage of this measure is earnestly sought by the legislatures of both States, the congressional delegations from both States, and the people of the border towns.

With the consent of Congress, an experimental interstate school district was established in 1963 between the towns of Norwich, Vt., and Hanover, N.H.

This Dresden School District has proved a success and has been watched very closely by nearby communities in both States. Other communities would like to follow this example.

A bill identical to S. 278 was passed by this body in the second session of the 90th Congress, but time did not permit its consideration in the House of Representatives.

I hope the Senate will again give its consent to this measure and that the House will take action on it at this session.

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

S. 278

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress consents to the New Hampshire-Vermont Interstate School Compact which is substantially as follows:*

"NEW HAMPSHIRE-VERMONT INTER-STATE SCHOOL COMPACT

"ARTICLE I

"GENERAL PROVISIONS

"A. STATEMENT OF POLICY.—It is the purpose of this compact to increase the educational opportunities within the states of New Hampshire and Vermont by encouraging the formation of interstate school districts which will each be a natural social and economic region with adequate financial resources and a number of pupils sufficient to permit the efficient use of school facilities within the interstate district and to provide improved instruction. The state boards of education of New Hampshire and Vermont may formulate and adopt additional standards consistent with this purpose and with these standards; and the formation of any interstate school district and the adoption of its articles of agreement shall be subject to the approval of both state boards as hereinafter set forth.

"B. REQUIREMENT OF CONGRESSIONAL APPROVAL.—This compact shall not become effective until approved by the United States Congress.

"C. DEFINITIONS.—The terms used in this compact shall be construed as follows, unless a different meaning is clearly apparent from the language or context:

"a. 'Interstate school district' and 'interstate district' shall mean a school district composed of one or more school districts located in the state of New Hampshire associated under this compact with one or more school districts located in the state of Vermont, and may include either the elementary schools, the secondary schools, or both.

"b. 'Member school district' and 'member district' shall mean a school district located either in New Hampshire or Vermont which is included within the boundaries of a proposed or established interstate school district. In the case of district located in Vermont, it shall include city school districts, town school districts, union school districts and incorporated school districts. Where appropriate, the term 'member district clerk' shall refer to the clerk of the city in which a Vermont school district is located, the clerk of the town in which a Vermont town school district is located, or the clerk of an incorporated school district.

"c. 'Elementary school' shall mean a school which includes all grades from kindergarten or grade one through not less than grade six nor more than grade eight.

"d. 'Secondary school' shall mean a school which includes all grades beginning no lower than grade seven and no higher than grade twelve.

"e. 'Interstate board' shall refer to the board serving an interstate school district.

"f. 'New Hampshire board' shall refer to the New Hampshire state board of education.

"g. 'Vermont Board' shall refer to the Vermont state board of education.

"h. 'Commissioner' shall refer to commissioner of education.

"i. Where joint action by both state boards is required, each state board shall deliberate and vote by its own majority, but shall separately reach the same result or take the same action as the other state board.

"j. The terms 'professional staff personnel' and 'instructional staff personnel' shall include superintendents, assistant superintendents, administrative assistant, principals, guidance counsellors, special education personnel, school nurses, therapists, teachers, and other certified personnel.

"k. The term 'warrant' or 'warning' to mean the same for both states.

#### "ARTICLE II

##### "PROCEDURE FOR INFORMATION OF AN INTERSTATE SCHOOL DISTRICT

"A. CREATION OF PLANNING COMMITTEE.—The New Hampshire and Vermont commissioners of education shall have the power, acting jointly to constitute and discharge one or more interstate school district planning committees. Each such planning committee shall consist of at least two voters from each of a group of two or more neighboring member districts. One of the representatives from each member district shall be a member of its school board, whose term on the planning committee shall be concurrent with his term as a school board member. The term of each member of a planning committee who is not also a school board member shall expire on June thirtieth of the third year following his appointment. The existence of any planning committee may be terminated either by vote of a majority of its members or by joint action of the commissioners. In forming and appointing members to an interstate school district planning board, the commissioners shall consider and take into account recommendations and nominations made by school boards of member district. No member of a planning committee shall be disqualified because he is at the same time a member of another planning board or committee created under the provisions of this compact or under any provisions of law. Any existing informal interstate school planning committee may be reconstituted as a formal planning committee in accordance with the provisions hereof, and its previous deliberations adopted and ratified by the reorganized formal planning committee. Vacancies on a planning committee shall be filled by the commissioners acting jointly.

"B. OPERATING PROCEDURES OF PLANNING COMMITTEE.—Each interstate school district planning committee shall meet in the first instance at the call of any member, and shall organize by the election of a chairman and clerk-treasurer, each of whom shall be a resident of a different state. Subsequent meetings may be called by either officer of the committee. The members of the committee shall serve without pay. The member districts shall appropriate money on an equal basis at each annual meeting to meet the expenses of the committee, including the cost of publication and distribution of reports and advertising. From time to time the commissioners may add additional members and additional member districts to the committee, and may remove members and member districts from the committee. An interstate school district planning committee shall act by majority vote of its membership present and voting.

"C. DUTIES OF INTERSTATE SCHOOL DISTRICT PLANNING COMMITTEE.—It shall be the duty of an interstate school district planning committee, in consultation with the commissioners and the state departments of edu-

cation: to study the advisability of establishing an interstate school district in accordance with the standards set forth in paragraph A of Article I of this compact, its organization, operation and control, and the advisability of constructing, maintaining and operating a school or schools to serve the needs of such interstate district; to estimate the construction and operating costs thereof; to investigate the methods of financing such school or schools, and any other matters pertaining to the organization and operation of an interstate school district; and to submit a report or reports of its findings and recommendations to the several member districts.

"D. RECOMMENDATIONS AND PREPARATION OF ARTICLES OF AGREEMENT.—An interstate school district composed of all the member districts represented by its membership, or any specified combination of such member districts, be established. If the planning committee does recommend the establishment of an interstate school district, it shall include in its report such recommendation, and shall also prepare and include in its report proposed articles of agreement for the proposed interstate school district, which shall be signed by at least a majority of the membership of the planning committee, which set forth the following:

"a. The name of the interstate school district.

"b. The member districts which shall be combined to form the proposed interstate school district.

"c. The number, composition, method of selection and terms of office of the interstate school board, provided that:

"(1) The interstate school board shall consist of an odd number of members, not less than five nor more than fifteen;

"(2) The terms of office shall not exceed three years;

"(3) Each member district shall be entitled to elect at least one member of the interstate school board. Each member district shall either vote separately at the interstate school district meeting by the use of a distinctive ballot, or shall choose its member or members at any other election at which school officials may be chosen;

"(4) The method of election shall provide for the filing of candidacies in advance of election and for the use of a printed non-partisan ballot;

"(5) Subject to the foregoing, provision may be made for the election of one or more members at large.

"d. The grades for which the interstate school district shall be responsible.

"e. The specific properties of member districts to be acquired initially by the interstate school district and the general location of any proposed new schools to be initially established or constructed by the interstate school district.

"f. The method of apportioning the operating expenses of the interstate school district among the several member districts, and the time and manner of payments of such shares.

"g. The indebtedness of any member district which the interstate district is to assume.

"h. The method of apportioning the capital expenses of the interstate school district among the several member districts, which need not be the same as the method of apportioning operating expenses, and the time and manner of payment of such shares. Capital expenses shall include the cost of acquiring land and buildings for school purposes; the construction, furnishing and equipping of school buildings and facilities; and the payment of the principal and interest of any indebtedness which is incurred to pay for the same.

"i. The manner in which state aid, available under the laws of either New Hampshire or Vermont, shall be allocated, unless other-

wise expressly provided in this compact or by the laws making such aid available.

"j. The method by which the articles of agreement may be amended, which amendments may include the annexation of territory, or an increase or decrease in the number of grades for which the interstate district shall be responsible, provided that no amendment shall be effective until approved by both state boards in the same manner as required for approval of the original articles of agreement.

"k. The date of operating responsibility of the proposed interstate school district and a proposed program for the assumption of operating responsibility for education by the proposed interstate school district, and any school construction; which the interstate school district shall have the power to vary by vote as circumstances may require.

"l. Any other matters, not incompatible with law, which the interstate school district planning committee may consider appropriate to include in the articles of agreement, including, without limitation:

"(1) The method of allocating the cost of transportation between the interstate district and member districts;

"(2) The nomination of individual school directors to serve until the first annual meeting of the interstate school district.

"E. HEARINGS.—If the planning committee recommends the formation of an interstate school district, it shall hold at least one public hearing on its report and the proposed articles of agreement within the proposed interstate school district in New Hampshire, and at least one public hearing thereon within the proposed interstate school district in Vermont. The planning committee shall give such notice thereof as it may determine to be reasonable, provided that such notice shall include at least one publication in a newspaper of general circulation within the proposed interstate school district not less than fifteen days (not counting the date of publication and not counting the date of the hearing) before the date of the first hearing. Such hearings may be adjourned from time to time and from place to place. The planning committee may revise the proposed articles of agreement after the date of the hearings. It shall not be required to hold further hearings on the revised articles of agreement but may hold one or more further hearings after notice similar to that required for the first hearings if the planning committee in its sole discretion determines that the revisions are so substantial in nature as to require further presentation to the public before submission to the state boards of education.

"F. APPROVAL BY STATE BOARDS.—After the hearings a copy of the proposed articles of agreement, as revised, signed by a majority of the planning committee, shall be submitted by it to each state board. The state boards may (a) if they find that the articles of agreement are in accord with the standards set forth in this compact and in accordance with sound educational policy, approve the same as submitted, or (b) refer them back to the planning committee for further study. The planning committee may make additional revisions to the proposed articles of agreement to conform to the recommendations of the state boards. Further hearings on the proposed articles of agreement shall not be required unless ordered by the state boards in their discretion. In exercising such discretion, the state boards shall take into account whether or not the additional revisions are so substantial in nature as to require further presentation to the public. If both state boards find that the articles of agreement as further revised are in accord with the standards set forth in this compact and in accordance with sound educational policy, they shall approve the same. After approval by both state boards, each state board shall cause the articles of agree-

ment to be submitted to the school boards of the several member districts in each state for acceptance by the member districts as provided in the following paragraph. At the same time, each state board shall designate the form of warrant, date, time, place, and period of voting for the special meeting of the member district to be held in accordance with the following paragraph.

"G. ADOPTION BY MEMBER DISTRICTS.—Upon receipt of written notice from the state board in its state of the approval of the articles of agreement by both state boards, the school board of each member district shall cause the articles of agreement to be filed with the member district clerk. Within ten days after receipt of such notice, the school board shall issue its warrant for a special meeting of the member district, the warrant to be in the form, and the meeting to be held at the time and place in the manner prescribed by the state board. No approval of the superior court shall be required for such special school district meeting in New Hampshire. Voting shall be with the use of the check list by a ballot substantially in the following form:

"Shall the school district accept the provisions of the New Hampshire-Vermont Interstate School Compact providing for the establishment of an interstate school district, together with the school districts of ----- and -----, etc., in accordance with the provisions of the proposed articles of agreement filed with the school district (town, city or incorporated school district) clerk?

"Yes (  ) No (  )"

"If the articles of agreement included the nomination of individual school directors, those nominated from each member district shall be included in the ballot and voted upon, such election to become effective upon the formation of an interstate school district.

"If a majority of the voters present and voting in a member district vote in the affirmative, the clerk for such member district shall forthwith send to the state board in its state a certified copy of the warrant, certificate of posting, and minutes of the meeting of the district. If the state boards of both states find that a majority of the voters present and voting in each member district have voted in favor of the establishment of the interstate school district, they shall issue a joint certificate to that effect; and such certificate shall be conclusive evidence of the lawful organization and formation of the interstate school district as of its date of issuance.

"H. RESUBMISSION.—If the proposed articles of agreement are adopted by one or more of the member districts but rejected by one or more of the member districts but rejected by one or more of the member districts, the state boards may resubmit them, in the same form as previously submitted, to the rejecting member districts, in which case the school boards thereof shall resubmit them to the voters in accordance with paragraph G of this article. An affirmative vote in accordance therewith shall have the same effect as though the articles of agreement had been adopted in the first instance. In the alternative, the state boards may either (a) discharge the planning committee, or (b) refer the articles of agreement back for further consideration to the same or a reconstituted planning committee, which shall have all of the powers and duties as the planning committee as originally constituted.

#### "ARTICLE III

##### "POWERS OF INTERSTATE SCHOOL DISTRICTS

"A. POWERS.—Each interstate school district shall be a body corporate and politic, with power to:

"a. To acquire, construct, extend, improve, staff, operate, manage and govern public schools within its boundaries;

"b. To sue and be sued, subject to the limitations of liability hereinafter set forth;

"c. To have a seal and alter the same at pleasure;

"d. To adopt, maintain and amend bylaws not inconsistent with this compact, and the laws of the two states;

"e. To acquire by purchase, condemnation, lease or otherwise, real and personal property for the use of its schools;

"f. To enter into contracts and incur debts;

"g. To borrow money for the purposes hereinafter set forth, and to issue its bonds or notes therefor;

"h. To make contracts with and accept grants and aid from the United States, the state of New Hampshire, the state of Vermont, any agency or municipality thereof, and private corporations and individuals for the construction, maintenance, reconstruction, operation and financing of its schools; and to do any and all things necessary in order to avail itself of such aid and cooperation;

"i. To employ such assistants, agents, servants, and independent contractors as it shall deem necessary or desirable for its purposes; and

"j. To take any other action which is necessary or appropriate in order to exercise any of the foregoing powers.

#### "ARTICLE IV

##### "DISTRICT MEETINGS

"A. GENERAL.—Votes of the district shall be taken at a duly warned meeting held at any place in the district, at which all of the eligible legal voters of the member districts shall be entitled to vote, except as otherwise provided with respect to the election of directors.

"B. ELIGIBILITY OF VOTERS.—Any resident who would be eligible to vote at a meeting of a member district being held at the same time, shall be eligible to vote at a meeting of the interstate district. The board of civil authority in each Vermont member district and the supervisors of the check list of each New Hampshire district shall respectively prepare a check list of eligible voters for each meeting of the interstate district in the same manner, and they shall have all the same powers and duties with respect to eligibility of voters in their districts as for a meeting of a member district.

"C. WARNING OF MEETINGS.—A meeting shall be warned by a warrant addressed to the residents of the interstate school district qualified to vote in district affairs, stating the time and place of the meeting and the subject matter of the business to be acted upon. The warrant shall be signed by the clerk and by a majority of the directors. Upon written application of ten or more voters in the district, presented to the directors or to one of them, at least twenty-five days before the day prescribed for an annual meeting, the directors shall insert in their warrant for such meeting any subject matter specified in such application.

"D. POSTING AND PUBLICATION OF WARRANT.—The directors shall cause an attested copy of the warrant to be posted at the place of meeting, and a like copy at a public place in each member district at least twenty days (not counting the date of posting and the date of meeting) before the date of the meeting. In addition, the directors shall cause the warrant to be advertised in a newspaper of general circulation on at least one occasion, such publication to occur at least ten days (not counting the date of publication and not counting the date of the meeting) before the date of the meeting. Although no further notice shall be required, the directors may give such further notice of the meeting as they in their discretion deem appropriate under the circumstances.

"E. RETURN OF WARRANT.—The warrant

with a certificate thereon, verified by oath, stating the time and place when and where copies of the warrant were posted and published, shall be given to the clerk of the interstate school district at or before the time of the meeting, and shall be recorded by him in the records of the interstate school district.

"F. ORGANIZATION MEETING.—The commissioners, acting jointly, shall fix a time and place for a special meeting of the qualified voters within the interstate school district for the purpose of organization, and shall prepare and issue the warrant for the meeting after consultation with the interstate school district planning board and the members-elect, if any, of the interstate school board of directors. Such meeting shall be held within sixty days after the date of issuance of the certificate of formation, unless the time is further extended by the joint action of the state boards. At the organization meeting the commissioner of education of the state where the meeting is held, or his designate, shall preside in the first instance, and the following business shall be transacted:

"a. A temporary moderator and a temporary clerk shall be elected from among the qualified voters who shall serve until a moderator and clerk respectively have been elected and qualified.

"b. A moderator, a clerk, a treasurer, and three auditors shall be elected to serve until the next annual meeting and thereafter until their successors are elected and qualified. Unless previously elected, a board of school directors shall be elected to serve until their successors are elected and qualified.

"c. The date for the annual meeting shall be established.

"d. Provision shall be made for the payment of any organizational or other expense incurred on behalf of the district before the organization meeting, including the cost of architects, surveyors, contractors, attorneys, and educational or other consultants or experts.

"e. Any other business, the subject matter of which has been included in the warrant, and which the voters would have had power to transact at an annual meeting.

"G. ANNUAL MEETINGS.—An annual meeting of the district shall be held between January fifteenth and June first of each year at such time as the interstate district may by vote determine. Once determined, the date of the annual meeting shall remain fixed until changed by vote of the interstate district at a subsequent annual or special meeting. At each annual meeting the following business shall be transacted:

"a. Necessary officers shall be elected.

"b. Money shall be appropriated for the support of the interstate district schools for the fiscal year beginning the following July first.

"c. Such other business as may properly come before the meeting.

"H. SPECIAL MEETINGS.—A special meeting of the district shall be held whenever, in the opinion of the directors, there is occasion therefor, or whenever written application shall have been made by five per centum or more of the voters (based on the check lists as prepared for the last preceding meeting) setting forth the subject matter upon which such action is desired. A special meeting may appropriate money without compliance with RSA 33:8 or RSA 197:3 which would otherwise require the approval of the New Hampshire superior court.

"I. CERTIFICATION OF RECORDS.—The clerk of an interstate school district shall have the power to certify the record of the votes adopted at an interstate school district meeting to the respective commissioners and state boards and (where required) for filing with a secretary of state.

"J. METHOD OF VOTING AT SCHOOL DISTRICT

MEETINGS.—Voting at meetings of interstate school districts shall take place as follows:

"a. SCHOOL DIRECTORS.—A separate ballot shall be prepared for each member district, listing the candidates for interstate school director to represent such member district; and any candidates for interstate school director at large; and the voters of each member district shall register on a separate ballot their choice for the office of school director or directors. In the alternative, the articles of agreement may provide for the election of school directors by one or more of the member districts at an election otherwise held for the choice of school or other municipal officers.

"b. OTHER VOTES.—Except as otherwise provided in the articles of agreement or this compact, with respect to all other votes (1) the voters of the interstate school district shall vote as one body irrespective of the member districts in which they are resident, and (2) a simple majority of those present and voting at any duly warned meeting shall carry the vote. Voting for officers to be elected at any meeting, other than school directors, shall be by ballot or voice, as the interstate district may determine, either in its articles of agreement or by a vote of the meeting.

#### "ARTICLE V

##### "OFFICERS

"A. OFFICERS: GENERAL.—The officers of an interstate school district shall be a board of school directors, a chairman of the board, a vice-chairman of the board, a secretary of the board, a moderator, a clerk, a treasurer and three auditors. Except as otherwise specifically provided, they shall be eligible to take office immediately following their election; they shall serve until the next annual meeting of the interstate district and until their successors are elected and qualified. Each shall take oath for the faithful performance of his duties before the moderator, or a notary public or a justice of the peace of the state in which the oath is administered. Their compensation shall be fixed by vote of the district. No person shall be eligible to any district office unless he is a voter in the district. A custodian, school teacher, principal, superintendent or other employee of an interstate district acting as such shall not be eligible to hold office as a school director.

##### "B. BOARD OF DIRECTORS.—

"a. HOW CHOSEN.—Each member district shall be represented by at least one resident on the board of school directors of an interstate school district. A member district shall be entitled to such further representation on the interstate board of school directors as provided in the articles of agreement as amended from time to time. The articles of agreement as amended from time to time may provide for school directors at large, as above set forth. No person shall be disqualified to serve as a member of an interstate board because he is at the same time a member of the school board of a member district.

"b. TERM.—Interstate school directors shall be elected for terms in accordance with the articles of agreement.

"c. DUTIES OF BOARD OF DIRECTORS.—The board of school directors of an interstate school district shall have and exercise all of the powers of the district not reserved herein to the voters of the district.

"d. ORGANIZATION.—The clerk of the district shall warn a meeting of the board of school directors to be held within ten days following the date of the annual meeting, for the purpose of organizing the board, including the election of its officers.

"c. CHAIRMAN OF THE BOARD.—The chairman of the board of interstate school directors shall be elected by the interstate board from among its members at its first meeting following the annual meeting. The chairman shall preside at the meetings of the board and shall perform such other duties as the board may assign to him.

"D. VICE-CHAIRMAN OF THE BOARD OF DIRECTORS.—The vice-chairman of the interstate board shall be elected in the same manner as the chairman. He shall represent a member district in a state other than that represented by the chairman. He shall preside in the absence of the chairman and shall perform such other duties as may be assigned to him by the interstate board.

"E. SECRETARY OF THE BOARD.—The Secretary of the interstate board shall be elected in the same manner as the chairman. Instead of electing one of its members, the interstate board may appoint the interstate district clerk to serve as secretary of the board in addition to his other duties. The secretary of the interstate board (or the interstate district clerk, if so appointed) shall keep the minutes of its meetings, shall certify its records, and perform such other duties as may be assigned to him by the board.

"F. MODERATOR.—The moderator shall preside at the district meetings, regulate the business thereof, decide questions of order, and make a public declaration of every vote passed. He may prescribe rules of procedure; but such rules may be altered by the district. He may administer oaths to district officers in either state.

"G. CLERK.—The clerk shall keep a true record of all proceedings at each district meeting, shall certify its records, shall make an attested copy of any records of the district for any person upon request and tender of reasonable fees therefor, if so appointed, shall serve as secretary of the board of school directors, and shall perform such other duties as may be required by custom or law.

"H. TREASURER.—The treasurer shall have custody of all of the moneys belonging to the district and shall pay out the same only upon the order of the interstate board. He shall keep a fair and accurate account of all sums received into and paid from the interstate district treasury, and at the close of each fiscal year he shall make a report to the interstate district, giving a particular account of all receipts and payments during the year. He shall furnish to the interstate directors, statements from his books and submit his books and vouchers to them and to the district auditors for examination whenever so requested. He shall make all returns called for by laws relating to school districts. Before entering on his duties, the treasurer shall give a bond with sufficient sureties and in such sum as the directors may require. The treasurer's term of office is from July 1 to the following June 30.

"I. AUDITORS.—At the organization meeting of the district, three auditors shall be chosen, one to serve for a term of one year, one to serve for a term of two years, and one to serve for a term of three years. After the expiration of each original term, the successor shall be chosen for a three year term. At least one auditor shall be a resident of New Hampshire, and one auditor shall be a resident of Vermont. An interstate district may vote to employ a certified public accountant to assist the auditors in the performance of their duties. The auditors shall carefully examine the accounts of the treasurer and the directors at the close of each fiscal year, and at such other times whenever necessary, and report to the district whether the same are correctly cast and properly vouched.

"J. SUPERINTENDENT.—The superintendent of schools shall be selected by a majority vote of the board of school directors of the interstate district with the approval of both commissioners.

"K. VACANCIES.—Any vacancy among the elected officers of the district shall be filled by the interstate board until the next annual meeting of the district or other election, when a successor shall be elected to serve out the remainder of the unexpired term, if any. Until all vacancies on the interstate

board are filled, the remaining members shall have full power to act.

#### "ARTICLE VI

##### "APPROPRIATION AND APPORTIONMENT OF FUNDS

"A. BUDGET.—Before each annual meeting, the interstate board shall prepare a report of expenditures for the preceding fiscal year, an estimate of expenditures for the current fiscal year, and a budget for the succeeding fiscal year.

"B. APPROPRIATION.—The interstate board of directors shall present the budget report of the annual meeting. The interstate district shall appropriate a sum of money for the support of its schools and for the discharge of its obligations for the ensuing fiscal year.

"C. APPORTIONMENT OF APPROPRIATION.—Subject to the provisions of article VII hereof, the interstate board shall first apply against such appropriation any income to which the interstate district is entitled, and shall then apportion the balance among the member districts in accordance with one of the following formulas as determined by the articles of agreement as amended from time to time:

"a. All of such balance to be apportioned on the basis of the ratio that the fair market value of the taxable property in each member district bears to that of the entire interstate district; or

"b. All of such balance to be apportioned on the basis that the average daily resident membership for the preceding fiscal year of each member district bears to that of the average daily resident membership of the entire interstate school district; or

"c. A formula based on any combination of the foregoing factors. The term 'fair market value of taxable property' shall mean the last locally assessed valuation of a member district in New Hampshire, as last equalized by the New Hampshire state tax commission.

"The term 'fair market value of taxable property' shall mean the equalized grand list of a Vermont member district, as determined by the Vermont department of taxes.

"Such assessed valuation and grand list may be further adjusted (by elimination of certain types of taxable property from one or the other or otherwise) in accordance with the articles of agreement, in order that the fair market value of taxable property in each state shall be comparable.

"Average daily resident membership' of the interstate district in the first instance shall be the sum of the average daily resident membership of the member districts in the grades involved for the preceding fiscal year where no students were enrolled in the interstate district schools for such preceding fiscal year.

"D. SHARE OF NEW HAMPSHIRE MEMBER DISTRICT.—The interstate board shall certify the share of a New Hampshire member district of the total appropriation to the school board of each member district which shall add such sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district. The interstate district shall not set up its own capital reserve funds; but a New Hampshire member district may set up a capital reserve fund in accordance with RSA 35, to be turned over to the interstate district in payment of the New Hampshire member district's share of any anticipated obligations.

"E. SHARE OF VERMONT MEMBER DISTRICT.—The interstate board shall certify the share of a Vermont member district of the total appropriation to the school board of each member district which shall add sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district.

"ARTICLE VIII  
"BORROWING

"A. INTERSTATE DISTRICT INDEBTEDNESS.—Indebtedness of an interstate district shall be a general obligation of the district and shall also be a joint and several general obligation of each member district, except that such obligations of the district and its member districts shall not be deemed indebtedness of any member district for the purposes of determining its borrowing capacity under New Hampshire or Vermont law. A member district which withdraws from an interstate district shall remain liable for indebtedness of the interstate district which is outstanding at the time of withdrawal and shall be responsible for paying its share of such indebtedness to the same extent as though it had not been withdrawn.

"B. TEMPORARY BORROWING.—The interstate board may authorize the borrowing of money by the interstate district (1) in anticipation of payments of operating and capital expenses by the member districts to the interstate districts and (2) in anticipation of the issue of bonds or notes of the interstate district which have been authorized for the purpose of financing capital projects. Such temporary borrowing shall be evidenced by interest bearing or discounted notes of the interstate district. The amount of notes issued in any fiscal year in anticipation of expense payments shall not exceed the amount of such payments received by the interstate district in the preceding fiscal year. Notes issued under this paragraph shall be payable within one year in the case of notes under clause (1) and three years in the case of notes under clause (2) from their respective dates, but the principal of and interest on notes issued for a shorter period may be renewed or paid from time to time by the issue of other notes, provided that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt shall not exceed the maximum period permitted for the original loan.

"C. BORROWING FOR CAPITAL PROJECTS.—An interstate district may incur debt and issue its bonds or notes to finance capital projects. Such projects may consist of the acquisition or improvement of land and buildings for school purposes, the construction, reconstruction, alteration, or enlargement of school buildings and related school facilities, the acquisition of equipment of a lasting character and the payment of judgments. No interstate district may authorize indebtedness in excess of ten percent of the total fair market value of taxable property in its member districts as defined in article VI of this compact. The primary obligation of the interstate district to pay indebtedness of member districts shall not be considered indebtedness of the interstate district for the purpose of determining its borrowing capacity under this paragraph. Bonds or notes issued under this paragraph shall mature in equal or diminishing installments of principal payable at least annually commencing no later than two years and ending not later than thirty years after their dates.

"D. AUTHORIZATION PROCEEDINGS.—An interstate district shall authorize the incurring of debts to finance capital projects by a majority vote of the district passed at an annual or special district meeting. Such vote shall be taken by secret ballot after full opportunity for debate, and any such vote shall be subject to reconsideration and further action by the district at the same meeting or at an adjourned session thereof.

"E. SALE OF BONDS AND NOTES. Bonds and notes which have been authorized under this article may be issued from time to time and shall be sold at not less than par and accrued interest at public or private sale by the chairman of the school board and by the treasurer. Interstate district bonds and notes shall be

signed by the said officers, except that either one of the two required signatures may be a facsimile. Subject to this compact and the authorizing vote, they shall be in such form, bear such rates of interest and mature at such times as the said officers may determine. Bonds shall, but notes need not, bear the seal of the interstate district, or a facsimile of such seal. Any bonds or notes of the interstate district which are properly executed by the said officers shall be valid and binding according to their terms notwithstanding that before the delivery thereof such officers may have ceased to be officers of the interstate district.

"F. PROCEEDS OF BONDS.—Any accrued interest received upon delivery of bonds or notes of an interstate district shall be applied to the payment of the first interest which becomes due thereon. The other proceeds of the sale of such bonds or notes, other than temporary notes, including any premiums, may be temporarily invested by the interstate district pending their expenditure; and such proceeds, including any income derived from the temporary investment of such proceeds, shall be used to pay the costs of issuing and marketing the bonds or notes and to meet the operating expenses or capital expenses in accordance with the purposes for which the bonds or notes were issued or, by proceedings taken in the manner required for the authorization of such debt, for other purposes for which such debt could be incurred. No purchaser of any bonds or notes of an interstate district shall be responsible in any way to see to the application of the proceeds thereof.

"G. STATE AID PROGRAMS.—As used in this paragraph the term 'initial aid' shall include New Hampshire and Vermont financial assistance with respect to a capital project, or the means of financing a capital project, which is available in connection with construction costs of a capital project or which is available at the time indebtedness is incurred to finance the project. Without limiting the generality of the foregoing definition, initial aid shall specifically include a New Hampshire state guarantee under RSA 195-B with respect to bonds or notes and Vermont construction aid under chapter 123 of 16 V.S.A. As used in this paragraph the term 'long-term aid' shall include New Hampshire and Vermont financial assistance which is payable periodically in relation to capital costs incurred by an interstate district. Without limiting the generality of the foregoing definition, long-term aid shall specifically include New Hampshire school building aid under RSA 198 and Vermont school building aid under chapter 123 of Title 16 V.S.A. For the purpose of applying for, receiving and expending initial aid and long-term aid an interstate district shall be deemed a native school district by each state, subject to the following provisions. When an interstate district has appropriated money for a capital project, the amount appropriated shall be divided into a New Hampshire share and a Vermont share in accordance with the capital expense apportionment formula in the articles of agreement as though the total amount appropriated for the project was a capital expense requiring apportionment in the year the appropriation is made. New Hampshire initial aid shall be available with respect to the amount of the New Hampshire share as though it were authorized indebtedness of a New Hampshire cooperative school district. In the case of a state guarantee of interstate districts bonds or notes under RSA 195-B, the interstate district shall be eligible to apply for and receive an unconditional state guarantee with respect to an amount of its bonds or notes which does not exceed fifty per cent of the amount of the New Hampshire share as determined above. Vermont initial aid shall be available with respect to the amount of the Vermont share

as though it were funds voted by a Vermont school district. Payments of Vermont initial aid shall be made to the interstate district, and the amount of any borrowing authorized to meet the appropriation for the capital project shall be reduced accordingly. New Hampshire and Vermont long-term aid shall be payable to the interstate district. The amounts of long-term aid in each year shall be based on the New Hampshire and Vermont shares of the amount of indebtedness of the interstate district which is payable in that year and which has been apportioned in accordance with the capital expense apportionment formula in the articles of agreement. The New Hampshire aid shall be payable at the rate of forty-five per cent, if there are three or less New Hampshire members in the interstate district, and otherwise it shall be payable as though the New Hampshire members were a New Hampshire cooperative school district. New Hampshire and Vermont long-term aid shall be deducted from the total capital expenses for the fiscal year in which the long-term aid is payable, and the balance of such expenses shall be apportioned among the member districts. Notwithstanding the foregoing provisions, New Hampshire and Vermont may at any time change their state school aid programs that are in existence when this compact takes effect and may establish new programs, and any legislation for these purposes may specify how such programs shall be applied with respect to interstate districts.

"H. TAX EXEMPTION.—Bonds and notes of an interstate school district shall be exempt from local property taxes in both states, and the interest or discount thereon and any profit derived from the disposition thereof shall be exempt from personal income taxes in both states.

"ARTICLE VIII

"TAKING OVER OF EXISTING PROPERTY

"A. POWER TO ACQUIRE PROPERTY OF MEMBER DISTRICT.—The articles of agreement, or an amendment thereof, may provide for the acquisition by an interstate district from a member district of all or a part of its existing plant and equipment.

"B. VALUATION.—The articles of agreement, or the amendment, shall provide for the determination of the value of the property to be acquired in one or more of the following ways:

"a. A valuation set forth in the articles of agreement or the amendment.

"b. By appraisal, in which case, one appraiser shall be appointed by each commissioner, and a third appraiser appointed by the first two appraisers.

"C. REIMBURSEMENT TO MEMBER DISTRICT.—The articles of agreement shall specify the method by which the member district shall be reimbursed by the interstate district for the property taken over, in one or more of the following ways:

"a. By one lump sum, appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"b. In installments over a period of not more than twenty years, each of which is appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"c. By an agreement to assume or reimburse the member district for all principal and interest on any outstanding indebtedness originally incurred by the member district to finance the acquisition and improvement of the property, each such installment to be appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"The member district transferring the property shall have the same obligation to pay to the interstate district its share of the cost of such acquisition, but may offset its right to reimbursement.

## "ARTICLE IX

## "AMENDMENTS TO ARTICLES OF AGREEMENT

"A. Amendments to the articles of agreement may be adopted in the same manner provided for the adoption of the original articles of agreement, except that:

"a. Unless the amendment calls for the addition of a new member district, the functions of the planning committee shall be carried out by the interstate district board of directors.

"b. If the amendment proposes the addition of a new member district, the planning committee shall consist of all of the members of the interstate board and all of the members of the school board of the proposed new member district or districts. In such case the amendment shall be submitted to the voters at an interstate district meeting, at which an affirmative vote of two-thirds of those present and voting shall be required. The articles of agreement together with the proposed amendment shall be submitted to the voters of the proposed new member district at a meeting thereof, at which a simple majority of those present and voting shall be required.

"c. In all cases an amendment may be adopted on the part of an interstate district upon the affirmative vote of voters thereof at a meeting voting as one body. Except where the amendment proposes the admission of a new member district, a simple majority of those present and voting shall be required for adoption.

"d. No amendment to the articles of agreement may impair the rights of bond or note holders or the power of the interstate district to procure the means for their payment.

## "ARTICLE X

## "APPLICABILITY OF NEW HAMPSHIRE LAWS

"A. GENERAL SCHOOL LAWS.—With respect to the operation and maintenance of any school of the district located in New Hampshire, the provisions of New Hampshire law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

"B. NEW HAMPSHIRE STATE AID.—A New Hampshire school district shall be entitled to receive an amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the New Hampshire member district, and as though the New Hampshire member district pupils attending the interstate school were attending a New Hampshire cooperative school district's school. The state aid shall be paid to the New Hampshire member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

"C. CONTINUED EXISTENCE OF THE NEW HAMPSHIRE MEMBER SCHOOL DISTRICT.—A New Hampshire member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not therein delegated to the interstate dis-

trict. The New Hampshire member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor, unless the indebtedness is specifically assumed in accordance with the articles of agreement. Any trust funds or capital reserve funds and any property not taken over by the interstate district shall be retained by the New Hampshire member district and held or disposed of according to law. If all of the schools in a member district are incorporated into an interstate district, then no annual meeting of the member district shall be required unless the members of the interstate board from the member district shall determine that there is occasion for such an annual meeting.

"D. SUIT AND SERVICE OF PROCESS IN NEW HAMPSHIRE.—The courts of New Hampshire shall have the same jurisdiction over the district as though a New Hampshire member district were a party instead of the interstate district. The service necessary to institute suit in New Hampshire shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who reside in New Hampshire, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

"E. EMPLOYMENT.—Each employee of an interstate district assigned to a school located in New Hampshire shall be considered an employee of a New Hampshire school district for the purpose of the New Hampshire teachers' retirement system, the New Hampshire State employees' retirement system, the New Hampshire workmen's compensation law and any other law relating to the regulation of employment or the provision of benefits for employees of New Hampshire school districts except as follows:

"1. A teacher in a New Hampshire member district may elect to remain a member of the New Hampshire teachers' retirement system, even though assigned to teach in an interstate school in Vermont.

"2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of New Hampshire or the state of Vermont but in no case will they participate in both retirement systems simultaneously.

"3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedure of the retirement systems; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

## "ARTICLE XI

## "APPLICABILITY OF VERMONT LAWS

"A. GENERAL SCHOOL LAWS.—With respect to the operation and maintenance of any school of the district located in Vermont, the provisions of Vermont law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

"B. VERMONT STATE AID.—A Vermont school district shall be entitled to receive such amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the

Vermont member district, and as though the Vermont member district pupils attending the interstate schools were attending a Vermont union school district's schools. Such state aid shall be paid to the Vermont member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

"C. CONTINUED EXISTENCE OF VERMONT MEMBER SCHOOL DISTRICT.—A Vermont member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not herein delegated to the interstate district. The Vermont member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor. Any trust funds and any property not taken over shall be retained by the Vermont member school district and held or disposed of according to law.

"D. SUIT AND SERVICE OF PROCESS IN VERMONT.—The courts of Vermont shall have the same jurisdiction over the districts as though a Vermont member district were a party instead of the interstate district. The service necessary to institute suit in Vermont shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who resides in Vermont, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

"E. EMPLOYMENT.—Each employee of an interstate district assigned to a school located in Vermont shall be considered an employee of a Vermont school district for the purpose of the state teachers' retirement system of Vermont, the state employees' retirement system, the Vermont workmen's compensation law, and any other law relating to the regulation of employment or the provision of benefits for employees of Vermont school districts except as follows:

"1. A teacher in a Vermont member district may elect to remain a member of the state teachers' retirement system of Vermont, even though assigned to teach in an interstate school in New Hampshire.

"2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of Vermont or the state of New Hampshire but in no case will they participate in both retirement systems simultaneously.

"3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedures of the retirement systems; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

**"ARTICLE XII****"ADOPTION OF COMPACT BY DRESDEN SCHOOL DISTRICT**

"The Dresden School District, otherwise known as the Hanover-Norwich Interstate School District, authorized by New Hampshire laws of 1961, chapter 116, and by the laws of Vermont, is hereby authorized to adopt the provisions of this compact and to become an interstate school district within the meaning hereof, upon the following conditions and subject to the following limitations:

"a. Articles of agreement shall be prepared and signed by a majority of the directors of the interstate school district.

"b. The articles of agreement shall be submitted to an annual or special meeting of the Dresden district for adoption.

"c. An affirmative vote of two-thirds of those present and voting shall be required for adoption.

"d. Nothing contained therein, or in this compact, as it affects the Dresden School District shall affect adversely the rights of the holders of any bonds or other evidences of indebtedness then outstanding, or the rights of the district to procure the means for payment thereof previously authorized.

"e. The corporate existence of the Dresden School District shall not be terminated by such adoption of articles of amendment, but shall be deemed to be so amended that it shall thereafter be governed by the terms of this compact.

**"ARTICLE XIII****"MISCELLANEOUS PROVISIONS**

"A. STUDIES.—Insofar as practicable, the studies required by the laws of both states shall be offered in an interstate school district.

"B. TEXTBOOKS.—Textbooks and scholar's supplies shall be provided at the expense of the interstate district for pupils attending its schools.

"C. TRANSPORTATION.—The allocation of the cost of transportation in an interstate school district, as between the interstate district and the member districts, shall be determined by the articles of agreement.

"D. LOCATION OF SCHOOLHOUSES.—In any case where a new schoolhouse or other school facility is to be constructed or acquired, the interstate board shall first determine whether it shall be located in New Hampshire or in Vermont. If it is to be located in New Hampshire, RSA 199, relating to schoolhouses, shall apply. If it is to be located in Vermont, the Vermont law relating to schoolhouses shall apply.

"E. FISCAL YEAR.—The fiscal year of each interstate district shall begin on July first of each year and end on June thirtieth of the following year.

"F. IMMUNITY FROM TORT LIABILITY.—Notwithstanding the fact that an interstate district may derive income from operating profit, fees, rentals, and other services, it shall be immune from suit and from liability for injury to persons or property and for other torts caused by it or its agents, servants or independent contractors, except insofar as it may have undertaken such liability under RSA 281:7 relating to workmen's compensation, or RSA 412:3 relating to the procurement of liability insurance by a governmental agency and except insofar as it may have undertaken such liability under 21 V.S.A. Section 621 relating to workmen's compensation or 29 V.S.A. Section 1403 relating to the procurement of liability insurance by a governmental agency.

"G. ADMINISTRATIVE AGREEMENT BETWEEN COMMISSIONERS OF EDUCATION.—The commissioners of education of New Hampshire and Vermont may enter into one or more administrative agreements prescribing the relationship between the interstate districts, member districts, and each of the two state departments of education, in which any con-

licts between the two states in procedure, regulations, and administrative practices may be resolved.

"H. AMENDMENT.—Neither state shall amend its legislation or any agreement authorized thereby without the consent of the other in such manner as to substantially adversely affect the rights of the other state or its people hereunder, or as to substantially impair the rights of the holders of any bonds or notes or other evidences of indebtedness then outstanding or the rights of an interstate school district to procure the means for payment thereof. Subject to the foregoing any reference herein to other statutes of either state shall refer to such statute as it may be amended or revised from time to time.

"I. SEPARABILITY.—If any of the provisions of this compact, or legislation enabling the same, shall be held invalid or unconstitutional in relation to any of the applications thereof, such invalidity or unconstitutionality shall not affect other applications thereof or other provisions thereof; and to this end the provisions of this compact are declared to be severable.

"J. INCONSISTENCY OF LANGUAGE.—The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the two states.

**"ARTICLE XIV****"EFFECTIVE DATE**

"This compact shall become effective when agreed to by the States of New Hampshire and Vermont and approved by the United States Congress."

Sec. 2. The right to alter, amend, or repeal this Act is expressly reserved.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-143), explaining the purposes of the bill.

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

**PURPOSE**

The purpose of the bill is to authorize a compact to encourage the formation of interstate school districts between New Hampshire and Vermont, each composed of a natural social and economic region with adequate financial resources and a number of pupils sufficient to permit the efficient use of school facilities within the interstate district and to provide improved instruction. The formation of any such interstate school district and the adoption of its articles of agreement would be subject to the approval of the State boards of education of both States.

**STATEMENT**

The committee in the 90th Congress reported favorably a bill (S. 3269) which was identical to S. 278 of the 91st Congress, and in its statement on S. 3269 related the following:

The Department of Health, Education, and Welfare has no objection to the enactment of this legislation.

The Legislatures of Vermont and New Hampshire have enacted an interstate school compact to enable adjoining communities in both States to form a cooperative school system on an educationally and economically sound basis. The interstate school compact is patterned after the similar legislation enacted by both States authorizing the establishment of the Dresden Interstate School District composed of the towns of Hanover, N.H. and Norwich, Vt. The Congress gave its consent to the establishment of this interstate school district in 1963 and the supreme court in each State found the legislation entirely proper.

The prototype interstate school district

between Norwich and Hanover has proved so successful that other towns want to have the opportunity to use this method of providing quality educational programs for their children. The town of Lyme, N.H. has indicated an interest in being included in the present Dresden Interstate School District. Following passage of the interstate compact in New Hampshire in 1957, other towns, including Fairlee, Canaan, and Bradford in Vermont and Orford and Lyme in New Hampshire have begun exploratory discussions to establish an interstate school district. Passage of the act in Vermont has accelerated these studies. The towns of Barnet, Vt., and Monroe, N.H., are prepared to establish an interstate district as soon as the legislation is finally approved. There are strong economic and social ties between many other towns also. However, the political barrier of the Connecticut River has in the past prevented these communities from planning for their educational needs along these natural avenues. Generally, the towns are without sufficient financial resources to provide a comprehensive educational program by themselves. The natural economic and community ties which span the Connecticut River have prevented school district consolidation with towns east of and west of the river. Accordingly, this legislation would be of immense assistance to these towns in evolving a community educational system.

The legislation reflects the traditions of both New Hampshire and Vermont by requiring a local referendum on the formation of consolidated school districts. The interstate school compact is primarily designed to insure fair apportioning of school board representation, financial support, and sharing in State assistance to the school districts involved. The legislation provides that communities wishing to join in an interstate school district must first reach an agreement on all the vital matters relating to the government of such a district. There is flexibility in allowing these communities to reach their own solutions to problems that might arise, although such solutions would have to be approved by the Commissioner of Education in each State.

The primary effect of the legislation is to permit the towns involved to solve their educational problems along congenial community lines without hindrance by the State boundary line.

Copies of the legislative enactments approving this legislation by the States of New Hampshire and Vermont are contained in the files of the committee.

After a review of the foregoing, the committee adheres to its recommendation on S. 3269 of the 90th Congress and recommends that the bill S. 278 be considered favorably.

**DR. LYDIA L. LAZARO**

The bill (S. 465) for the relief of Dr. Lydia L. Lazaro was considered, ordered to be engrossed for a third reading, read to the third time, and passed, as follows:

S. 465

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Lydia L. Lazaro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 25, 1958.*

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-144), explaining the purposes of the bill.

There being no objection, the excerpt

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Lydia L. Lazaro as of March 25, 1958, thus enabling her to file a petition for naturalization.

DR. JAIME E. LAZARO

The bill (S. 464) for the relief of Dr. Jaime E. Lazaro was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 464

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jaime E. Lazaro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 29, 1957.*

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-145), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Jaime E. Lazaro as of June 29, 1957, thus enabling him to file a petition for naturalization.

FOO YING YEE

The bill (S. 354) for the relief of Foo Ying Yee was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 354

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (19) of section 212(a) of the Immigration and Nationality Act, Foo Ying Yee may be issued an immigration visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act. This Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of enactment of this Act.*

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-146), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has attempted to obtain a passport by misrepresentation in behalf of the son of a lawful permanent resident of the United States.

DR. KONSTANTINOS NICHOLAOS BABALIAROS

The bill (S. 330) for the relief of Dr. Konstantinos Nikolaos Babaliaros was

considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 330

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Konstantinos Nikolaos Babaliaros shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 27, 1962.*

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-147), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

BLANDINA SALVADOR

The bill (S. 245) for the relief of Blandina Salvador was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 245

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Blandina Salvador shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act during the current fiscal year or the fiscal year next following.*

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-148), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Blandina Salvador. The bill provides for the payment of the required visa fee and for an appropriate visa number deduction.

DR. ORLANDO FAJARDO VARGAS

The bill (S. 150) for the relief of Dr. Orlando Fajardo Vargas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 150

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Orlando Fajardo Vargas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 9, 1963.*

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-149), explaining the purpose of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Orlando Fajardo Vargas as of February 9, 1963, thus enabling him to file a petition for naturalization.

HON CHUN ENG

The Senate proceeded to consider the bill (S. 684) for the relief of Hon. Chun Eng, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That notwithstanding the provision of section 212(a)(19) of the Immigration and Nationality Act, Hon. Chun Eng may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-150), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill as amended is to waive the excluding provision of existing law relating to one who has falsely claimed U.S. citizenship in behalf of Hon. Chun Eng. The bill as introduced would grant the beneficiary permanent residence in the United States. The committee feels that a waiver of the excludable ground is more appropriate and if granted would enable him to obtain a visa outside of the United States.

CHRISTINA BANGAWAYAN

The Senate proceeded to consider the bill (S. 244) for the relief of Christina Bangeawayan, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 4, after the word "Act," strike out "Christina Bangeawayan" and insert "Cristina Bangawayan"; so as to make the bill read:

S. 244

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Cristina Bangawayan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the*

total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act during the current fiscal year or the fiscal year next following.

The amendment was agreed to.

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

The title was amended, so as to read: "A bill for the relief of Cristina Bangcawayan."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-151), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Cristina Bangcawayan. The bill provides for the payment of the required visa fee and for an appropriate visa number deduction. The purpose of the amendment is to correct the spelling of the beneficiary's first name.

ADULT EDUCATION WEEK

The joint resolution (S.J. Res. 45) to authorize the President to issue a proclamation designating the period beginning September 1, 1969, and ending September 7, 1969, as "Adult Education Week," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas education, training, and jobs for the poor permit the people of the United States to exercise their indispensable rights—to earn a respectable living and to be accepted as equally productive members of the society; and

Whereas the complexity of life has been immeasurably heightened by the growth of knowledge, technology, new means of mobility, and communication; and

Whereas all adults can profitably continue their education to assist them in employment skills and meeting their responsibilities as parents and citizens; and

Whereas high-quality, comprehensive and continuing education to meet existing and new needs of adult learners is a fruitful investment for the vitality, security, and prosperity of our citizens and our Nation: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized and requested to issue a proclamation designating the period beginning September 1, 1969, and ending September 7, 1969, as "Adult Education Week", and calling upon the people of the United States, especially the educational community, to observe such week with appropriate ceremonies and activities.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-152), explaining the purposes of the joint resolution.

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

PURPOSE

The purpose of the joint resolution is to authorize the President of the United States to issue a proclamation designating the pe-

riod beginning September 1, 1969, and ending September 7, 1969, as "Adult Education Week," and to call upon the people of the United States, especially the educational community, to observe such week with appropriate ceremonies and activities.

NATIONAL FAMILY HEALTH WEEK

The joint resolution (S.J. Res. 46) to authorize the President to designate the period beginning November 16, 1969, and ending November 22, 1969, as "National Family Health Week," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas good health is a blessing prized above all others by every citizen,

Whereas the well-being of the Nation depends upon the maintenance of good health among all segments and elements of our population,

Whereas the family physician performs a critical service to the Nation in the maintenance of health and the prevention of disease,

Whereas the Nation's family doctors have a unique responsibility in the American health care system, since they are the individual's primary source of contact with the medical profession,

Whereas the dedication and skill of family physicians have served as the foundation of medical progress in this Nation,

Whereas the family doctor's role as a physician and counselor to the whole person and the entire family embraces the widest scope of basic medical necessity, including advice on subjects ranging from personal health to family planning to emotional well-being, and

Whereas the American Academy of General Practice, national professional association of family physicians is conducting a continuing effort to educate the public in the progress of our health care system and supports measures for its improvement: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Members of the Ninety-first Congress request the President of the United States officially to proclaim the week of November 16 to 22 as National Family Health Week as a means of focusing national attention during the year upon the accomplishments of the American health care system and the central role played by the family physician in the maintenance of superior medical care for Americans of all ages and from all walks of life.

The preamble was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-153), explaining the purposes of the joint resolution.

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

PURPOSE

The purpose of the joint resolution is to authorize and request the President to proclaim the week of November 16 through 22, 1969, as "National Family Health Week."

PROFESSIONAL PHOTOGRAPHY WEEK IN AMERICA

The joint resolution (S.J. Res. 77) to authorize the President to designate the period beginning June 8, 1969, and ending June 14, 1969, as "Professional

Photography Week in America," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That, as a tribute to the importance of professional photography in American life and in recognition of Photo Expo, the largest photographic exhibition ever held in the United States, the President is authorized and requested to issue a proclamation designating the period beginning June 8, 1969, and ending June 14, 1969, as "Professional Photography Week in America", and calling upon the people of the United States and interested groups and organizations to observe such week with appropriate ceremonies and activities.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-154), explaining the purposes of the bill.

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

PURPOSE

The purpose of the joint resolution is to authorize the President of the United States to issue a proclamation designating the period beginning June 8, 1969, and ending June 14, 1969, as "Professional Photography Week in America."

BILL PASSED OVER

The bill (S. 1248) for the relief of Erman-Howell Division, Luria Steel & Trading Corp. was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

RESOLUTION IN HONOR OF AMELIA EARHART AND JOAN MERRIAM SMITH

The Senate proceeded to consider the joint resolution (S.J. Res. 81) in honor of Amelia Earhart and Joan Merriam Smith which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 3, after the word "issue" strike out "annually"; at the beginning of line 5, insert "1969,"; after the amendment just above stated strike out "in each year"; after line 7, strike out:

SEC. 2. In recognition of the aviation achievements for the United States by Amelia Earhart who blazed the frontier of aviation for all women and all Americans and by Joan Merriam Smith who dreamed of, lived for, and fulfilled the achievement of flying solo the uncompleted 1937 Earhart Equator route, the Congress recommends the names of both aviatrixes to the President for consideration of the awarding of the Presidential Medal of Freedom, posthumously, as provided under Executive Order 9586 of July 6, 1945, as amended (5 U.S.C. 4504 note), or of such other appropriate award as the President may authorize.

And, on page 3, after line 2, strike out:

SEC. 3. The Postmaster General is authorized and directed to give consideration to the issuance of a special series of airmail stamps commemorating Joan Merriam Smith's world flight and honoring the Civil Air Patrol, of which she was a cadet member. Such stamp shall be first issued on May

12 in as early a year as practicable in such denomination and design, and for such period, as the Postmaster General may prescribe.

So as to make the joint resolution read:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and directed to issue a proclamation designating the 12th day of May, 1969, as "Amelia Earhart-Joan Merriam Smith Aviation Day", in honor of these two American aviatrixes.*

The preamble was agreed to.

The amendments were agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-156), explaining the purposes of the joint resolution.

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

#### PURPOSE

The purpose of the joint resolution is to honor the memory of Amelia Earhart and Joan Merriam Smith.

#### STATEMENT BY SENATOR GOLDWATER

I have the pleasure of introducing today for myself and several other Senators a joint resolution to provide official national recognition of the achievements of two of America's greatest women pilots, Amelia Earhart and Joan Merriam Smith.

I am sure we all remember the feats and records established by these courageous women. Miss Earhart, who was born of the same generation as Charles Lindbergh, became the first woman to match Lindy's classic feat of flying the Atlantic solo. In 1928, only a year after Lindbergh had achieved his record, Miss Earhart, flying with two others, became the first woman transatlantic flier. Then, in 1932, exactly 5 years after Lindbergh had pointed the way, Amelia Earhart established a world record by becoming the first woman to fly the Atlantic alone. Of course, Miss Earhart achieved many additional flying "firsts" and was the winner of aviation's highest award, the Harmon International Aviation Trophy, on three separate occasions.

The final adventure of this great heroine has become a legend. Flying the roughest route conceivable in the days of no aids or maps, Amelia Earhart and her navigator, Fred Noonan, disappeared outside New Guinea while attempting a round-the-world trip. The mystery concerning her last flight still persists. But we all know that the trip planned by her was charted as a complete world route, staying as close to the equator as airfields would permit, and intended to cross a distance of 27,000 miles.

This goal, that last dream of Amelia Earhart, was not to be fulfilled until this decade. On March 17, 1964, exactly 27 years to the day after Miss Earhart lifted off from Oakland on her world attempt, Joan Merriam Smith taxied her Piper Apache onto the same takeoff point and began a flight no other woman had attempted except one. Born within a year of the tragic disappearance of Amelia Earhart, Joan Merriam Smith had dreamed from early childhood of flying alone around the world and following the same route planned by Miss Earhart. And so she began the flight, both to fulfill her own ambition and to complete the goal inspired by Amelia Earhart.

Her trip took 57 days from March 17 to May 12. Forty-five percent of her trip was over areas having no air traffic and few ra-

dio aids. Many times she had to forecast her own weather. At the end, Joan Merriam Smith succeeded in achieving one of the most remarkable records in aviation. She was not only the first solo pilot, man or woman, to circumnavigate the globe, but she had made the longest solo flight in history. In all, her trip established six world records.

Mr. President, the basis for this joint resolution is clear. These distinguished American women have earned the fullest recognition that Congress can offer. The American people, and particularly the youth of today, need the inspiration which the spirit and bravery of these great ladies can give. The deeds and courage of these two women stand out as shining examples of the kind of service and dedication which individuals can render in the cause of their country. Mr. President, I hope the Senate will take early and favorable action on this resolution.

The committee is of the opinion that this joint resolution in this day and time is extremely meritorious and recommends that Senate Joint Resolution 81 be agreed to.

#### CAPT. WILLIAM O. HANLE

The bill (S. 882) for the relief of Capt. William O. Hanle was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain William O. Hanle, United States Army, retired, of Joppa, Maryland, is hereby relieved of all liability to repay to the United States the sum of \$15,348.32, representing salary paid him during the period from July 9, 1962, through November 30, 1964, while he was employed as a criminal investigator at the mid-Atlantic regional office of the Internal Revenue Service at Philadelphia, Pennsylvania, in violation of section 2 of the Act of July 31, 1894 (28 Stat. 205; 5 U.S.C. 62), which prohibits the employment of certain retired military officers in a civilian position the said William O. Hanle having advised the Internal Revenue Service of his retired status prior to his employment. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.*

SEC. 2. In determining length of service for purposes of step increases, retirement, annual and sick leave, and any other employee rights and benefits the said Captain William O. Hanle shall be entitled to credit for such period during which he was employed and received salary as a criminal investigator for the Internal Revenue Service.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-157), explaining the purposes of the bill.

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

#### PURPOSE

The purpose of the proposed legislation is to relieve Capt. William O. Hanle, U.S. Army, retired, of Joppa, Md., of all liability to repay to the United States the sum of \$15,348.32, representing salary paid him during the period from July 9, 1962, through November 30, 1964, while he was employed as a criminal investigator at the mid-Atlantic regional office of the Internal Revenue Service at Philadelphia, Pa., in violation of section 2 of the act of July 31, 1894 (28 Stat. 205; 5 U.S.C. 62), which prohibits the employment of certain retired military officers

in a civilian position, the said William O. Hanle having advised the Internal Revenue Service of his retired status prior to his employment.

#### STATEMENT

The Committee on the Judiciary in the 90th Congress reported favorably S. 664, as amended, to the Senate. This bill, S. 882, in the 91st Congress is identical to S. 664 in the 90th Congress which amended S. 2262 in the 89th Congress. The committee's statement of facts and conclusions on S. 664 was as follows:

The records of the Treasury Department disclose that Captain Hanle applied to the U.S. Civil Service Commission for an appointment to a civilian position while he was still on active duty with the U.S. Army. His employment application indicated his intention to submit an application for military retirement benefits.

After being certified by the Board of the U.S. Civil Service Examiners as eligible for appointment, but prior to his appointment to a position in the Internal Revenue Service, Captain Hanle executed another employment application wherein he indicated that he had applied for retirement benefits from the U.S. Army. Further, on the day Captain Hanle began employment with the Internal Revenue Service, he executed another form wherein he answered "Yes" to the question of whether he receives or had applied for retirement benefits for military service, and indicated his retirement from the U.S. Army.

The fact that Captain Hanle's employment was apparently in violation of law became known in March 1965.

The Treasury Department, in reporting on the merits of this proposal, on an identical bill in the 89th Congress, states in part as follows:

"In view of the fact that Captain Hanle disclosed that he had applied for military retirement benefits prior to his employment by the Internal Revenue Service, the Department would have no objection to the enactment of this legislation."

The committee is in agreement with the Treasury Department that this legislation be favorably considered. It is apparent that the overpayment made to the claimant was the result of an administrative error. Furthermore, it is obvious that the repayment would impose an undue financial hardship, and it is clear that the claimant accepted these overpayments in good faith. For these reasons the committee recommends favorable consideration of S. 664, as amended.

The committee adheres to its recommendation on S. 664 and recommends that the bill S. 882 be considered favorably.

#### BILL PASSED OVER

The bill (S. 890) for the relief of the Pine Hall Brick & Pipe Co. was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

#### HELEN KELLER MEMORIAL WEEK

The joint resolution (S.J. Res. 99) to authorize the President to issue annually a proclamation designating the first week in June of each year as "Helen Keller Memorial Week," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of Helen Keller's outstanding contribution to the education, welfare, and re-*

habilitation of blind and deaf persons throughout the world, the President is authorized and requested to issue annually a proclamation designating the first week in June as "Helen Keller Memorial Week", calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-159), explaining the purposes of the joint resolution.

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

## PURPOSE

The purpose of the joint resolution is to declare the first week in June annually as Helen Keller Memorial Week and to call upon the people of the United States to observe such week with appropriate ceremonies and activities.

Mr. JAVITS. Mr. President, the adoption of Senate Joint Resolution 99 today is properly a tribute to a great woman, Helen Keller, whose victory over the major disabilities of blindness and deafness has inspired millions here and abroad. It is recognition that supposedly insurmountable physical handicaps can be conquered and that every individual has within her or him the power and ability to become a productive citizen. Helen Keller was a historically courageous woman who once she had arisen above the obstacles that had blighted her life—blindness and deafness—devoted her own life to helping others do the same. She had sufficient strength of spirit, mind, and body to lend this strength to others. Hers is a saga that bears infinite repetition—the resolution before us which I had the honor to sponsor fulfills this need.

## DIAMOND JUBILEE YEAR OF THE AMERICAN MOTION PICTURE

The concurrent resolution (H. Con. Res. 165) designating the year 1969 as the "Diamond Jubilee Year of the American Motion Picture" was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-160), explaining the purposes of the concurrent resolution.

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

## PURPOSE

The purpose of the concurrent resolution is that the Congress of the United States do hereby designate 1969 as the Diamond Jubilee Year of the American Motion Picture.

## YOUTH WEEK

The Senate proceeded to consider the joint resolution (S.J. Res. 100) to proclaim the week beginning May 1 as "Youth Week," which had been reported from the Committee on the Judiciary, with an amendment on page 2, after the resolving clause, strike out "That the Congress of the United States do hereby proclaim" and insert "That the President is authorized and requested to issue a

proclamation declaring"; so as to make the joint resolution read:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized and requested to issue a proclamation declaring the week beginning May 1, as Youth Week, and urge all departments of government, civic, fraternal, and patriotic groups, and our citizens generally, to participate wholeheartedly in its observance.

The preamble was agreed to.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-161), explaining the purposes of the joint resolution.

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

## PURPOSE

The purpose of the joint resolution is to authorize and request the President to issue a proclamation declaring the week beginning May 1 as "Youth Week," and to urge all departments of government, civic, fraternal, and patriotic groups, and our citizens generally participate wholeheartedly in its observance.

## ADDITIONAL TERM OF 1 YEAR FOR CHAIRMAN OF THE JOINT CHIEFS OF STAFF

The joint resolution (S.J. Res. 104) to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding section 142(a) of title 10, United States Code, the President may, by and with the advice and consent of the Senate, reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of one year, the officer serving in that position on April 1, 1969.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-162), explaining the purposes of the joint resolution.

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

## PURPOSE

This joint resolution would authorize the President, with the advice and consent of the Senate, to reappoint Gen. Earle G. Wheeler as Chairman of the Joint Chiefs of Staff for an additional term of 1 year.

## EXPLANATION

## Statutory background

Section 142(a) of title 10, United States Code, provides that the Chairman of the Joint Chiefs of Staff is appointed with the advice and consent of the Senate and that he serves at the pleasure of the President for a term of 2 years. The chairman may be reappointed in the same manner for one additional term. In time of war declared by Congress there is no limit on the number of reappointments.

Gen. Earle G. Wheeler, U.S. Army, was initially appointed to the position of Chairman of the Joint Chiefs of Staff on July 3, 1964. He was reappointed for a second term that began on July 3, 1966.

Pursuant to the authority of House Joint Resolution 1224 (Public Law 90-342, approved June 15, 1968), General Wheeler was reappointed for an additional 1-year term beginning July 3, 1968.

## Justification for legislation

The President as Commander in Chief of the Armed Forces, and the Secretary of Defense have strongly urged enactment of this legislation in order to permit the President to retain General Wheeler in his present position for an additional 1 year.

The Secretary of Defense, Mr. Laird, in urging the passage of this resolution, testified as follows:

"Last year, Secretary Clifford, acting on a presidential initiative, requested, and the Congress enacted a similar exemption from current law because of the then existing world conditions and General Wheeler's unique experience and qualifications to continue as a principal military adviser to the President, the National Security Council, and the Secretary of Defense. Based on my experience, both as a Member of the Congress and as Secretary of Defense, I am convinced this was a wise decision and advanced U.S. security interests.

"Shortly after the previous Administration requested congressional approval to continue General Wheeler in the position of Chairman of the Joint Chiefs of Staff last year, the United States entered into preliminary discussions with North Vietnam and the Vietcong in Paris. Those negotiations continue as do our military operations in Southeast Asia.

"General Wheeler has a unique knowledge of the full array of our security requirements acquired during his tenure as Chairman of the Joint Chiefs of Staff. I believe it to be both prudent and wise to retain General Wheeler's invaluable experience and counsel during the current and impending period of decision not only in regard to the operations in Southeast Asia and related negotiations in Paris, but also with respect to oncoming major decisions affecting our overall military posture.

"The President, as Commander in Chief of our Armed Forces, and I, as Secretary of Defense, therefore strongly urge that authority be given to permit the President to retain General Wheeler in his present position for an additional year."

## ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, as soon as the distinguished senior Senator from New York (Mr. JAVITS) and other Senators who may have statements to make have concluded their remarks, it is the intention of the joint leadership to call up the nomination of James E. Allen, Jr., to be an Assistant Secretary of Health, Education, and Welfare, and also to be Commissioner of Education. Before that is done, however, there will be a quorum call, so that all Senators will be on notice that that will be the pending business.

## THE SITUATION ON COLLEGE AND UNIVERSITY CAMPUSES

Mr. JAVITS. Mr. President, the morning news continues to be rocked by the situation on college and university campuses in the United States. We have seen an escalation of disorders and conflicts

on our college and university campuses. The matter has been the subject of intense discussion and debate at all levels of government. In many States, as well as in the Congress of the United States—legislation to prevent and curb campus disorders and to punish students, agitators, and others engaged in them has been introduced.

Mr. President, when the President of the United States, as he has, and the Attorney General address themselves to an issue, and when the issue is so prominent in the public press, and so disturbing to the American people, that is the very moment when we might do something improvident, unwise, and very counterproductive.

Let us bear in mind that it is this generation now on the college and university campuses that will be occupying these seats in due time. They will be the leadership group in the United States.

It is in that sense that I speak today. I have already spoken out very strongly on what alarmed me very deeply—the presence of arms in these college disruptions and the general atmosphere of violence and nihilism of some of the groups concerned.

I now point out that radicalism and violence on our university campuses threaten to bring a wave of backlash, punitive law, repression, and counter-violence. In some cases this has already happened. However, we must remember that such a reaction will surely play into the hands of the extreme disrupters themselves. Indeed, that is exactly what they have sought to bring about. These disrupters—and we know these activists are a tiny minority on the college campuses—seek, through the “politics of confrontation,” to bring about a radicalization of American society and politics. We cannot permit this to happen. We cannot play into their hands by reacting in a mindless, irrational, violent way as they invite and for which they are hoping.

On the other hand, many universities have shown the capacity to prevent and to deal effectively with student unrest. As an editorial in today's New York Times noted, “By a combination of concessions to justified demands, improved communications among students, administrators and faculty, and firmness where required, university administrators are showing that they can regain the initiative from the wildest dissenters and even mobilize student majorities to back campus order and peace.”

I am convinced that American universities can deal with student disorder. Admittedly the universities have much to do to reform themselves, to bring about student representation in all aspects of campus administration and government. Such reforms have been long overdue, but many colleges and universities are now beginning to bring about these fundamental changes without violence and without physical duress. I reaffirm my faith in their capability to do so. It then would be inappropriate for the Congress to pass punitive Federal laws that seek to deprive students who engage in campus disruptions from receiving Federal loan or scholarship benefits.

Most of all, what we need is a sense of perspective and a sense of proportion

about what is happening. The colleges and the universities themselves have the ultimate defense for dealing successfully with serious disruptions—namely the powers of suspension and expulsion. There is nothing worse, and every young person knows it. An expulsion from a university or college on his record is equivalent to a dishonorable discharge. It marks him for life. This is a very serious, very summary weapon, which is entirely within the hands of the colleges and universities themselves. Also they have the power to call onto the campuses peacekeeping authorities, and to determine in what way the police authority shall be handled. Lately, they are seeking to make use of the courts with injunction proceedings and contempt findings. These procedures have the great virtue of being due process of law, and specifying the target by name, and this is critically important. So we are beginning to understand and refine the instruments by which this situation can be handled.

I wish to say that right now it is we, who are in the seats of power, who ought to have our cooling-off period. I might say, too, that this could apply to the press as well. Their lengthy and sensational coverage of the irresponsible actions of a minority on a minority on our campuses have given them, often, incentives to seek more and more headlines, upon which these things, as we know, feed. The press must report the news, but they can report it with a certain modesty and a certain relationship of the minority to the majority. I think this would be helpful in this situation and would dampen down rather than build up the increasing spiral of emotional reaction to these disruptions.

But viewing this matter with intelligence and a sense of perspective does not mean that we should not view this issue with great seriousness, nor does it mean that there is no action which the Congress and the Federal Government can take. This action, however, should be divided toward our Nation's domestic and foreign ills at this point, because there is a deep alienation—the word has been used time after time—and an erosion of the confidence of our young people in those who govern them.

There is no use begging the question: We must face the fact that there are a good many of our young people who have lost faith in our processes.

More than the disruptive acts of the very few, what concerns me is the passivity and lack of faith in the orderly democratic and legal process which many, perhaps the majority of students, have shown on these disrupted campuses. Those of us who hold positions of political leadership must recognize that there is a lack of trust, a “credibility gap,” between many young people and their government and their university administrations. If the turmoil is the result of the few militant extremists, it is discouraging to see in its midst that, while most students are not part of such violence, there is little in which they have confidence.

We in the Congress must address ourselves to the major problems of our society with a sense of urgency and imme-

diacy. We must provide an agenda of social action for Americans. We must bring the war in Vietnam to a speedy conclusion and begin the process of shifting national resources away from military might to correcting social inequities. In a word, we must give our young something to believe in. It is this sort of congressional action—not punitive Federal laws—which is demanded in this situation.

I am confident that our colleges and universities have the capacity—they certainly are learning fast under this pressure—to deal quite successfully with the most serious forms of disruption.

I have uttered today a word of caution against backlash, against our proceeding out of a sense of resentment, which I do not think any one of us would consciously do, but the whole atmosphere surrounding the disruptions seems to create and stir up resentful feelings. We need to remember also, as we try to restore confidence on the part of youth, that we cannot restore it by words alone; we must restore it by deeds, and among those deeds must be to end the Vietnam war, to rearrange our national priorities, and to show a real concern and an ability to cope with the major causes of social and economic injustice in this country.

Mr. President, I ask unanimous consent that the editorial in the New York Times of May 5, 1969, to which I have referred, be printed in the RECORD at this point.

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

#### AVOIDING THE BACKLASH

In Minneapolis last week a police detective running as an independent on a “law and order” platform finished first by a wide margin in that city's mayoralty primary. At Queens College, in this city, white students offered physical resistance to rampaging blacks. In Congress and other legislatures over the country more and more demands are being made for “crackdowns” on student dissenters, and laws aimed at campus disorders have been passed or are under legislative consideration in almost half the states. The symptoms are evident that a massive backlash is building up against student disrupters.

Ironically, this build-up—with its threat of repression in the wings—is coming at a time when developments on many campuses suggest that university administrators are beginning to learn how to deal with the forces making for disruption, and thus to frustrate the minuscule minority whose only purpose is to destroy American higher education as a first step toward destroying American society. The fiasco suffered last week by the Students for a Democratic Society at Columbia was one important indication. Another was Harvard's ability to restore peace and normal conditions of study and class attendance so quickly after last month's “bust” and the passions it aroused. At Stanford, student demonstrators peacefully surrendered an administration building when informed police would be coming on campus.

By a combination of concessions to justified demands, improved communications among students, administrators and faculty, and firmness where required, university administrators are showing that they can regain the initiative from the wildest dissenters and even mobilize student majorities to back campus order and peace.

A mindless, vindictive backlash movement now will surely play into the hands of the disrupters, win them more supporters, and reverse the encouraging trend on what were

recently some of the most endangered campuses. This is because the backlash is likely to result in overkill, in the passage of new laws and the taking of other punitive measures that would enable the disrupters to pose as the victims of persecution by a soulless adult Establishment.

Last spring at Columbia and this spring at Harvard, the radicalization of both campuses was the product of such overkill by policemen who used far more violence in ending student sit-ins than was required by the objective situation. Repetition of such tactics at higher levels of government is likely to have similar boomerang effects and increase rather than diminish the prospects for campus turmoil.

American society can deal with the mini-revolution on the campuses by insisting on the rule of law but at the same time by retaining perspective and a sense of proportion. The serious disrupters constitute a small minority among the millions of the nation's college and university students, and they have succeeded in shutting down only a very tiny fraction of the nation's thousands of higher educational institutions. This disruptive minority becomes powerful when it is able to gain leverage through the mistakes and insensitivity of its opponents.

It can be and has been defeated by intelligent administrators who have moved rapidly against the causes of student discontent, thus separating the majority that wants to continue its studies from those who have become semiprofessional revolutionaries. A firm adherence to the rule of law is necessary, along with understanding and a willingness to discuss needed change. But in dealing with the young people on the campuses, the backlash psychology points the way only to disaster for university and society alike.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. JAVITS. I am happy to yield.

Mr. MURPHY. One question which I have asked on several occasions, which has to do with the subject the Senator has been so eloquently explaining, which, not being a lawyer, I cannot understand, but having the greatest regard for the ability of my distinguished colleague from New York in the field of law, I ask him: Is there any provision that makes the laws under which members of the academic community, either students or faculty members, different from those affecting the ordinary citizen?

Mr. JAVITS. None whatever, that I know of. As a matter of fact, we have pointed out time and again that where there were such laws, or such enclaves, education has suffered major setbacks. This has been true in Latin America, where, a century ago, the students "recaptured control" of the colleges and universities, and the result has been very harmful in many of the institutions of learning in which that "great victory" took place.

Mr. MURPHY. Mr. President, there has been a misunderstanding. It seems that every time there is a question as to the legality and the punishment, a special case is made, or at least it seems to me that way, to except a student or a faculty member. I just wondered whether I had been misled in thinking that students and faculty members and everyone else in this great country of ours operate under the same law.

Mr. JAVITS. They do. However, may I point out that we do have many acts on the books which are called youth offender statutes. Youthful offenders, depending

upon age, are treated differently. For example, often the record is capable of being cleared so that something does not remain with a very young person throughout his life. And often there are youth courts which sit in camera so as to avoid the worst overtones of public knowledge of a particular act.

The second aspect is the disposition to prosecute. There, too, as the Senator knows, a prosecutor has very great power. It is he who decides what case to prosecute and what case to not-pros or dismiss.

This is where the intelligence and the wisdom of university administrators come into play. Heretofore, as we have seen, no matter how bad the disruption, it was immediately followed by a plea for amnesty.

This does not mean that there should be no room for amnesty or discretion in withholding prosecution. However, it does mean that this very important decision must remain discretionary. We must judge every case on its merits.

There may be some cases in which judgment should be tempered with mercy. However, that is not universally true. And one does not bargain for amnesty at the mouth of a gun.

It is critically important at this time, I think, when the universities are beginning to learn how to deal with the matter better, that we should not enact a punitive Federal law which might give the majority of students reason to rally behind the minority. I believe that most college students would resent such action.

Mr. MURPHY. Having had experience in California, which began some time ago, I was not too surprised at Cornell.

The point I would like to make is that I am in complete sympathy. I know something about the way youngsters become involved or are inveigled into a situation. As a matter of fact, President Hayakawa of San Francisco State said, "Don't get too upset at students. The faculty members are, in many cases, responsible. They tell the youngsters, 'If you don't get out and join in the troublemaking, you will flunk the course.'"

This one of the complications, plus the fact that, as we know, a certain hardcore group of professionals seems to show up some place in the background. They are the ones I am concerned with.

Many of them are experienced in Berkeley and several other universities in California in which they have had trouble. They are not students or members of the faculty. And they are old enough to know better. These are the ones that I would like to see separated from the rest.

I think if we can find a way to isolate properly these fellows and expose them, it would be helpful. Perhaps we might get the communications media to join with us as we have done before.

We have not heard much of Stokely Carmichael. I do not know what has happened to old Stoke. I do not know what has happened to Rap Brown. They have disappeared. This is not a new thing. As soon as someone is overexposed, they bring out a new face.

The free-speech movement started at Berkeley 3 years ago. There was a very capable man who was a wonderful

speaker. He had a group writing his speeches. I have not heard of him in a year and a half.

I am in complete sympathy with my distinguished colleague, but we tend to put everyone in a class. We say, "These students." It is not these students. It is these professional troublemakers who are using a very small minority of students and affecting the intellectual progress of the great majority of the students.

I think all facts should be brought out. Last year President Johnson read a report at the White House. I begged that the report be made public. However, for some reason it was not. I think it would have been most interesting to the American public. I think the American public has a right to know.

We do not know what has happened to old Cleaver. Cleaver was very busy on campuses in California inciting all sorts of horrible things. He used the worst imaginable language.

I used to see his picture on the television. I called the television station and said, "Why don't you broadcast what he is saying on the television?" They did not dare. They would lose their license if they were to do so.

This is the sort of thoughtful differentiation that we must make. We must find a way to recreate proper faith in the young people. We must also point out to the young people that they are being used by some older ones.

I think it is unfair for a pro to operate with an amateur. The amateur comes off second best.

I would like to help my distinguished colleague in an effort to see if we can find a way to differentiate between the two and not blame the academic community for things it should not be blamed for.

I think it has been lacking in judgment and experience.

I know one of our highly publicized presidents in California. As long as 12 years ago, I told him that his place was in trouble. I explained some of my background experience to explain how I knew. The trouble happened before he realized it. He thought that I was making up stories.

I hope that we can continue to find a fair basis on which to handle the matter. It is an awful mess. It is going into the high schools in my State.

Mr. JAVITS. The same thing is happening in my State.

I am very strongly for the selectivity of legislation and the selectivity of targets. All I call attention to today is that the colleges and universities are learning how to proceed, and it is a good thing. The inquiry under way here and in a number of committees will enable us to be selective. Under these circumstances, I utter a word of caution against some general and universal law that, I think, would cost us a lot more than we would gain from it.

#### ELECTION OF PRESIDENT AND VICE PRESIDENT—ADDITIONAL COSPONSORS OF SENATE JOINT RESOLUTION 59

Mr. GOLDWATER. Mr. President, I have previously expressed my belief that

current endeavors to change the system of choosing a President and Vice President would be incomplete if they were not combined with efforts to secure the greatest possible participation by our citizens in the selection of such officers. For whatever the manner of electing the President, the system cannot function equitably or accurately unless the entire election machinery is geared to insuring that the maximum number of citizens will be eligible and able to vote in such elections.

It is to this end that I have offered two measures designed to broaden the opportunities for voting in presidential elections and to make it easier for citizens to use the polls at a convenient time.

The first proposal I have submitted is a constitutional amendment which would enable citizens to qualify for voting in presidential elections with only 30 days residence in any State and to obtain absentee ballots for such elections by making application for them up to 7 days before the election. The second measure I introduced is a bill to expand the period for voting in presidential elections and to make this period uniform throughout the United States. Both measures combined would, if adopted, apply to a body of 20 million or more citizens who now are disfranchised because of outmoded legal technicalities which have failed to adapt to the changing needs of a mobile citizenry and have erected a barrier to the full enjoyment of the fundamental right of such citizens to have a voice in the selection of the officers who will guide their Nation.

I am happy to announce that 26 Senators have agreed to join with me in sponsoring the first of these proposals. I am especially pleased that this group includes a large number of Members from both sides of this Chamber.

The constitutional amendment which we submit is designed to meet the reasonable interests both of the 11 million citizens who may benefit from its application and the State authorities who will have to carry out its implementation.

For the benefit of those State and local officials who will be involved in the day-to-day administration of the terms set forth in the amendment, I wish to state that before deciding that it would be appropriate to ask any State to comply with standards differing from its regular practices, I reviewed the laws of each of the States and the District of Columbia to be certain that the standards arrived at would be reasonable and practicable. On the basis of this research, I am able to say with confidence that the provisions of the measure we submit have been put into practice at the local level by several jurisdictions and found to be workable and successful. In case any Member may wish to refer to the procedure used in his or any other State, I have inserted a complete listing of State laws on this subject in the RECORD of February 28. As a supplement to that list, I ask unanimous consent to have printed at the end of my remarks today a table identifying the States which have adopted voting procedures similar to those provided for

in the constitutional amendment that we are sponsoring.

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

(See exhibit 1.)

Mr. GOLDWATER. Also, for the attention of the States, I would like to emphasize that since the proposal we offer is a constitutional amendment, it must have the acceptance of three-fourths of the States before it can apply in any State.

Therefore, I can give my complete assurance to those Members who share with me a special respect and concern for the vitality and diversity of our State and local governments that the rights and interests of States and communities were taken into account fully and fairly in the preparation of this measure.

Turning to the 11 million citizens who may benefit from the expanded voting opportunities granted by this measure, I believe that adoption of the minimum standards provided in the amendment is an essential and legitimate action aimed at promoting the freedom of many millions of Americans to exercise a voice in the decision of who shall lead their country.

The impact of this measure will not be insignificant. In comparison with the number of persons who went to the polls last November, these additional citizens would represent an increase of 15 percent in the number of voters who take part in the choice of the highest officers in our land.

In closing, Mr. President, I wish to restate my conviction that all citizens of the United States should be entitled, by virtue of their national citizenship, to enjoy the right to vote for President and Vice President to the greatest extent practicable. It is with this principle in mind that I express my hope that all of our colleagues may see fit to join with us in support of the universal goal of seeking to secure and enhance the personal freedom of millions of individual citizens by enabling them to gain a role in the election of the Chief Executive of the United States.

At this point, Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Alaska (Mr. STEVENS), the Senator from Arizona (Mr. FANNIN), the Senator from California (Mr. CRANSTON), the Senator from Delaware (Mr. WILLIAMS), the Senator from Hawaii (Mr. FONG), the Senator from Idaho (Mr. JORDAN), the Senator from Illinois (Mr. PERCY), the Senators from Kansas (Mr. DOLE and Mr. PEARSON), the Senator from Kentucky (Mr. COOK), the Senator from Massachusetts (Mr. BROOKE), the Senator from Michigan (Mr. GRIFFIN), the Senator from New Hampshire (Mr. COTTON), the Senator from Nevada (Mr. BIBLE), the Senators from Oregon (Mr. HATFIELD and Mr. PACKWOOD), the Senators from Pennsylvania (Mr. SCHWEIKER and Mr. SCOTT), the Senator from Rhode Island (Mr. PELL), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Tennessee (Mr. BAKER), the Senators from Texas (Mr. TOWER and Mr.

YARBOROUGH), the Senators from Utah (Mr. BENNETT and Mr. MOSS), and the Senator from West Virginia (Mr. RANDOLPH) be added as cosponsors of the joint resolution (S.J. Res. 59) proposing an amendment to the Constitution of the United States providing that citizens of the United States shall be entitled to vote for President and Vice President without regard to excessive residence and physical presence requirements.

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

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

Mr. GOLDWATER. I yield.

Mr. THURMOND. I ask that the distinguished Senator from Arizona add my name as a cosponsor of the joint resolution.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the name of the distinguished Senator from South Carolina (Mr. THURMOND) be added as a cosponsor of the joint resolution.

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

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

Mr. GOLDWATER. I yield.

Mr. MURPHY. Is the name of the senior Senator from California on the list of cosponsors?

Mr. GOLDWATER. I do not see it.

Mr. MURPHY. I ask that the distinguished Senator from Arizona add the name of the senior Senator from California as a cosponsor.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from California (Mr. MURPHY) be added as a cosponsor of the joint resolution.

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

Mr. GOLDWATER. Mr. President, I also ask unanimous consent that there be a star print made of the joint resolution (S.J. Res. 59) in order to make a technical change in the text of such resolution.

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

#### EXHIBIT 1

#### TABLE OF STATES WITH VOTING PRACTICES SIMILAR TO THOSE PROVIDED IN SENATE JOINT RESOLUTION 59

##### ITEM 1. RESIDENCE REQUIREMENTS

Listing of 32 States which have made special provision for voting in Presidential elections, either for new residents or for former residents:

Alaska	Missouri
Arizona	Nebraska
California	New Hampshire*
Colorado	New Jersey
Connecticut	New Mexico*
Delaware	New York
Florida*	North Carolina
Georgia	North Dakota
Idaho	Ohio
Illinois	Oklahoma
Kansas	Oregon
Maine*	Texas
Maryland	Vermont
Massachusetts*	Washington
Michigan	Wisconsin
Minnesota*	Wyoming

\*Voting in Presidential elections permitted with as few as 31 days residence.

## ITEM 2. ABSENTEE BALLOTS

Listing of 37 States \*\* which permit certain categories of voters to apply for absentee ballots up to 7 days or less before election:

Alabama	Montana
Alaska	Nebraska
Arizona	Nevada
Arkansas	New Mexico
California	New York
Colorado	North Carolina
Delaware	Ohio
Florida	Oklahoma
Hawaii	Oregon
Idaho	Pennsylvania
Illinois	Tennessee
Indiana	Texas
Iowa	Utah
Kansas	Vermont
Louisiana	Virginia
Massachusetts	Washington
Michigan	West Virginia
Minnesota	Wisconsin
Mississippi	

\*\* This list includes only those States in which the statutory laws clearly permit certain voters to apply for absentee ballots within 7 days or less before an election. There may be additional States in which similar opportunities for absentee voting are granted pursuant to rules or regulations issued under laws that are otherwise silent or ambiguous on this matter.

## ITEM 3. ABSENTEE BALLOTS

Listing of 40 States \*\*\* which permit absentee ballots of certain categories of voters to be returned on day of election or later:

Alabama	Nevada
Alaska	New Hampshire
Arizona	New Jersey
Arkansas	New York
Colorado	North Carolina
Delaware	North Dakota
District of Columbia	Ohio
Georgia	Oregon
Idaho	Pennsylvania
Illinois	Rhode Island
Indiana	South Carolina
Kentucky	South Dakota
Maine	Tennessee
Maryland	Texas
Massachusetts	Utah
Michigan	Vermont
Minnesota	Virginia
Mississippi	Washington
Missouri	West Virginia
Nebraska	Wisconsin

\*\*\* This list includes only those States in which the statutory laws clearly satisfy this test. There may be additional States in which similar opportunities for return of absentee ballots are granted pursuant to rules or regulations issued under laws that are otherwise silent or ambiguous on this matter.

## THE CIVILIAN COMPLEX

Mr. GOLDWATER. Mr. President, it is well known that I have devoted some little attention in recent weeks to the activities in the Pentagon of a group which I have identified as the "civilian complex" and which operated under the stewardship of former Defense Secretary Robert S. McNamara.

Perhaps we should alter the name somewhat to give hyphenated status. We could thus refer to the group of which I speak as the "civilian-industrial complex."

My reason for bringing up this question here today stems from published reports over the weekend which point to a major maneuver by the civilian complex to further control the handling of this Nation's defense contracts. These reports under-

score my contention that it is not necessarily from the military or from retired military officers working with defense industries that the greatest threat to the American taxpayers ensues. They tell of the appointment of the Assistant Secretary of Defense for procurement in the Johnson administration as a vice president of the conglomerate Litton Industries. The published reports show that the Assistant Secretary, Thomas D. Morris, went to Litton right from his Pentagon job as supervisor of the \$45 billion a year Defense Department program of contracting for research, supplies, services, and equipment.

The reports also show that another Assistant Secretary of Defense, Alain C. Enthoven, also joined Litton Industries right out of Government service. Enthoven, who is credited for computerizing much of the Pentagon's decisionmaking, now holds the title at Litton of vice president for economic planning.

It should be noted, Mr. President, that Litton's defense contracts increased more than 250 percent from 1967 to 1968. In 1967 Litton ranked 36th among companies receiving defense contracts, with awards totaling more than \$180 million. But by the end of 1968, Litton had jumped to 14th in the list, with defense contracts valued at nearly \$466 million.

I noticed in this morning's paper that the Senator from Wisconsin (Mr. PROXMIRE) has accused Litton Industries of hiring Mr. Morris as a "payoff" for huge defense contracts and as assurance of future influence for the firm.

I wish to congratulate Senator PROXMIRE for his interest in the civilian complex, and wish to urge him to press forward with proposals for a full investigation of his "payoff" charges. I can not help noting that Senator PROXMIRE's interest formerly was almost completely devoted to the fact that some 2,000 former high-ranking officers of the Nation's military establishment had been employed by the 100 top defense industries in the Nation. At the time of this disclosure, the Senator from Wisconsin found the situation both "shocking and dangerous." I trust that he will take a similar view of this latest revelation that members of the civilian complex of Secretary McNamara have been engaged in activities which at the very least are highly questionable.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the newspaper articles by the Associated Press and the United Press International covering some of the details which I had mentioned above.

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

[From Associated Press]

PENTAGON PROCUREMENT CHIEF NOW WITH A TOP CONTRACTOR  
(By Jean Heller)

The assistant secretary of defense for procurement in the Johnson administration has been hired as a vice president of Litton Industries—a conglomerate whose defense contracts increased more than 250 percent from 1967 to 1968.

Thomas D. Morris went to Litton right from his Pentagon job as supervisor of the

\$45-billion-a-year Defense Department program of contracting for research, supplies, services and equipment.

In 1967, Litton ranked 36th among companies receiving defense contracts with awards totaling more than \$180 million.

At the end of last year, Litton had jumped to 14th with defense contracts valued at nearly \$466 million. During that time it had been acquiring subsidiary companies.

Alain C. Enthoven, assistant secretary of defense for systems analysis, also joined Litton right out of government service. Enthoven, the man who computerized much of the Pentagon's decision making, now carries the title at Litton of vice president for economic planning.

Both Morris and Enthoven left the Defense Department in January after working there since the first days of the Kennedy administration in 1961.

Neither was available for comment today. Yesterday the Pentagon announced the award of a potential \$1 billion-plus contract to Litton's marine division, Ingalls Shipbuilding Corp.

Ingalls will begin work on nine Navy amphibious assault ships called LHAs under a fixed-price incentive contract with a potential price of \$1,012,500,000.

Ingalls said it was the largest shipbuilding contract ever received by one company.

It is not unusual for top government officials to get high-ranking posts in private industry when they leave office. This has been shown to be particularly true to top Pentagon officials, especially military officers.

Last month, Sen. William Proxmire, D-Wis., said that as of February 1969 the top 100 defense contractors employed 2,072 retired military officers of the rank of colonel or Navy captain and above. This is an average of more than 20 per company.

Litton was reported to have 49—2½ times the average—on its staff, but this was not the highest figure by a good bit.

Top positions on the list were occupied primarily by aircraft and space-oriented companies: Lockheed Aircraft Corp. had 210 retired high-ranking military officers; Boeing Corp. had 169; McDonnell Douglas Corp. 141; General Dynamics Corp. 113 and North American Rockwell Corp. 104.

## THE DEFENSE

Private industry defends the practice of hiring top Pentagon officials and military officers on grounds they are knowledgeable in the defense contracting field.

Proxmire sees the practice as potentially dangerous to the public interest.

Noting that nearly 90 percent of all government contracts are negotiated rather than awarded through competitive bidding, Proxmire said:

"In some cases former officers may even negotiate contracts with their former fellow officers. . . . In addition, there is subtle or unconscious temptation to the officer still on active duty. After all, he can see that over 2,000 of his fellow officers work for the big companies. How hard a bargain does he drive with them when he is one or two years away from retirement?"

[From United Press International]

PROXMIRE HITS LITTON "PAYOFF"

Litton Industries hired a former Pentagon procurement officer as a "payoff" for huge defense contracts and as "assurance" of future influence for the firm, Sen. William Proxmire (D-Wis.) charged yesterday.

Proxmire issued a blistering statement criticizing Thomas Morris, former Assistant Defense Secretary, for going directly last year from his position as the chief Pentagon procurement officer to the vice presidency of Litton, one of the Nation's largest defense contractors.

He said the decision was "particularly of-

fensive because in the last full year of Morris' power as the Pentagon procurement boss, Litton's contracts jumped from \$180 million in 1967 to \$466 million in 1968—a mammoth 250 per cent."

Proxmire accused the firm of "buying influence with the Pentagon and plenty of it."

Proxmire summed up the Morris appointment to Litton as "a payoff for the huge Pentagon business shifted to Litton in 1968 and as assurance of immense future influence for Litton."

"Here is a conflict of interest at its most vivid and conspicuous," Proxmire said. He noted that Morris will have "powerful associations . . . with virtually every Pentagon official who will be dealing with Litton."

"For years, no one has been more integrally and powerfully involved with every Pentagon decision on the annual \$43 billion military procurement than Morris."

He was responsible, Proxmire said, for "hiring or appointing, for training and directing—and even promoting many of those with whom he will be dealing with at all levels."

Proxmire noted that almost 90 per cent of defense contracting is not competitive bidding but by some form of negotiation.

"Whether Litton or some other firm gets a particular contract," he said, "will be determined very largely by the subjective attitude of Pentagon officials toward Litton officials."

The Senator said he is exploring the possibilities of some sort of legislation "to prevent this kind of massive influence-buying in the future."

#### ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW—ORDER SUBSEQUENTLY RESCINDED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

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

(Subsequently, this order was rescinded, and the Senate ordered that, on the completion of its business today, it stand in adjournment until Thursday, May 8, 1969, at 12 o'clock noon.)

#### LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, and this has been cleared by the joint leadership with the interested parties, it is anticipated that we will take up the Cranston resolution dealing with the Job Corps at the close of morning business tomorrow.

#### S. 2060—INTRODUCTION OF THE HEADSTART CHILD DEVELOPMENT ACT OF 1969

Mr. MONDALE. Mr. President, today, I am introducing for myself and Senators CRANSTON, DODD, EAGLETON, HARRIS, HART, HARTKE, HOLLINGS, HUGHES, INOUYE, KENNEDY, MAGNUSON, MANSFIELD, MCGEE, MCGOVERN, MOSS, MUSKIE, NELSON, PELL, RANDOLPH, WILLIAMS of New Jersey, YARBOROUGH, and YOUNG of Ohio, a bill entitled "The Headstart Child Development Act of 1969." This measure, amending the Economic Opportunity Act of 1964, would greatly strengthen and expand programs in early childhood development. It would offer preschool children from poverty areas needed health

care, nutritional aid, educational assistance, and social services. It would attack the conditions of poverty that can cripple a child's intellect for life. It seeks, in short, to help impoverished children reach their full potential.

#### EARLY CHILDHOOD NEEDS

The need to focus more antipoverty resources on early childhood efforts is compelling. There are at present about 6 million disadvantaged children under age 6. Most of them are growing up without adequate nutrition and health care, and without the active mental and intellectual stimulation that is necessary during these early years.

As a result, many of these children are very depressed, withdrawn, and listless. Child development specialists who have worked with some of the children report that in the beginning it is difficult to get them to smile or show interest in anything around them. Young children in many of these homes are considered well-behaved if they sit quietly in a corner during the day, instead of talking, playing, and exploring. The frequent moving and use of many different babysitters makes some of the children confused, insecure, and, in extreme cases, results in emotional disturbances and hyperactivity—"being almost impossible to control." There are often no books or even magazines in most of the homes—in fact, not even a clock or radio—and what few toys there are usually have no educational value for the child.

Yet the critical effect of the first years of life has been well documented. We know that the beginning years of life are the most important for a child's intellectual growth, and for his social, emotional, physical, and motivational development. We know, for example, that about 50 percent of an individual's intellectual development takes place between conception and age 4, another 30 percent between ages 4 and 8, and only about 20 percent between ages 8 and 17. These early years are the formative years—they are the years in which permanent foundations are laid for a child's feelings of self-worth, his sense of self-respect, his motivation, his initiative, and his ability to learn and achieve.

We know, moreover, that a child's intelligence is not fixed, once and for all, at birth. We have learned, instead, that a child's intelligence is shaped by his experiences, and that his mental development is heavily determined by the conditions and the environment he encounters in the first few years of life.

Dr. Joseph McVicker, a leading expert in the field of early childhood development, has estimated, for example, that proper environmental stimulation in early childhood may increase a child's IQ by as much as 30 points.

We know, in addition, that children are most eager and often most able to learn during their early childhood years. As Dr. Benjamin Bloom concluded in "Stability and Change in Human Characteristics":

As times goes on . . . more and more powerful changes are required to produce a given amount of change in a child's intelligence, . . . and the emotional cost it exacts is increasingly severe.

To a very great extent, a child's experiences at the beginning are critical determinants of his entire future life.

Fortunately, most American children have the benefit of a stimulating, secure environment in their early years. Most of them receive the physical and mental nourishment that is necessary for full development. Thus, the child from an educated family who enters school at the age of 6, even if his parents have made no conscious effort to teach him, has behind him a full and complex learning history. Because his environment has been rich and interesting, and because he has been helped to understand it by someone who knows how important that help is, the privileged 6-year-old is able to recognize and understand what he sees. He knows about space and time, so he can find objects and events and understand his relationship to them. He knows what it is to be taught, and he knows that he will learn something interesting if he pays attention. He can talk comfortably with adults and can learn from these conversations. He can use examples as a way of learning new ideas and can ask questions to gather new information.

The variety of skills this well-endowed 6-year-old brings to school with him are impressive. Yet the child was born with none of these specific abilities. He has learned them all from interactions with his environment. In short, his "cognitive development" is already well advanced. He also, as a rule, has had his medical and dental needs attended to. And he has never truly been hungry or undernourished.

Unfortunately, most of the 6 million poor children under age 6 arrive at school without these same advantages and assets. Many of them may have suffered irreparable damage in their early years. Many have not had the benefit of adequate physical and mental nourishment. Many have not received sufficient nutrition, health care, and intellectual stimulation. Many of them, as a result, appear listless and apathetic at early ages—in stark contrast to the curiosity-filled active youngster from the average middle-class home.

Research reveals quite clearly the costly and lasting effects of deprivation in these early years. It reveals, for example, that as early as 18 months of age, disadvantaged children start falling behind middle-class children in tests of language development, and general intelligence. It reveals, furthermore, that this intellectual gap between poor and non-poor children that appears so early in life tends to grow larger over time.

The following passage from the recent Westinghouse Learning Corp. study of Headstart summarizes the tragic conclusions of research in early childhood deprivation:

One theme which emerges with great clarity from all the related literature and research is that there exist significant and substantial differences between so-called lower class and middle class children. It is universally reported that the former typically enter school much below the level attained by the latter, on the average, and that schooling furthermore operates to increase these differences, so that the children of the

poor suffer a "cumulative deficit" as they progress through school. Consequently, they drop out of school in large numbers, fail to develop saleable vocational competence, and thus continue the cycle of poverty throughout their own lives and throughout the lives of their own children, in turn.

In addition, many poor children—Mexican Americans, Indians, Eskimos, Puerto Ricans, and members of other minority groups—grow up learning English as a second language, or not at all. Besides being burdened with possible nutritional and intellectual deprivation in their early years, many of them are confronted with an alien language and an alien culture when they begin school. The special bilingual and bicultural needs of these children must be dealt with before age 6, and the bill I am introducing today assures that a reasonable proportion of funds for child development programs will be available for projects serving children with these special language needs. For the first time, explicit statutory provision is made for children whose dialect or vernacular creates problems for communicating and learning.

#### NUTRITIONAL DEPRIVATION

Mr. President, I would like to underscore the role that inadequate nutrition plays in perpetuating this cycle of poverty. As a member of the Select Senate Committee on Nutrition and Human Needs, I have had an opportunity to hear expert testimony about the tragic and permanent effects of nutritional deficiency during pregnancy and the first few years of life. Presently, there is no Government program that deals adequately with the critical nutrition needs of infants from the period before birth until they reach school age. Pediatricians have pleaded eloquently before the committee for national recognition of the disaster—mental as well as physical—which befalls undernourished infants. Besides the dangers of permanent physical impairment and increased susceptibility to illness which malnutrition brings during the preschool period, a child's capacity to learn can be seriously and permanently damaged by undernourishment.

Dr. Charles Lowe, chairman of the Committee on Nutrition of the American Academy of Pediatrics, testified before the Nutrition Committee:

Severe malnutrition suffered during childhood affects learning ability, body growth, rate of maturation, ultimate size, and if prolonged, productivity throughout life.

Dr. Lowe stated further that:

"In effect, the quality and quantity of nutrition given during the first formative years of life may have the effect of programming the individual for all the years of his life. Malnutrition during the last trimester of pregnancy and certainly during the first months of life may seriously compromise ultimate intellectual achievement."

When I asked Dr. Lowe if Government food and nutrition programs had to be limited arbitrarily to only 6 years, which period of a person's life he would focus these programs on, he answered, without hesitation, the last 3 months of pregnancy and the first 5¼ years of a child's life.

Mr. President, the problems and the potentials I have been discussing are all too familiar to most of us. We have known for some time that deprived children start school at a disadvantage; that most of them don't have the intellectual and verbal skills that their middle-class classmates developed at home. And we have known in recent years the reasons for this inequality, and the importance of early childhood and preschool programs.

#### HEADSTART

It was an understanding of this relationship between early childhood deprivation and the cycle of poverty that led to the creation and development of project Headstart. It was the understanding that most Government programs in education and nutrition stop at the shoreline of greatest need and greatest potential that inspired this preschool effort. We realized that Government food programs for families were inadequate and often inaccessible, and that education and school lunches starting at ages 5 or 6 were too little, too late. As a result of this understanding, we began several years ago to provide early childhood nutritional and intellectual nourishment through Headstart programs.

From the beginning the overriding objective of Headstart has been to give poor young children the kind of foundation that makes it possible for them to succeed in later life. Headstart was built on the understanding that a child's development involved not only that child, but also his parents, other family members, and the community.

Headstart represented a radically different approach to working with poor families and their children. It was not simply an extension of nursery schools or kindergartens; rather, it created "child development centers." The choice was more than semantic. It was intended to convey a major difference in focus and activities from the school situation.

These child development centers were designed to provide educational, nutritional, and health services for the children, social services for the family, and parent activities.

Their objectives included improvement of a preschool child's: medical, dental, and nutritional status; intellectual and physical readiness for public school; feelings about himself and his relationships with other people; social skills in relating both to other children and to adults.

These goals were ambitious, and we still do not know precisely to what extent they have been achieved. The evaluative research of Headstart to date has been limited, but the knowledge that has been accumulated strongly suggests the need to begin offering early childhood development experiences to children beginning at ages 3 and under.

The recently released study of Headstart by the Westinghouse Learning Corp. makes this suggestion. The study attempted to evaluate the long-range effects of Headstart on attitudes and academic achievement. It did not seek to measure Headstart's immediate effects in these areas. Neither did it try to determine Headstart's medical, nutritional or

community effects. Despite these limitations, some of its study's findings offer insights into the need for expanded early childhood development programs.

In brief, the Westinghouse Learning Corp. study concluded that when measured for long term academic effects: First, summer Headstart programs appeared to be generally ineffective; and second, full year Headstart programs produced "small but statistically significant" improvements in children's learning readiness.

While some observers have expressed shock at these findings, I am not surprised. I wish very much that Headstart graduates could have scored better on all these tests, but it is unrealistic to expect 8 weeks of a Headstart program to help poor preschool children catch up with everything middle-class children learn during their first 6 years of life.

As Richard Orton, the Director of Headstart stated recently:

Headstart was never intended as a one-shot inoculation that would save the child for the rest of its life.

Headstart has produced some notable gains, but it was simply too little and too late to save many poor children who may have had their bodies and minds irreparably diminished by nutritional and intellectual deprivation in their early years.

As a result of these findings, one of the recommendations of the Westinghouse study concerned "offering intervention programs of longer duration, perhaps expending downward toward infancy." Specifically, the study concluded that—

It is the consensus of this staff of this project that any comprehensive compensatory intervention program is limited in its effect if it cannot be part of the child's environment for long periods of time. A test of a program of intensive enrichment for long periods of time has never really been implemented. Such an intervention program might begin prenatally, with education and medical help to the mother, followed by a program of infant education for the first two years, then by a two year Head Start program, and ultimately by a suitable kindergarten and elementary grade school experience, all articulated and operating as part of one system.

A similar recommendation for more extensive child development efforts serving younger children is made by the author of another major evaluative review of project Headstart. The author of this Ford Foundation financed study of the Office of Economic Opportunity is Sar L. Levitan, a George Washington University scholar. Dr. Levitan, in his soon to be published book entitled "The Great Society's Poor Law," reached the following conclusion about Headstart:

The Headstart experience has indicated that we start public education too late, at least for children from poor families. By the time they reach public school age, many of these children are already 'retarded' compared with children raised in a more favorable environment. There is evidence that these disadvantages can be overcome, or at least minimized, by providing child development programs at age 3 and earlier . . .

The failure of this program to leave lasting results should not be surprising, since it is unrealistic to expect the debilitating effects of living in poverty for 4 or 5 years to be

overcome by an eight-week summer project. This suggests the need for universal nursery and kindergarten, supplemented by nutritional and health programs, for all poor children."

Dr. Hunt reaches a similar conclusion on the basis of his review of existing programs and existing needs. In his soon to be released book entitled the "Challenge of Incompetence and Poverty," he writes that:

The evidence indicates quite clearly that compensatory education is remedial in nature even when it is given to the disadvantaged children of the poor at 4 years of age. . . it is abundantly clear that compensatory education is expensive. Moreover, expensive as it is, it may all too often be too little too late, even at best, to overcome sufficiently the incompetence inculcated in the first four years of life, (and) to enable . . . these children of the . . . poor to . . . succeed in the public schools and to enjoy full participation in the mainstream of our highly technological culture.

We need measures to prevent incompetence.

We need to develop a way to intervene in the lives of families in poverty to enable the parents to help their children acquire the cognitive skills, motivational systems, and values and standards of conduct required, first for success in school, and ultimately for full participation in the mainstream of society.

Mr. President, I share the conclusion that Headstart has made many significant contributions to the war against poverty. It has brought badly needed nutritional, medical, and educational help to poor children. It has stimulated parents and members of local communities to take a more active part in shaping and staffing public programs. It has offered meaningful employment opportunities to many disadvantaged adults and has demonstrated the potential of nonprofessional aides in these programs. It has brought national attention to early childhood efforts. Perhaps most importantly, it has taught us that we need to offer early childhood programs to children age 3 and below.

I believe the evidence is indisputable that comprehensive early childhood programs must be made available, on a voluntary basis, to all impoverished families with young children. Our present failure to do so is causing human misery, and wasting human ability. We know that we need to expand our investments in early childhood development, and we know, on the basis of some current efforts, how to develop these programs.

#### PARENT AND CHILD CENTERS

For example, there are a number of parent and child centers operated by the Office of Economic Opportunity which show promise as models for early childhood programs. Headstart in fiscal year 1969 set aside \$5 million for the operation of 36 pilot, experimental parent and child centers. These child centers provide comprehensive services, similar to those provided under Headstart, for disadvantaged families who have at least one child under the age of 3. They also provide extensive services for the parents, including child rearing, training, homemaking, and basic education.

While the approach of the parent and

child centers is very similar to that of the Headstart program, the focus of the centers is on children under 3. They seek to prevent deficits from developing, rather than to remedy those found by the time the children have reached the age of 3.

One of these parent and child centers has been established in Minneapolis, and I understand that its initial experiences are very encouraging.

#### INFANT EDUCATION RESEARCH PROJECT

In addition to these parent and child programs, there is other evidence of effective early childhood efforts. An imaginative infant education research project for children below age 3 conducted in the District of Columbia has produced exciting results. This outreach program was directed by Dr. Earl Schaefer of the National Institute of Mental Health. It sent tutors into the homes of 30 young children from disadvantaged families to provide intellectual and verbal stimulation. A tutor worked with a child and often with his mother 1 hour a day, 5 days a week, from the time the child was 15 months until he was age 36 months. Normally the tutor spent much of the time just talking with the child, and introducing puzzles and picture books to him. By age 3 the children in this program had I.Q.'s averaging about 17 points higher than a control group of children who received no special intellectual and verbal stimulation.

I had an opportunity to visit this project recently, and meet with Dr. Schaefer, a couple of the tutors, and several of the children and mothers who participated in the program. The promising results the project has achieved become even more exciting and remarkable after a visit such as this. Clearly, the bright, inquisitive children I spoke to are far better prepared for school, and for life, than their friends who did not receive this special educational stimulation. They are active, talkative, and interested in what is going on around them.

The Office of Education designated the infant education research project as an exemplary program for the education of disadvantaged children, and has published and circulated a report of the project for other communities that may wish to use it as a model. The report contains the suggestion that early childhood stimulation and "instruction might begin as early as age 6 months, for optimum efficacy." I ask unanimous consent that the entire report of this project appear at the close of my remarks.

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

(See exhibit 1.)

#### EARLY TRAINING PROJECT

Mr. MONDALE. Mr. President, there are other similarly successful early childhood programs around the country that can serve as models for the expanded effort that is required. The "early training project" directed by Rupert Klaus and Susan Gray at George Peabody College for Teachers in Nashville, Tenn., is a good example. This project established a special summer school for poor children, and for their mothers. Home visitors brought mothers to the school to

observe the program, to see how the teachers worked with their children, and how their children responded. During the nonsummer months the home visitors kept contact with the mothers, discussing and demonstrating learning experiences in the home.

Tests indicate that the program was very effective in several respects. First, the children who participated showed significant improvement in general intelligence and vocabulary over similarly matched nonparticipants. Second and perhaps most important, the younger brothers and sisters of the children that participated in the program tested significantly higher than the younger brothers and sisters of the nonparticipants. This promising result certainly suggests that the involvement of the mothers in the program, and the success of the children participating, has a beneficial effect on the younger children in the family.

Mr. President, I believe our knowledge of the problems and potentials in early childhood development points to the need to take affirmative action now. We know beyond doubt that unless infants and young children receive adequate nutrition, health care and intellectual stimulation their potential is severely compromised, and the cycle of poverty is perpetuated. We know that the time to prevent cultural and nutritional retardation is in infancy and the early years. We know that compensatory education programs which start as late as age 5 or 6 may never be able to repair entirely the damage which has already been done.

President Nixon, in his February 19 economic opportunity message to the Congress, called for "a new national commitment to the crucial early years of life." In that message, the President described the relationship between early childhood deprivation and the cycle of poverty that I have been discussing today, and spoke about the need to act on the new knowledge which has been accumulated on the critical importance of a child's early years. He stated:

. . . many of the problems of poverty are traceable directly to early childhood experience . . . if we are to make genuine, long term progress, we must focus our efforts much more than heretofore on these few early years which may determine how far, throughout his later life, the child can reach.

The President went on to say:

Much of our knowledge is new. But we are not on that ground absolved from the responsibility to respond to it. So crucial is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first five years of life.

I concur completely with the priority President Nixon placed upon the first 5 years of life in this special message.

I believe the choice before us now is a simple one. We can act to prevent incompetence and equalize opportunities by significantly increasing our investment in comprehensive early childhood programs, or we can postpone investing heavily in early childhood, and continue

paying the high social and economic cost of poverty, human misery, and incompetence. I, for one, choose to meet our responsibilities rather than ignore them. I choose to give substance to the "new national commitment" President Nixon announced, by investing the necessary funds in that effort, and I offer the Headstart Child Development Act of 1969 as a means to that end.

PROVISIONS OF THE CHILD DEVELOPMENT ACT

The act would establish a new title V of the Economic Opportunity Act of 1964. It would combine the Headstart program now authorized as a part of the community action programs in title II with the now unfunded day care authority included in title V-B.

This bill is presently without prejudice as to whether the combined Headstart and day care program should be retained in OEO or delegated to HEW. It assures, however, that wherever the program is carried out, it will have a sufficient statutory base and appropriations authorization to serve effectively the entire population of disadvantaged preschool children.

The new title V establishes "a comprehensive child development program which will first, assist children of preschool age from low-income families or from poverty areas to attain their full potential; and second, provide needed care to expectant or nursing mothers in low-income families." Services offered the children and parents will include comprehensive health, nutrition, education, social, and other services.

In addition to providing the needed services to children and expectant mothers, the act will have the objective of enabling the parents of such children "to continue basic education, vocational training, or gainful employment." Provision is also made for the establishment of child development projects in cooperation with employers or labor unions at or in association with a place of employment. In such cases, a major part of the funds must be provided by the project sponsor.

A proportion of the act's funds, roughly equivalent to the relative need, are made available for programs serving children with special bilingual and bicultural problems, including those who speak a district dialect or vernacular of English.

Nondisadvantaged children would be permitted to participate in the program, either in the regular child development centers or in those sponsored by employers or labor unions. The Director of OEO would, however, be authorized to require a family to make payment, in whole or in part, for services rendered where the family's income is sufficient to make such payment appropriate.

The act would require that preference be given to applications submitted by community action agencies. It would require emphasis on provision of employment for low-income persons residing in the community served by the projects, including the development of career ladder opportunities for such persons.

Rental, purchase, alteration, renovation, or construction of necessary facili-

ties would be authorized. However, emphasis would be placed on financial assistance in the form of rental payments or in the amortization of loans, rather than on direct Federal construction grants.

Technical assistance and training of personnel would also be authorized. The Director would be required to carry out a thorough research and evaluation effort.

The Director and the Secretary of Health, Education, and Welfare would be required to cooperate in developing common program standards and regulations for child development services and to coordinate their programs. Joint funding of projects under authority of the Secretary of Health, Education, and Welfare, and the Director of the Office of Economic Opportunity would be authorized.

It is not anticipated that all of the children to be served would be enrolled in child development centers, requiring the children or their parents to leave their homes. Particularly for those under age 3, the act contemplates that services could be provided directly in the home. Visiting child development specialists could spend as little as an hour a day, several days a week, with the parents and children. They could offer advice and counsel and work with the parents in simulating the development of their children's potential.

For older children, a variety of programs would be offered. These would range from half-day to full-day programs and from full school year to full calendar year coverage. Where necessary to permit parents to hold full-time jobs, part-day child-development programs could be supplemented by day care services.

There are about 6 million children under the age of 6 who are disadvantaged. A comprehensive early child-development program should be designed so that it can eventually offer services to the entire needy population. This goal is well within the capability of this Nation. Indeed, the Nation cannot afford any longer to fail to offer needed services to these children.

Because there are limits to the number of trained personnel and the number of available facilities, it will take approximately 5 years to make child-development programs available, on a voluntary basis, to all disadvantaged families with young children. In addition, substantial additional experimentation will be possible as the program expands in the early years of the act so that full advantage can be taken of the knowledge acquired in shaping the expanded effort.

Current year-round child-development programs, under several statutes, which offer preschool services to disadvantaged children are reaching approximately three-quarters of a million children. Under this bill, it is anticipated that this number would be doubled in the first year. Preschool programs funded under other statutes would, of course, be continued.

Early childhood development programs under the Economic Opportunity Act alone would be expected to reach approx-

imately 1 million children in fiscal 1970. In fiscal 1971, 1.7 million children would be served and roughly the same rate of growth could be sustained through fiscal 1974. Thus, programs would be available to serve an estimated 2.5 million children in 1972, 3.3 million in fiscal 1973, and 4 million in fiscal 1974.

Appropriation authorizations would increase from \$1.2 billion in fiscal 1970 to \$2.1 billion, \$3.0 billion, \$4.0 billion, and \$5.0 billion in fiscal years 1971 through 1974, respectively. Substantial growth in preschool services offered under the Elementary and Secondary Education Act, under the Social Security Act, and under other nutritional and health programs is also anticipated. Together, these programs would be expected to fill the remainder of the need for comprehensive services for disadvantaged children.

Mr. President, the Nation has already committed itself to offering full opportunity to its disadvantaged citizens. But until we offer the full range of needed services to preschool children, we will never fully honor that commitment. This bill seeks to fill that void, and to insure that every child has an equal opportunity to reach his full potential.

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

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

The bill (S. 2060) to provide for an expanded Headstart child-development program within the Office of Economic Opportunity, introduced by Mr. MONDALE (for himself and other Senators) was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2060

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Head Start Child Development Act of 1969."*

SEC. 2. Title V of the Economic Opportunity Act of 1964 is amended to read as follows:

"TITLE V—HEAD START CHILD DEVELOPMENT PROGRAM

"STATEMENT OF PURPOSE

"SEC. 501. It is the purpose of this title to provide a comprehensive child development program which will (1) assist children of preschool age from low-income families or from poverty areas to attain their full potential, and (2) provide needed care to expectant or nursing mothers in low-income families. It is further the purpose of this title in providing this program to enhance the probability that families and relatives of the persons it serves will become or remain self-sufficient or otherwise obtain objectives related to the purposes of this Act, including their being enabled to choose to undertake or to continue basic education, vocational training, or gainful employment.

"FINANCIAL ASSISTANCE FOR CHILD DEVELOPMENT PROJECTS

"SEC. 502. (a) The Director is authorized to make grants to, or to contract with, public or private agencies or organizations to pay all or part of the costs of planning, developing and carrying out child development projects both on an in-the-home basis and in

child development centers which are focused upon children who have not reached the age of compulsory school attendance and who are from low-income families or from urban and rural areas with high concentrations or proportions of low-income persons. Financial assistance under this section may also be provided to employers, labor unions, or to joint employer-union organizations for child development projects established at or in association with a place of employment or training where such projects are financed in major part by the project sponsor.

(b) Projects assisted under this section will (A) provide such comprehensive health, nutritional, education, social, and other services as the Director finds will aid children to attain their full potential, (B) provide for direct participation of the parents of such children in the development, conduct, and overall direction of the program at the local level, and (C) provide for the utilization of personnel adequate to meet the specialized needs of children, particularly those who are disadvantaged, including nonprofessional and volunteer personnel. Such projects may also provide such services to expectant or nursing mothers in low-income families as the Director finds will help to reduce malnutrition, infant and maternal mortality and the incidence of mental retardation and other handicapping conditions. Financial assistance under this section may be provided in conjunction with or to supplement child development or day care projects under the Social Security Act or other relevant statutes, utilizing to the extent practicable the joint funding authorities provided in section 612 of this Act.

(c) Pursuant to such regulations as he may prescribe, the Director may permit persons who are not members of low-income families to receive child development services under projects provided for in this section. The Director may require a family which is not low-income to make payment in whole or in part for such services where the family's income is, or becomes through employment or otherwise, such as to make such payment appropriate.

(d) Children and expectant or nursing mothers who are members of low-income families and who are served by any project assisted under this section shall be deemed eligible for certification to receive food assistance under the supplemental food program for low-income vulnerable groups administered by the Department of Agriculture pursuant to the authorities of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) and Public Law 90-463, 82 Stat. 645, 646, August 8, 1968.

(e) In carrying out projects assisted under this section, emphasis shall be placed on providing unemployed or low-income persons residing in communities served by such projects with jobs providing career ladder opportunities, and such persons, to the extent feasible, shall be provided opportunities for occupational training in programs authorized under section 504 of this Act for the purpose of facilitating career advancement.

(f) The Director shall assure that of the total number of children served by projects assisted under this section in each State the number of children served who have special education and other needs because of coming from environments in which the dominant language is other than English or is an identifiable dialect or vernacular of English, will be reasonably proportionate to the percentage such children constitute of the total population of children in the State who are eligible to be served by such projects.

(g) In providing assistance under this section, the Director shall give preference to applications therefore submitted by community action agencies established pursuant to title II of this Act.

"(h) Project costs under this section may include costs of rental or lease of suitable physical facilities.

#### "ASSISTANCE IN PROVIDING PHYSICAL FACILITIES

"SEC. 503. (a) The Director is authorized to make grants to, contract with, or provide other assistance to agencies and organizations assisted under section 502 for the purchase of land and the purchase, construction, renovation, and alteration of physical facilities to be used in carrying out the projects authorized by this title. No assistance shall be provided under this subsection unless the Director finds that:

(1) Suitable facilities cannot be rented or leased in the community to be served by the project, or

(2) Purchase, construction, renovation, or alteration will be economically more advantageous to the Government than rental or lease of facilities.

No agency or organization may receive assistance under this subsection unless it agrees that the assisted facilities shall be available for public purposes for a period not less than ten years from the date of purchase or completion of construction, alteration, or renovation.

"(b) The Director is authorized to make separate contracts for annual grants to organizations receiving assistance under section 502 to reduce the cost of borrowing funds for the purposes enumerated in section 503(a). Annual grants to reduce such borrowing costs shall be made over a fixed period not exceeding forty years, and provision for such grants shall be embodied in a contract guaranteeing their payment over such period so long as the facilities are used for public purposes. Each such grant shall be in an amount equal to the difference between (1) the average annual debt service required to be paid, during the life of the loan, on the amount borrowed, and (2) the average annual debt service which would be required to be paid, during the life of the loan, with respect to such amount if the applicable interest rate were 3 per centum per annum. The Director shall not enter into a contract for grants under this subsection unless he determines that the amount borrowed does not exceed the total amount necessary to carry out the above purposes in an economical manner. Contracts for annual grants under this section shall not be entered into for an aggregate amount greater than is authorized in appropriation Acts; and in any event the total amount of annual grants which may be paid in any year pursuant to contracts entered into under this section shall not exceed \$15,000,000, which amount shall be increased by \$20,000,000 on July 1, 1971 and by \$30,000,000 on July 1, 1973.

#### "TECHNICAL ASSISTANCE AND TRAINING

"SEC. 504. (a) The Director may provide directly or through grants, contracts, or other arrangements, such technical assistance or training of personnel as may be required to implement effectively the purposes of this title.

"(b) For the purpose of increasing the supply of specially qualified persons available to work in child development programs serving disadvantaged children, the Director may, pursuant to such regulations as he may prescribe, lend to any person desiring to pursue a career in child development work, especially one who intends to work with disadvantaged children, sufficient funds to enable such persons to take suitable courses at an institution of higher learning to prepare for such a career. The Director shall pay the portion of the funds lent for tuition and other academic fees directly to the institution, and may pay directly to the student fund lent to meet

such other costs as are reasonably necessary for the student to complete his training, including subsistence expenses, up to a maximum of \$3,000 a year. The period of training provided to any person under this subsection shall not exceed two academic years.

Loans shall bear interest at 3 percent per annum, and shall be repayable by the person thus assisted over a ten-year period, beginning on the date of his completion of or withdrawal from the course of instruction in which he is enrolled, excluding any period, not in excess of three years, in which such person is a member of the Armed Forces of the United States, the Peace Corps, or such other periods as may be specified in regulations prescribed by the Director. Collections of principal and interest on student loans shall be deposited in the miscellaneous receipts account of the Treasury.

Not to exceed 30 percent of the amount loaned to an individual, plus accrued interest, shall be waived in each year following completion of the training in which he engages full-time in child development work in a project, determined by the Director, to be serving substantially children from low-income families.

#### "PILOT PROGRAMS AND RESEARCH, AND EVALUATION

"SEC. 505. (a) The Director may contract or provide financial assistance to public or private agencies for pilot or demonstration projects which are designed to test or assist in the development of new approaches or methods that will aid in overcoming special child development problems, with particular attention to those referred to in Section 502(f) or otherwise furthering the purposes of this title. He may also contract or provide financial assistance for research pertaining to the purposes of this title.

"(b) The Director shall provide for the careful and systematic evaluation of the program authorized under this title, directly or by contracting for independent evaluations, with a view to measuring specific benefits, so far as practicable, and providing information needed to assess the effectiveness of program procedures, policies, and methods of operation.

#### "FEDERAL SHARE

"SEC. 506. Unless otherwise provided in this title, financial assistance extended to a public or private agency or organization pursuant to section 502 of this title shall not exceed 90 per centum of the approved cost of the assisted programs or activities. The Director may, however, approve assistance in excess of such percentage if he determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of this title. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, or services.

#### "COORDINATION OF PROGRAMS

"SEC. 507. The Director and the Secretary of Health, Education, and Welfare shall take all necessary steps to coordinate programs under their jurisdictions which provide day-care or child development services, with a view to establishing insofar as possible, a common set of program standards and regulations, and mechanisms for coordination at the State and local levels. In approving applications for assistance under this part, the Director shall take into consideration (1) the extent to which applicants show evidence of coordination and cooperation between their projects and other child development programs in the areas which they will serve, and (2) the extent to which unemployed or low-income individuals are to be employed, including individuals receiving or eligible to receive assistance under the Social Security Act.

**"APPLICABILITY OF OTHER PROVISIONS OF FEDERAL LAW**

"SEC. 508. The provisions of title II of this Act with respect to fiscal responsibility, accounting, and audit (section 243) and personnel standards for assisted projects (section 244(2)) shall be applicable to the comprehensive child development program authorized by this title to the extent not inconsistent with the provisions of this title.

**"DURATION OF THE PROGRAM**

"SEC. 509. The Director shall carry out the provisions of this title during the fiscal year ending June 30, 1970, and the five succeeding fiscal years."

**ALLOTMENT OF FUNDS**

SEC. 3. (a) Section 225(a) of the Economic Opportunity Act of 1964 is amended by striking out the word "and" immediately following "section 221," and by inserting "and for assisting child development projects provided for in title V of this Act," immediately following "section 222(a)."

(b) Section 225(b) of such Act is amended by inserting "and for the child development program provided for in title V of this Act" immediately following "section 222(a)".

**TECHNICAL AMENDMENT**

SEC. 4. Section 222(a) of the Economic Opportunity Act of 1964 is amended by striking out paragraph (1) of that section and by renumbering its subsequent paragraphs accordingly.

**AUTHORIZATION OF APPROPRIATIONS**

SEC. 5. For the purpose of carrying out the programs under title V of the Economic Opportunity Act of 1964, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1970, the sum of \$1,200,000,000 for the fiscal year ending June 30, 1971, the sum of \$2,100,000,000, for the fiscal year ending June 30, 1972, the sum of \$3,000,000,000, for the fiscal year ending June 30, 1973, the sum of \$4,000,000,000, and for the fiscal year ending June 30, 1974, the sum of \$5,000,000,000.

**EXHIBIT 1**

**INFANT EDUCATION RESEARCH PROJECT,  
WASHINGTON, D.C.**

(One of a series of successful compensatory education programs, U.S. Department of Health, Education, and Welfare, Robert H. Finch, Secretary; Office of Education, Peter P. Muirhead, Acting Commissioner)

**FOREWORD BY DIVISION OF COMPENSATORY EDUCATION BUREAU OF ELEMENTARY AND SECONDARY EDUCATION**

This project report is part of an independent study of selected exemplary programs for the education of disadvantaged children completed by the American Institutes for Research in the Behavioral Sciences, Palo Alto, Calif., under contract with the U.S. Office of Education.

The researchers report this project significantly improved the educational attainment of the disadvantaged children involved. Other communities, in reviewing the educational needs of the disadvantaged youngsters they served, may wish to use this project as a model—adapting it to their specific requirements and resources.

**INTRODUCTION**

Tutors provided intellectual and verbal stimulation to children, from the time the children were age 15 months until they were age 36 months. Instruction was on a one-tutor: one child basis, 1 hour per day, 5 days per week, in the child's home.

The children were Negro males. They were drawn from homes that met two of the following three criteria: 1) the mother's formal education was less than 12 years; 2) the mother's work history was of unskilled or semi-skilled employment; and 3)

the family income was \$5000 or less. Fathers were absent in many of the homes; the families were of lower socio-economic status. All lived in deteriorated areas of Washington, D.C. An attempt was made to choose the participants from relatively stable homes, not so noisy or overcrowded as to interfere with the home tutoring session which were central to the project. Children were not selected if they displayed serious sensory or neurological problems.

The training of tutors and selection of children began in September 1965 and tutoring began 2 to 3 months later. There were 28 children in the experimental group and 30 in a control group. Follow-up evaluation continues.

Various tests of intelligence were used. The effectiveness of the program was indicated by the increasing superiority of experimentals over controls at intervals in the program.

**PERSONNEL**

A. Project Director. (Approximately one-half time, divided into one-quarter time on research and one-quarter time on administration of the instructional program *per se*.)

The Project Director assumed overall responsibility for the project, participated in recruiting personnel, selecting the sample, and planning of data collection and analysis. He secured the cooperation of community agencies, conferred with the supervisor regarding day-to-day operation, and established policy.

B. Project Supervisor. (Full-time.)

The Project Supervisor conducted the day-to-day operation of the project under supervision of the director. He recruited the sample and the tutors, conferred with families to assure their ongoing cooperation, and scheduled the testing sessions and arranged the transportation in order to get the subjects to them.

C. Educational Supervisor. (Full-time. Master's degree in speech and previous nursery-school teaching experience.)

He planned the basic curriculum and instruction, purchased instructional materials, supervised tutors and organized a weekly group session with them.

D. Tutors. (Eight in number, full-time. Female; college degree; previous experience with inner-city children in such capacities as teaching or nursing. Approximately half were Negro.)

E. Secretary. (Full-time.)

Dr. Earl S. Schaefer, the project officer from the National Institute of Mental Health, was also a key figure in the development and continuing program.

Also, there were three part-time test administrators, whose duties were related to the research and evaluation, rather than the instructional component of the program.

Methodology: General

The instructional program was based upon certain rationale, summarized as follows:

"Studies of intellectual development have found no differences in means mental test scores of infants from different social classes and from different races up to 15 to 18 months, but by the age of 3 years large differences between groups have emerged. A number of studies show that measures of intellectual level are highly correlated with verbal abilities as measured by tests of vocabulary and information, and that culturally-deprived groups and bilingual groups are more retarded on these verbal tests than on nonverbal tests of intellectual ability. Studies of lower socio-economic status groups have shown that such children receive less verbal stimulation from parents through mealtime conversation, reading, and other shared experiences than middle-class groups and that the parents present less adequate models for language learning. These studies suggest the hypothesis that culturally-deprived children develop progressively greater

deficits in intellectual functioning during the period from 15 months to 3 years—the period of early verbal development, because of lack of adequate intellectual, particularly verbal, stimulation."

The initiative of the tutor and the one-to-one tutor-pupil relationship were considered to be the cornerstones of the project. The curriculum sequence was to a large degree evolutionary, rather than pre-specified. The tutor tailored the training to each child in cooperation with the educational supervisor and with one other tutor who shared responsibility for the child.

The training of the tutors began with the initial period of 2 to 3 months before the tutoring began. During this period approximately half-time was devoted to training activities. There were lectures by the project officer, other senior project personnel, and university professors from appropriate disciplines. Three needs of culturally disadvantaged infants were emphasized: 1) need for positive relationships with other persons; 2) need for varied stimulation; 3) need for verbal development. The training period was meant to encourage certain attitudes and behaviors of the tutor, such as acceptance of the child's interests, praising of his achievements, maintaining with the child an attitude of enthusiastic exploration, and giving him the sort of experiences that infants from the higher social classes usually enjoy. Tutors also visited children's institutions, and each had a pilot case for 2 weeks, to gain experience in tutoring and in dealing with the family.

The tutor then began the program of home visitation. Each child was tutored in the home for 1 hour a day, 5 days per week, from the time the child was 15 months old until he was 36 months old. Main emphasis was upon verbal development and concomitant concept formation. The tutor talked with the child, showed him pictures, taught new words, played games, read from books, assisted in coloring of pictures and construction of simple jigsaw puzzles, etc. Lesson plans were not rigid; emphasis was upon a flexible, spontaneous, and pleasant interaction between tutor and child.

The early sessions were devoted primarily to diagnosing the needs of the children and to discovering what items stimulated them. A wide variety of toys were used as stimuli, including blocks, wooden animals, and nesting boxes, as well as various items around the home. Subsequent sessions were devoted to meaningful verbal exchange between tutor and child. Objects were named casually but often. The children were led gradually from the familiar to the novel; as they matured they became interested in being read to from books, looking at pictures therein, and taking walks about the neighborhood.

Participation of the mother and of other family members in the education of the infant was encouraged but not required. Frequently, the mother spontaneously joined the activity and asked the tutor's advice as to how she could continue the activity with the child and his siblings. Books and materials were left in the home by the tutor for this purpose.

The typical daily schedule of a tutor began with a half-hour to 1-hour conference with the educational supervisor or the cooperating tutor. Then there were two tutorial sessions in the morning and two again in the afternoon, followed by completion of progress notes on the children. Each tutor worked on alternate weeks with two different groups of four children. In this way, each child came to know two different tutors, rather than just one. Thus, if a tutor had for any reason been replaced during the program, the children affected would have some continuity from the remaining tutor.

The average tutoring time per child was 340 hours, or 16 hours per month for the 21 months of the program.

Each child was served continuously through the course of the project, even though some families moved several times, during this period.

Each mother was paid \$1 per tutoring session and \$10 each time she brought her child to one of several test administrations.

Tutors met with the educational supervisor in a weekly 2-hour group session. The function of these sessions was stated as follows:

"Primary emphasis will be upon group discussion of their experiences during the week, of problems they encountered, of methods and materials that proved useful, and of the developmental progress of the children. These sessions will also provide an opportunity to give further training to the tutors, to determine whether they are carrying out the program as planned, and to distribute materials and books. One of the major goals will be to develop and maintain the interest and enthusiasm of the tutors by allowing them to share their experiences in a meaningful group."

At some of these weekly sessions the educational supervisor presented a general training program, while other sessions involved a specific case history on a particular child.

#### METHODOLOGY: SPECIFIC EXAMPLES

The tutors wrote up a number of activities which they tried during the course of the experiment, and which they felt were successful. Some of these are described or quoted here, along with the name of the tutor contributing each.

A. A number of objects, with which the child has become familiar, are placed in paper bags. These might include toy cars and animals, pencils, buttons, brushes, etc. A game is played, in which the child must reach into the bag, handle the objects, and name them sight unseen. The child is allowed to remove and play with those objects he can name. The tutor guides him or provides hints to enable him to name the remaining objects (Lucille Banks).

B. Since the most frequently stated aim of the project has been to stimulate verbal development, I have concentrated on singing in my presentation of music. I have selected a few songs which have simple words, appealing melodies and rhythms and, most important, are repetitive. I have repeated these songs until they have been mastered by the babies.

Two of the babies have expressed a strong preference for one particular song. In these cases, I have attempted to include the favorite song in each singing session since the babies become very excited and responsive when it is sung. From this song, I have moved to less familiar songs, hoping that the initial enthusiasm stimulated by hearing and singing a familiar song will carry over. The babies appear to derive much satisfaction from their increasing familiarity with and ability to perform these songs.

Among the songs selected initially were:  
 "Shoo, Fly, Don't Bother Me"  
 "Skip to My Lou"  
 "Three Blind Mice"  
 "London Bridge"  
 "Yonder Tree" (used specifically for imitation of animal sounds.)

Later, I added:  
 "Wake Up"—both include motions  
 "Put Your Finger in the Air" with the words.

"Take Me Ridin' in the Car" (because of the appeal of this activity.)

The recordings were by Pete Seeger, Cisco Huston, and Woody Guthrie, all of whom are particularly adept at presenting children's songs in a captivating manner. They also repeat each song several times, a great aid to teaching and learning.

When the babies were young (15-18 months), I held them on my lap or arms,

and moved my body or knees to the rhythm of the song, at the same time articulating the words carefully and drawing the child's attention to my singing by holding him close and using exaggerated facial expression. I repeated the same songs until eventually the child attempted to sing. At this point, I simplified the words, concentrating on those which were repeated most often in the song and therefore easiest to perceive and repeat. For example, in presenting "Shoo, Fly, Don't Bother Me," I sang *Shoo Fly* in the correct places throughout the song, I encouraged him to add the remainder of the phrase, *don't bother me*. The phrase, *for I belong to somebody*, because of its length and the rhythm with which it is sung, comes much later. When the child is unable to perceive the words from the recorded presentation, I have repeated them more slowly, later without the recording.

Once the child has become interested in the actual singing of the songs, I have lessened body contact and emphasized the rhythm, concentrating only on the words. When the child becomes tired of singing, I terminate the music session rather than changing the emphasis to clapping, etc.

I have found that the length of time required to learn a song has lessened considerably (in some cases, the child enters in during the first presentation) as the children become able to focus their attention on the words and as I continually reinforce, with praise and enthusiasm, their attempts to sing the words. (Patricia Chernoff)

C. I usually make the initial introduction of puzzles to a child who has shown me through other activities, viz., nesting cups, pop beads, stringing beads, towering blocks, etc., that he has capable fine motor control for such a task.

The presentation of the puzzle comes always as a fun game—a kind of "I Can Do It; Now, Let's See If You Can" situation—and usually is connected with some facet of our other activities. For example, we see a picture of a cat—the cat puzzle; a dog—the dog puzzle.

We talk about the puzzle while it is still intact; then dump out the pieces (and this act I leave to the child, because he seems to derive great pleasure from the "dumping"); then talk about the side with colors on it and the dark, rough side; then trace with our fingers around the inside of the puzzle; then attempt to fit the pieces in the puzzle.

It is important that the child complete the task, but it is imperative that he not become so frustrated in his attempt to do so that he sets up a negative block against the activity. For this reason, I initially put the pieces back slowly in the puzzle so that the child can observe me. This is the "I Can Do It" part. We then see if he can do it, with the assistance he may require to prevent overt frustration. When there are signals that assistance is required, I put my hand over the child's hand on the puzzle piece, and I explain, "Turn it around," or "Turn it over," or "Try another space," as we do what each command directs.

We may work on a single puzzle for five sessions, but with the majority of children, this is more than sufficient time for them to successfully grasp the concepts of that one puzzle and to complete it. There is no urging on my part. For the most part, it comes from the child himself when he is presented, for example, with a three-piece puzzle which he knows he can complete. He completes the assigned puzzle and puts it aside. He is bored with this one and is ready to move on to bigger and better things in the line of puzzles.

The puzzle problem must be approached with care, I believe, because it encompasses so much that is new in the child's realm; perception of shape, depth, color; his senses of

sight and touch to distinguish one edge shape from another. Puzzles, as with any other task presented to the child, cannot be pushed. The child will give his teacher indices by which she can go as far as its readiness permits. (Betty Pair)

D. I began working with the subject children when they were about 2 years old. Books had already been presented to the subjects as early as 16 months of age. The attention span was short at this stage.

To increase the attention spans, I tried to select books that appealed to the subjects. The most popular type of books were the picture books. (Examples: *ABC Book*, *Things to See*, *Baby's First Book*, *Animal Panorama*.) These books have big, colorful pictures the subjects can identify with easily—familiar animals (cats, dogs, birds) and foods (apples, oranges, etc.). These books were presented at each session. Sometimes the child received pleasure from turning the pages. I named pictures and imitated if the picture was an animal. The boys really got a kick out of this. We played other games, too. Sometimes the child enjoyed just pretending he was eating the picture of food.

We took books along on walks to help the subject child realize that the pictures represented reality. I pointed out a picture of a dog, for instance, in the book and then pointed to a live dog. Another game we played to help the subject remember pictures in books was to chase or feed animals that were in the books (i.e., squirrels and elephants). I also brought books with pictures that represented family members. Each picture was named after one of the family members. A family game set helped to make the learning more fun. Each figure in the set represented a member of a family (boy, girl, mother, father, etc.). The subjects had fun naming each figure or, sometimes, just knocking them over. Sometimes the child would take a figure to his parents and say its name. If he could not name the figure, the mother would tell him.

I included parents whenever possible. Sometimes the parent could get the child interested in a book when all the tutor's efforts failed. Other siblings were used to encourage the subject to look at books. For example, if the subject refused to look at a book, I would look at the book with an older sibling. The subject child became jealous and then joined in looking at the book with the tutor. We sang songs about pictures and dramatized. We also used toys along with the books. First, I would point out pictures in the book and then give the child a toy like the picture. This was very effective.

Books were made and left in the homes. The child and I would cut out pictures that were in magazines and make our own book. Other books that the child enjoyed were also left in the home. Sometimes the older siblings took an interest in the books left and would help the subject name pictures. This was another effective method since the subject child imitated older siblings readily. The subject child was praised whenever he could name, imitate or recognize pictures in any way. This encouraged the child to make an effort to learn. . . .

. . . The story book and record combination has been successful. First, I tell the story, pointing out different portions of the story. Then the same story is played on the record player. The first thing on the record that interests the child is the phrase, "Turn the page." After hearing the record several times, the child began to get more interested. The story is told at least once or twice a week until the child masters the story. Three of my boys have done a good job with *Peter and the Wolf*. They can name all the characters in the story and can describe many actions taking place by looking at the pictures. . . .

. . . Cliff (subject child) likes animal books. He know many animals and can imitate

them. He can name the more difficult ones such as the rhinoceros, zebra, seal, raccoon, and buffalo. To encourage his interest, I have taken him to the zoo several times and also to the Rock Creek Nature Center, the Smithsonian Natural History exhibits, and the circus. His mother has taken him to the country. This child really got a thrill out of seeing the live animals. Some of Clifford's favorite books include *The Zoo Book*, *Animal Panorama*, *Animal Book*, and several others.

Sam prefers books about horses. Whenever he sees a picture of a horse, his face lights up. I provided this child with as many horse books as I could find. I also took this child on trips to see horses and ride ponies. He has been on the carousel several times, to the circus, and also had a ride on a live horse! Whenever I present a picture of a horse, Sam relates his experiences. He loves horses so much that we will sit for 45 to 60 minutes looking at a book with pictures of horses in it. (Lucille Banks)

E. One tutor reports the following books as being among the most successful: *Things to See*, *A B C Book*, *Best Word Book Ever*, *Whistle for Willie*, and (when the children were older) the illustrations of the *Banks Street Readers*, which depict city life involving Caucasian, Negro, and Oriental children. The object of the children's "lively interest" evolved from picture books (at age 15 months, when the project began) to story books (beginning at about 28 months). This teacher felt much more successful with realistic books than with those which: 1) depicted animals in human dress, engaging in human activities; 2) presented inanimate objects (e.g., airplanes) as being animate; 3) presented nursery rhymes, which contain many words for which referents are lacking, e.g., curds and whey. (Patricia Chernoff)

F. Another tutor notes that at the beginning of the project, toys were the major instructional vehicle, with books secondary. As the children matured, however, these roles were decidedly reversed. At first, even picture books were ignored, and became of interest to the children only after sufficient handling and naming of the material referent. For instance, a picture of a ball was ignored by the child until he had played with and named a real ball on a number of occasions. This tutor reports that the most effective books at this early stage were those dealing with the sensations, such as *Pat the Bunny* and *Touch Me*, or those having large and brightly colored illustrations, such as *Things to See* and *Baby's First A B C*. As the children grew, they became increasingly interested in the vehicles they saw while walking with this tutor (the reader will note that these children were all boys). At this time the *Big Book of Trucks* and the *Giant Nursery Book of Things That Go* were particularly enjoyed by the boys. Durable, cloth-bound books were recommended, since they could be left in the home "with some hope of finding them intact at the next session." (Betty Pair)

G. Project personnel furnished the following list of recommended books:

*Age—15 to 18 months*

Book and Publisher

- \*Pat the Bunny, Golden Press.
- \*Touch Me Book, Golden Press.
- \*Things to See, Platt & Munk.
- \*1st A B C Book, Platt & Munk.
- Baby's First Mother Goose, Golden Press.
- My Toys, Capitol.
- Words to Say, Golden Press.

*Age—18 to 24 months*

- Baby Farm Animals, Golden Press.
- My Toys, Capitol.
- Happy Animal Panorama, Grosset & Dunlap.

\*Books considered most valuable by project personnel.

Baby's Picture Panorama, Grosset & Dunlap.

All by Himself, Flakie Product.  
Golden Happy Book of Numbers, Golden Press.

Golden Happy Book of Words, Golden Press.

Golden Happy Book of Animals, Golden Press.

Golden Happy Book of A B C's, Golden Press.

I Am a Bunny, Golden Press.

\*Is This The House of Mistress Mouse, Golden Press.

\*Best Word Book Ever, Golden Press.

\*Golden Shape Books (entire series), Golden Press.

The Fish, Dick Bruna Follett Pub. Co.

The Apple, Dick Bruna Follett Pub. Co.

Big Train Book, McGraw & Hill.

*Age—24 to 36 months*

Woodland Animals, McGraw & Hill.

Come Walk With Me, Capitol.

Whistle for Willie, Viking.

Night, Harper & Row.

Little Verses, Golden Press.

\*Uptown Downtown, Bank Street Readers.

\*Around the City.

Saturday Walk, Wm. R. Scott.

Dr. Seuss' A B C Book, Random House.

Put Me in the Zoo, Random House.

Cat in the Hat, Random House.

Hop on Pop, Random House.

\*Go, Dog, Go.

Goodnight, Mom, Harper & Row.

The Big Parade, McGraw & Hill.

Who's That?, Grosset & Dunlap.

Who's That?, Grosset & Dunlap.

Where's That?, Grosset & Dunlap.

Big Beds and Little Beds, Wonder Books.

\*Peter and the Wolf, Doubleday.

Aesops Fables, Maxton.

The Bike Lesson, Random House.

Are You My Mother, Random House.

Bear's Picnic, Random House.

A Fly Went By, Random House.

\*Giant Nursery Book of Things That Go, Doubleday.

Giant Nursery Book of Travel Fun, Doubleday.

Giant Nursery Books of Things That Work, Doubleday.

Red Riding Hood, McMillian.

One Fish, Two Fish, Red Fish, Blue Fish, Random House.

The Snow Day, New York: Viking.

What Is Your Favorite Thing To Touch, Grosset & Dunlap.

Let's Go Shopping, Capitol.

Up Is Up, Down Is Down, McGraw & Hill.

The Wonder Book of Turtles, Eve Morel.

A Special Place for Johnny, Whitman.

Katie and the Big Snow, Maxton.

I Learn To Tell Time, Capitol.

The Brave Little Mouse, McGraw & Hill.

Fast and Slow, Platt & Munk.

I Learn To Button, Capitol.

The Color Wheel, McGraw & Hill.

Whisper in My Ear, Golden Press.

Happy Zoo Book, McGraw & Hill.

H. Project personnel also furnished the following list of recommended toys.

MOTOR ACTIVITY TOYS

1. String and Beads—Milton Bradley or Fisher Price.
2. Peg Boards and Pegs—Milton Bradley or Child Craft Bowls for Pegs.
3. Junior Turn a Gear—Child Guidance Toy.
4. Snap and Play—Sifo.
5. Bill Ding, Jr.—Sifo.
6. "Building Toy" (in can).
7. Jumbo Block Wagon—Playskool.
8. Pounding Bench—Playskool.
9. Tool Bench—Playskool.
10. Plastic Milk Bottles—Creative Playthings.
11. Lock and Keys.
12. Watch.

13. Lacing Shoe—Playskool.
14. Tinker Toys—The Toy Tinkers (A.G. Spaulding Bros., Inc.).
15. Rock-a-Stack—Sifo or Fisher Price.
16. Hexagonal Nesting Cups—Child Craft.
17. "Barrel" Nesting Cup—Child Guidance Toy or Child Craft.
18. Plastic Shapes on a Stick—Fisher Price Toy.
19. Wooden Shapes on a Stick.
20. Plastic Shapes on Plastic Screw.
21. Plastic Nesting Cups.
22. Measuring Spoons.
23. Bang Ball—Sifo.
24. Large Bags of Wooden Blocks.
25. Geometric Shapes—Creative Playthings.
26. Graded Circles, Squares, Triangles—Creative Playthings.
27. Shape—Sorting Box—Creative Playthings.
28. Rocky Board—Creative Playthings.
29. Pile-up Clowns—Creative Playthings.
30. Wood, Nuts, and Bolts—Creative Playthings.
31. Beginner's Blocks—Creative Playthings.
32. Pop-up—Sifo.
33. O-Blocks—Sifo.
34. Plain and Colored Blocks—Sifo.
35. Music Box Lacing Shoe—Fisher.
36. T.V. Radio—Fisher Price.
37. Pocket Radio—Fisher Price.
38. Pop Beads—Fisher Price.
39. Dump'n Fill Bottles—Child Craft.
40. Lincoln Logs—Playskool.
41. Hydroplane—Creative Playthings.

DOLLS

1. Negro Boy Doll.
2. Baby in Pajamas.
3. Baby (minus clothes).

TOY VEHICLES

1. Dump Truck.
2. Plastic Tug Boat.
3. Bulldozer.
4. Large Wooden Truck.
5. Moving Van.
6. Oil Trucks.
7. Volkswagen.
8. Airplanes.
9. Pick-up Truck.
10. Orange Dump Truck—Metal.
11. Cement Mixer.
12. Large Plastic Dumptruck.

PULL AND PUSH TOYS

1. "Snoopy Sniffer"—Fisher and Price.
2. Milk Wagon—Creative Playthings.
3. Playskool Wagon with Blocks—Playskool.
4. Wagon—Sifo.
5. Tyke Bike—Playskool.
6. Metal Wagon—Child Craft.
7. Tricycle.
8. Magnetic Train—Creative Playthings.
9. Creative Coaster—Fisher Price.
10. Rainbow Wagon—O—Block—Sifo.

MISCELLANEOUS

1. Jingle Totem Pole.
2. Magnets—Creative Playthings.
3. Prism.
4. Spin Top.
5. Plastic Tools on Belt.
6. Plastic Telephone.
7. Playskool Postal Stations.
8. Flannel Board.
9. Pocketbooks.
10. Plastic Duckling.
11. Wind-Up Mouse.
12. Can of Farm Animals.
13. Big Top.
14. Little Tops.
15. Dishes: Cups, Saucers, Coffee Pots, Skillet, Plastic Silverware Tray.
16. Mirror, Comb.
17. Mirror Box—Creative Playthings.
18. Puppets—Creative Playthings.
19. Color Paddles—Creative Playthings.
20. Playful Puppy—Creative Playthings.
21. Lock Box—Creative Playthings.
22. Number Sorter—Creative Playthings.
23. Counting Frames—Holgate—Playskool.

24. Number with Pegs—Creative Playthings.
25. Number-ite—Judy.
26. Toy maker—Child Craft.

## GARDEN TOOLS

1. Rakes.
2. Hoes.
3. Brooms.
4. Shovels.
5. Lawn Mower.

## OUTDOOR TOYS

1. Balls.
2. Pails and Shovels.
3. Plastic Buckets.
4. Plastic Scoops.
5. Watering Cans.
6. Skates.

## RECORDS: (RECORD PLAYERS)

1. Learning as We Play.
2. Nursery Rhymes, Games and Folk Songs.
3. Songs to Grow on for Mother and Child.
4. American Game and Activity Songs for Children.
5. Songbirds of America.
6. Songs to Grow on.
7. Nolsy Baby Animals.
8. Nursery Rhymes.

## MUSICAL INSTRUMENTS

1. Bells—Creative Playthings.
2. Drums and Drumsticks—Creative Playthings.
3. Wooden Sticks—Creative Playthings.
4. Xylophone—Creative Playthings.
5. Shaker Stick—Creative Playthings.
6. Castanets—Creative Playthings.
7. Triangle—Creative Playthings.

## PUZZLES

1. Plate Puzzle—Playskool.
2. Fruit Puzzle—Playskool.
3. Colors I See Puzzle—Playskool.
4. Building Puzzle—Playskool.
5. Form Board—Playskool.
6. Dog Puzzle.
7. Puzzle Blocks.
8. Rainy Day Puzzle.
9. Color Match-ettes.
10. Shapes, Colors, Forms.
11. Transportation Puzzle.
12. Missing Face Puzzles—Creative Playthings.
13. Matchettes—Judy.
14. Airplane—Judy.
15. Tree—Judy.
16. Boy—Judy.
17. Cat—Judy.
18. Dog—Judy.
19. Butterfly—Judy.
20. Tools (single piece).
21. Squirrel.
22. Monkey.
23. Flower—Judy.
24. Three Kittens—Sifo.
25. Fruit—Sifo.
26. Playground—Sifo.
27. Rainy Day.
28. Plate.
29. Rubber Family.
30. Rubber Cars.
31. Rubber Ducks and Rabbits.
32. Buildings We See—Sifo.
33. Vegetable Puzzle—Sifo.
34. Eighteen Piece Bird Puzzle—Judy.
35. Children's Favorites—Sifo.
36. Children's Pets—Sifo.
37. Peter, Peter, Pumpkin-Eater—Sifo.
38. Five Piece Animal Puzzle.
39. Simplex Bear.
40. Rubber Counter—Creative Playthings.
41. Wood Lotto—Creative Playthings.
42. Little Jack Horner.
43. Fireman's Puzzles—Judy.
44. Zoo Lotto.
45. Horse Puzzle—Playskool.
46. Hippo—Playskool.

## VERBAL STIMULATION TOYS

1. Plastic Magnetic Letters.
2. Sandpaper Letters.
3. Slates.

4. Family Hand Puppets—Creative Playthings.
5. Story Sets.
6. Telephone.

## Evaluation

## A. Measures of Achievement

All infants, experimental and control, were tested at age 14 months, before the experimental tutoring began. The Bayley Infant Scales of Development were used. The infants were retested with the Bayley at 21 months, and with the Stanford-Binet at 27 and at 36 months. Three other tests were also used at 36 months: (1) the Peabody Picture Vocabulary Test; (2) the Johns Hopkins Perceptual Test; (3) the Aaronson and Schaefer Preposition Test. (This consists of a magnetic board with three objects: an automobile, a boy, and a ball. The subject's command of prepositions is tested, when he is asked to place the ball "between the boy and the car," "into the car," "at the top of the board," etc.) The three part-time test administrators gave the tests at the project offices and were not told which children were in the experimental and which were in the control group.

Tests results are summarized in the following tables. It can be seen that the experimentals were not superior to the controls at the outset. (In fact, they were slightly lower, though not significantly so.) However, as instruction proceeded, they apparently grew increasingly superior to the controls.

TABLE 1.—MEAN IQ SCORES AT INTERVALS DURING INFANT EDUCATION PROJECT

Age (in months):	Experimental (n 28)	Control (n 30)	t
14.....	105	108	-0.96
21.....	97	90	1.12
27.....	101	90	3.35
36.....	106	89	5.91

<sup>1</sup> Significant, 0.05.

<sup>2</sup> Significant, 0.01.

TABLE 2.—MEAN SCORES ON VARIOUS TESTS AT 36 MONTHS, INFANT EDUCATION PROJECT

Test	Experimental (n 28)	Control (n 30)	t
Peabody.....	87.11	76.23	13.77
Johns Hopkins.....	11.61	6.60	14.18
Aaronson-Schaefer.....	13.43	12.40	1.23

<sup>1</sup> Significant, 0.01.

## B. Other Evaluation Indices.

It was the consensus of the staff that the tutors became an important and desired element in the families of the tutored children. As the project proceeded, tutors became increasingly accepted in the home and neighborhood, and were not perceived as inspectors or welfare agents. As rapport was gained with the family, especially the mother, the tutor began to take on the role of a confidante and helper in diverse areas such as budgeting family finances, and use of community resources. In a number of cases, this project resulted in the family's first visit to the zoo or the library.

Problems experienced by the tutors included: the number of disruptions caused by the moving of several rather mobile families; the problem of finding the child ready to participate at the time of the visit; the lack of a quiet place in which to hold the tutoring session.

Project personnel felt that the weekly group discussions contributed significantly both to tutor morale and methodology.

Tutor ratings of parent behavior were cor-

related with achievement at 36 months. Child neglect was significantly related to performance in the expected direction; i.e., the more neglected children performed poorly.

## C. Modifications and Suggestions.

It was suggested by program personnel that in action programs evolving from this research project, neighborhood learning centers could be tried, providing a relatively quiet environment for tutoring sessions. Neighborhood mothers and high school girls could be responsible for much of the tutoring, since a high level of formal education was probably more necessary in the research phase of the program than would be necessary in subsequent action programs. The number of research and administrative personnel could also be reduced to possibly one overall educational supervisor and a secretary. One field supervisor for every 12 tutors was recommended. It was further suggested that instruction might begin as early as age 6 months, for optimum efficacy.

## Budget

Project director, Half-time.  
Project supervisor, Full-time.  
Educational supervisor, Full-time.  
Tutors, one for every four children, Full-time.  
Test administrators, \$25 per test session per child.  
Project secretary, Full-time.  
Books and materials, First year: \$40 per child; Subsequent year: \$25 per child.  
Office materials, \$750 per year.  
Reimbursement of parents, \$1.00 per day of tutoring; \$10.00 per test session.  
Office rental.  
Local travel.

## PRECIPITATE CLOSING OF JOB CORPS CENTERS

Mr. MONDALE, Mr. President, I rise today to explain in detail the reasons why I support Senate Resolution 183, which is being reported to the Senate floor today by the Committee on Labor and Public Welfare. This resolution, sponsored by Senator CRANSTON, and co-sponsored by myself and 30 other Senators, expresses the sense of the Senate that any action to close Job Corps camps should be deferred until the Congress has had an opportunity to review the Job Corps program and decide upon legislation which would extend the Economic Opportunity Act of 1964, as amended, and appropriations for that program.

There are numerous reasons why I support this resolution, and oppose the administration's precipitous action to close 59 Job Corps centers, and I would like to explain these reasons at this point.

First, I oppose the administration's decision to close these Job Corps centers because it was announced in a hasty fashion without prior consultation with Congress. Despite President Nixon's statement in his February 19 economic opportunity message to Congress, that he would seek full discussion and debate on his proposals for changes in the poverty program before they become effective, the administration announced its intention to take immediate steps to close 59 Job Corps centers without any prior discussion and consultation with Congress. This action seems particularly ill timed when two major studies of the Job Corps centers have recently been completed, and are currently being reviewed by appropriate committees in each House of Congress.

One very pertinent result of the Harris study, for example indicates that, on the average, a Job Corpsman's hourly wage increased more for those who attended conservation camps than for those who attended the urban centers.

Second, I oppose this precipitous action because of the damaging and demoralizing effects it is having on Job Corpsmen throughout the country. Many of these Job Corpsmen, as a result of announcements that their Job Corps centers would be closed in the very near future, have become embittered, disappointed, and are dropping out. It is my understanding, for example, that of approximately 160 Job Corpsmen at the Tamarac Conservation Center in my home State of Minnesota, about 40 of these men—one-quarter of the total—have chosen simply to return to their home communities rather than take advantage of an opportunity to transfer to another Job Corps center or another manpower program. These 40 Job Corpsmen are simply quitting, and it is hard to blame them. Some of them ask the obvious question: "Why should I transfer to another Job Corps center, they may close that one down." The damaging effect on these young men, who have left their home communities, and adjusted to what some call a second home, cannot be tolerated.

Third, I oppose this hasty action because of the obvious inadequacies of the alternative manpower programs the administration proposes to offer to the type of young men that have previously gone to Job Corps centers. A quick review of the education and ages of the participants in the other manpower programs, when compared to the education and ages of the Job Corps conservation corpsmen, indicates that programs like MDTA, the concentrated employment program, and the JOBS program, are simply not dealing with the hard-core, severely deprived young men that the Job Corps program serves. For example, 60 percent of the MDTA trainees are aged 22 and above, compared to only 5 percent of the conservation corpsmen, and 45 percent of MDTA trainees have 12th grade educations or more, compared to only 7 percent of conservation corpsmen. Similarly, in the JOBS program, 56 percent of the participants are aged 22 or above, compared to only 5 percent in the conservation centers, and 33 percent of the JOBS participants are high school graduates, compared to only 7 percent of the conservation corpsmen. Statistics for the CEP program show the same picture—64 percent of the CEP participants are 22 years old or older, compared to 5 percent of the conservation corpsmen, and 25 percent of the CEP participants are high school graduates, compared to only 7 percent of the Job Corpsmen. I think this information, plus an understanding of the services these alternative manpower programs provide, reveal quite clearly that these alternative manpower programs are not equipped, or accustomed to, dealing with the hard-core, deprived young man that needs Job Corps training.

In addition to these existing manpower

alternatives, the administration talks about establishing minicenters in urban areas to provide training opportunities for those who previously would have gone to Job Corps camps. It may well be that this minicenter approach will prove to be valuable in practice. However, it seems very premature to close 59 Job Corps camps before any of these proposed minicenters have had an opportunity to prove its value in practice. It is my understanding that at present there are two urban programs in existence that may be similar to the proposed minicenters, and the experience of these two programs are quite dissimilar. While apparently the program in New Haven, Conn., is producing some promising results, I understand the program in Baltimore, Md., is having serious difficulties. I am told, for example, that the nonresidential urban center in Baltimore experiences daily absentee rates as high as 60 percent. Clearly, the alternative of minicenters should be tested before so many Job Corps centers are closed summarily.

Fourth, I oppose the precipitous decision to close Job Corps camps because it was reached in a way that is quite contrary to what I understand to be the appropriate decisionmaking process for programs which have been or are about to be delegated from one department or agency to another. All the evidence that is available indicates quite clearly that decisions regarding the Job Corps closings were reached without any active participation or consultation with the knowledgeable persons in the Office of Economic Opportunity who have had experience in administering this program. On the contrary, the decisions were reached, and announced, by the Labor Department—which will not become the administering agency for the Job Corps program until it is delegated in July of this year. I seriously question whether a decision reached in this fashion, can be based on all the relevant information and knowledge that should have been considered.

Fifth, assuming that after consultation with Congress, and all appropriate and experienced agencies in the executive branch, a decision is reached that some of the Job Corps centers should eventually be closed in favor of using alternative methods that have proved more effective in actual operation, then I question the criteria and selection of the conservation centers which have been designated for closing. Some of the centers which the administration intends to close have clearly produced some very valuable results.

I would like to cite two centers in Minnesota—Tamarac and Lydick Lake—as illustrations of my point. The Tamarac Job Corps Center has an annual per man operating cost of \$4,427. This compares with an annual per man operating cost of \$5,368 in one of the Job Corps centers that was designated to remain open. In fact, Tamarac's operating costs were less than 21 of 30 conservation centers which are designated to remain open. Similarly, the placement success at the Tamarac center is above average. The Tamarac center placement rate

is 70.5 percent. This placement percentage is higher than 18 of 30 conservation centers that will remain open. From these statistics, and from some very encouraging reports I received from the people in Minnesota who have had firsthand experience with Tamarac and Tamarac enrollees, I seriously question whether these Job Corps centers should be closed.

Many of the same reasons exist for continuing the Lydick Lake Job Center operation. Lydick Lake's placement record is 69.9 percent—a better placement record than five of the centers that will remain open. In addition, graduates of the center are being placed at an average hourly wage of \$2.19. I understand this compares with an average hourly wage at graduation of about \$1.80 or \$1.90 for the entire Job Corps program. Finally, the enrollees of the Lydick Lake Job Corps Conservation Center have completed conservation work projects of great value. The projects completed between September 27, 1966, and March 1, 1969, have an appraised value of \$1,730,923. This conservation record is better than the conservation record of 24 of the centers that will remain open.

Mr. President, for the reasons I have listed above, I support Senate Resolution 183, and stand in opposition to the administration's precipitous decision to close 59 Job Corps centers without prior consultation with Congress.

Mr. President, an excellent article entitled "Job Corps Camp To Close June 30," published in the Minneapolis Tribune yesterday concluded by stating:

"These kids are used to being pushed around," he said. "It's just another broken promise."

I deeply regret that our Government has decided to take this step.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I have referred which was published in the Minneapolis Tribune of May 4, 1969, an article which was published in the Sunday Forum of Fargo-Morehead, Minn., of April 27, 1969, and a representative sample of very useful and informative letters I have received from Minnesotans regarding the values of the Tamarac and the Lydick Lake Job Corps Centers.

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

[From the Minneapolis (Minn.) Tribune,  
May 4, 1969]

JOB CORPS CAMP TO CLOSE JUNE 30

(By Andrew Barth)

CASS LAKE, MINN.—The Labor Department calls it a "phased orderly withdrawal," but to the staff and corpsmen at the Lydick Lake Job Corps Center it's the end of the dream.

Lydick Lake, with its basic education, job-training and health-care facilities, is scheduled to close forever June 30. When it goes, a major program in the War on Poverty, intended to rehabilitate and reeducate poor young men, will leave Minnesota.

The center, about 12 miles west of Bena, and another center at Tamarac near Detroit Lakes, are among 59 ordered closed under a cost-cutting reorganization plan of the Nixon administration. Lydick Lake lasted only three years, and many people involved with

it feel that neither the program nor the young men accepted in it have had a chance to show what they can do.

The decision to reduce the Job Corps program, originally funded by the Office of Economic Opportunity but moved to the Labor Department by President Nixon, is based on an austerity drive and a belief that the centers don't work. William E. Morden, director of the Lydick Lake center, protests:

"What can be expected? We're dealing with failures to begin with, the bottom of the barrel. It takes time. Now if you take away these fellows' last chance, they may get pretty desperate."

Corpsman Gilbert Garrett, 17, said he "used to walk around Detroit with a 6-inch blade in my pocket." Since last fall he's been part of the Lydick Lake program, which tries to improve a corpsman's basic social and educational "living ability," and to give him a skill.

"The education's the biggest benefit for me here," Garrett said. "When I got here I couldn't say what I wanted to, couldn't read or write. If I'm sent home I know I'll be back on the street. Here I can study. You know I'm not going to walk 10 miles to Cass Lake to hang around street corners."

Before the shut-down directive was issued April 11, the center housed 224 young men of ages 16 to 22, with 54 counselors and teachers. Now the number has fallen to 106 as preparations to abandon the center advance.

The administration has promised help to corpsmen wanting to move to another center, but many don't plan to try again. They seem to feel either that the adjustment to a new camp would be too difficult or to wonder whether other centers might not be closed on them, too.

Corpsmen also oppose the administration plan to set up nonresidential urban centers giving employment training only. Most feel that the lure of big-city dissipation would hinder learning.

This fear of a future limited by illiteracy explains some of the resentment corpsmen feel:

"I'd look pretty silly sitting in a 3rd grade. Where else am I going to learn to read and write?" asked one older corpsman.

One corpsman particularly upset over the closing is Thomas Baxley, 20, New York, N.Y.

He chose cooking as his area of concentration from the five available, including carpentry, welding, auto mechanics and heavy equipment operation. He hopes to own a restaurant and support a family.

Baxley "hopes and prays" he someday will be an entrepreneur.

"I'm not afraid to work; I've worked all my life," he said. "Give me a few years and I'll have my own place."

Baxley's optimism is based more on the general educational skills he is picking up than on a belief that he has become a chef. He knows that experience with the Army-oriented Job Corps fare he now helps prepare will not equip him to concoct a competitive braise or chateaubriand in New York. But he said:

"The education here is out of sight. Teachers will sit down with you and really teach from the ground up. I had a reading problem. My teacher took his lunch hour, came over and talked just to me, broke down the words, and I could read. Back in New York a teacher would say 'I can't help you, I'm busy, sit down.' Not here."

Baxley also answered complaints about racial trouble among corpsmen at some camps: "Race riots? We got so many races here you don't know who to fight."

Not that campers don't know how to fight. "At least I stopped street-fighting," James

Glass said of his eight months at Lydick Lake after 21 years in Newark, N.J., "right around the corner from the riots." Huge but gentle ("Jimmy comes over most Sundays to play with my kids," Morden says), Glass feels hurt and betrayed by the closing.

"Somebody has used the Negro for a show case" and is now dropping him back into the ghetto before he has had sufficient time to learn a trade, Glass said.

None of the campers seems to blame the center staff for their plight; anger is focused on "them" in Washington. The staff also feels betrayed, although none expects much trouble finding another job.

Carpentry instructor Eugene Potter, 51, said he used to earn twice his present salary when he helped build taconite plants on the Iron Range.

"These kids learn measurements, they learn to care for tools, they want a second chance," Potter said, and his students, like Garrett, share his dismay at leaving.

Director Morden, 33, Manistique, Mich., is a veteran of the U.S. Forest Service, which supervises the Lydick Lake camp. He expects to return to forest management after the corpsmen have gone, but his efforts to submit to the closure as a silent civil servant have met mixed success.

"This facility cost \$1.1 million. It could have been given more time to succeed," he said last week.

Closing the center will save its current budget, about \$1 million a year, but that money comes back to the public in several ways, Morden pointed out. Much of it is spent on materials corpsmen use to construct recreational facilities, such as park furniture and fireplaces. Corpsmen do maintenance work in the forest and on forestry equipment.

Much of the return on money invested at Lydick Lake is deferred. It comes whenever corpsmen win good jobs, raise healthy families, avoid crime and welfare and pay taxes. Morden pointed as an example to the 20 graduates of his welding class who now work in Minneapolis, earning an average of \$3 per hour.

He added that about 60 percent of his staff are Minnesotans and that most of his budget is spent inside state boundaries.

This point also was brought out by two Cass Lake businessmen.

Frederick Teal, owner and manager of Teal's Super Valu food store, expects to lose some revenue when the camp is closed.

"There are 34 staff families there and of course we get our share of the business," he said.

Another business which will be hurt is Richard Baird's Lake Region Lumber Yard, where "the camp was 20 percent of my business in the winter."

There is considerable human investment in Lydick Lake as well, according to some of the wives of staff members who live in 18 mobile housing units near the corpsmen's dormitories. They have formed a group they call Lydick Ladies, and have tried to deal with the homesickness of campers disoriented by their remote surroundings.

"We give a birthday party every month for the boys, we decorate the dining room, we get to know them. If they're thrown out of here they'll back on the streets," said Mrs. Robert Barrett, wife of a teacher. "I just don't think Nixon realizes what the Job Corps is."

The corpsmen know who Mr. Nixon is. Would-be restaurateur Baxley said, "The staff isn't backing out on us. Nixon's backing out."

A staff member was philosophical about the corpsman's complaint.

"These kids are used to being pushed around," he said. "It's just another broken promise."

[From the Minneapolis (Minn.) Tribune, May 4, 1969]

LYDICK LAKE CCC,  
Cass Lake, Minn.

TO THE EDITOR OF THE TRIBUNE:

DEAR SIR: My name is James J. Ed Glass Jr. I'm a corpsman of Lydick Lake C.C.C. of Cass Lake, Minnesota. I want you to write a story for me. The story is about Lydick Lake—in what the President of the U.S.A. is doing to my center and home. Nixon is wrong about Job Corps and somebody should tell him so.

I am a Negro from New Jersey—Newark. Somebody smart used a Negro for showcase, then closed down the place he work at. You know something so tell me how much will it cost me. Please tell me sir.

Corpsman J. Ed GLASS.

[From the Fargo-Morehead (Minn.) Sunday Forum, Apr. 27, 1969]

TAMARAC NEEDS THAT MIRACLE  
(By Wayne Lubenow)

TAMARAC JOB CORPS CENTER.—On the bulletin board of a dormitory here a poster bears a picture of George Foreman, U.S. Olympic heavyweight boxing champion, a black and a former Corpsman.

The lettering exclaims proudly, "Join A Winner. Job Corps!" Underneath someone has scrawled, "Don't. It's Closed."

It's not closed yet—but you wouldn't like the odds on it staying open.

This camp on the tree-lined shores of Height-of-Land Lake just northeast of Detroit Lakes appears doomed to be mowed down by the budget blade of the Nixon administration.

It will not go without a fight.

The Detroit Lakes Industrial Development Corporation, the mayor of Frazee, civic organizations and dozens of private citizens have bombarded Washington with pleas for clemency—and a further study of the proposed closing.

They are defending the Jobs Corps Center on a dollar basis—a dreadful ignoring of the human lives here. But, realistically, it probably is the language Washington understands best.

The story here is the 200 Corpsmen.

They know about the proposed closing. They hear the news. And they are bitterly disappointed, visibly saddened. Yet they are resolutely, even zealously going about the task of learning—desperately cramming as much education as they can into the few remaining weeks they may have left.

It is almost as if they feel that by sheer force of will and exemplary conduct they can keep their Center open.

The pride of his Corpsmen shines through Center director Doyle Hughes.

It was last week that the teletype machine in Hughes' office clattered out the message that he had been reading about in newspapers for weeks: Start phasing out the Center. Begin redeployment of Corpsmen and make it by June 30 if you can.

Since then, just last Wednesday as a matter of fact, Hughes got word that specific orders would come on May 1.

When he got the message to phase out, Hughes took a very large calculated risk. Indeed, he ran a gigantic bluff.

At the 7 a.m. daily flag-raising ceremony, Hughes faced his L-shaped rank of Corpsmen and said, "I know you have heard about the possibility of closing this Center. But we are in training now and we are going to stay in training until they tell us to lock up."

Then Hughes ran his bluff: "If anybody feels he can't stay with the program, step forward now and I'll send him home."

The fact is that a man-by-man poll of the 200 Corpsmen here shows that 90 per cent

want to stay in the Job Corps, but they want to stay in the Corps at Tamarac.

And 10 per cent felt so strongly about it that if Tamarac closes, they'll quit.

Said one Corpsman, "This has been my home for a year. I don't want to go anywhere else."

That is the plan of the present administration—to close the conservation Job Corps Centers and transfer the Corpsmen to urban Centers.

An overwhelming majority of the Corpsmen here are blacks. They came from the big cities. They do not want to go back—not until they are prepared.

More than 40 per cent of the Corpsmen can't read when they come to Tamarac. It is strange, but inspiring, to see young men in classrooms slowly pronouncing the "cat" and "hat" and "bat" of the primers.

They know what will happen to them if they are sent back and turned loose in the cities without even being able to read. They know what their chances of earning an honest living will be.

Growled one Corpsman, "Back to the ghetto. Back to crime."

Hughes and the 51 other staffers here are federal employees. "I can't talk personally," Hughes says of the proposed closing.

He sits at his desk, a stocky, red-haired southerner, and then he says grimly, "It's a damn shame. I can't agree with the reasons for closing. There's no way to judge our success. You can judge our failures, perhaps, and the economics of it all. But you can't put a dollar value on people. At least I can't."

Hughes clings to a slender thread of hope. It is more straw-grasping than anything. It is based on the people in Detroit Lakes and Frazee and the nearby community and their efforts to save the Center.

But he admits, "I have never heard of a community being able to save a center."

The community fires these figures at Washington:

The average cost per Corpsman for fiscal 1968 was \$3,900, which ranks Tamarac 6th among the 82 conservation Centers in efficiency.

The Center spends around \$400,000 yearly in the area for supplies.

The plant and equipment are worth about \$3 million—and much of the facility can't be used anywhere else.

A more important figure is this: About 70 per cent of the corpsmen that have gone through the center have been placed in jobs above the "poverty level" whether they have completed the training or not.

Robert E. Summers, the tough-talking Corpsmen Supervisor, says it like this: "Hell, they won't close this place. They can't. We're too successful. We're doing too much good."

If Summers is wrong, there are 52 staff members who have to make a living, too. Washington has made no mention yet of staff.

But don't spend too much time worrying about staff. They can read and write. To get to the heart of this Job Corps Center listen to Craig Burnett, a 22-year-old Negro from White Plains, N.Y.

Craig has been here about two years. He couldn't read when he came in. He can now. He is ready to graduate. Ask him about the proposed closing.

Craig Burnett's eyes pierce you and he says, "I believe in miracles. To me, education is everything. Where can you go, what can you do, if you can't read?"

Craig Burnett is telling what is in his heart the only way he knows how. "We don't want to close. It's a sad thing. For us, this is our second chance. We feel this is the place. It doesn't make sense to send us back to the cities, to the ghettos."

He says, "I want to be somebody. I want a job that I have earned. I guess I'm a jealous guy. I don't want the next guy to get ahead of me."

He talks of the togetherness and the brotherhood and the spirit at Tamarac. "This is the value," he says.

"Reading and writing are the most important things," Craig says, "And now The Man wants to put us in darkness. They are talking about big things, but what is bigger than people?"

And then Craig Burnett puts his finger on the guts of it and says sadly, "They showed us what life can be like. They showed us we could do it if we tried. They opened up our eyes. They made us hunger—and now they take it away."

A brilliant early-morning sun bounced off the waters of Height-of-Land Lake as the Corpsmen raised the flag Friday, then lowered it to half-staff for the Eisenhower tribute. The cool, clear Minnesota breeze ruffled the collars of Corpsmen shirts. It was not like the city.

In Washington, a California senator and 21 colleagues prepared a bill opposing the shutdown of Job Corps camps.

In St. Paul, State Sen. William Dosland of Moorhead said he had talked with Republican Congressman Odin Langen, in whose district Tamarac lies, about the possibility of turning the Center into a prison for incorrigible juveniles.

And a Minneapolis newspaper reported that Tamarac is abandoned.

Not yet, it isn't. Not yet. Craig Burnett believes in miracles.

FERTILE, MINN.,

April 14, 1969.

DEAR MR. MONDALE: I believe it is a crime to close out Job Corps Centers. I hope you will fight to keep them in our rural areas.

These young people are our Resources and the dictionary describes Resources as the wealth of a land. These young resources are being helped in a way they never been helped before. I knew because they have visited in our home and we sensed the pride of accomplishment and the sense of belonging they were developing with their work at the center. They felt someone cared! I realize there has been some controversy over the centers but there always will be controversy when someone tries to help someone else or do something different.

The plan to move them to urban areas may have merit but I feel keeping the centers and the training where they now are has merits too. Maybe urban areas as an addition to the present set up would be a worthy consideration but I feel our present Job Corp centers should continue to be used and expanded. Our rural areas need these young people and I believe the young people need the rural areas too.

I hope you will fight to save our Job Corps Centers.

Sincerely,

Mrs. JOHN WABLIN.

DETROIT LAKES, MINN.,

April 12, 1969.

Senator WALTER MONDALE,  
Washington, D.C.

DEAR SENATOR MONDALE: Our community is very much disturbed about the news that Tamarac Job Corps, located on the Tamarac Refuge, just north of Detroit Lakes, is about to be closed.

This is surprising, due to the fact that the cost per Corpsmen at Tamarac, is near the bottom of the list of all Conservation Centers, its average Corpsmen cost per year being \$1,000.00 under the authorized cost.

There is a fine spirit of co-operation between the people of Detroit Lakes and Corpsmen of Tamarac. The Staff runs a very fine and orderly Center.

So why now, discontinue Tamarac Job Corps and send these young men back to the Cities, which are already over crowded?

Won't you please use your influence in

keeping Tamarac Job Corps in operation? We want this here at Detroit Lakes, Minnesota.

Thanking you for what you can do to help keep it here, I am

Sincerely,

K. E. SWANSON.

CASS LAKE, MINN.,

April 18, 1969.

HON. ODIN LANGEN,  
House of Representatives,  
Washington, D.C.

DEAR SIR: We, the undersigned business of the village of Cass Lake, Minnesota, would like to convey our feelings to you about the possible closing of the Lydick Lake Job Corps and give our reasons for being deeply concerned.

This is an economically depressed area with an unemployment figure far above the national average. The Lydick Lake Center has fifty-four full time employees and contributes approximately \$750,000.00 to our economy each year.

Lydick Lake Corpsmen have done a great deal to improve our area as an attraction for tourists, which is our main source of total income and at the same time this has given the corpsmen an opportunity to develop skills as carpenters, welders, masons and many other useful trades. By so doing it has given the corpsmen many opportunities to obtain jobs in industry after completing their training at Lydick Lake.

We have questioned several of the corpsmen about the proposed plan to establish or maintain centers near large population centers and they have told us that this would put them right back into an environment that they had hoped to escape by enrolling in the corps.

The government has an investment of over one million dollars in the Lydick Lake camp and it does not seem to be good business to let this investment go to waste, inasmuch as this installation will have very little if any prospect for future use.

In your examination of this program, we urge you to consider these and other important aspects. The program may possibly need to be changed or reorganized, but we sincerely think that it should NOT be discontinued.

Having read the foregoing, we fully subscribe to it.

C. F. Neens; Robert H. Reed; Olaf A. Iverson, J. V. Bianco, President, First National Bank; Lawrence V. Oakes, Cashier, First National Bank; Archie Jennie; E. B. Hall; Giver G. Hill; Rodney McKermitt; George Beck; Gunnar and Adeline Bokken; John Rente; G. A. Miller; C. H. Coombs, M.D.; Genevieve Coombs, District 115, School Board Member; K. T. Bennett; Standard Oil Dealer and Agent; M. A. Lidin, L. & M. Oil Co., Inc.; H. C. Larson, C. Johnson; W. H. Ulrich; Edith M. Greenside; Dean Segguman; D. L. Craig; Elmer's Hardware; Fred G. Teal.

#### JOB CORPS RESOLUTION

Whereas, our young people are our most valuable resource, and,

Whereas, the Job Corps has provided a new approach to the education of our young people where the conventional methods have failed, and,

Whereas, these young people must be removed from the big city environment in order to gain a new hope in a different social atmosphere, and,

Whereas, a similar program of the 1930's known as the Civilian Conservation Corps was such a tremendous success, and,

Whereas, monies spent in distressed areas where these camps exist are of such vital importance to the economy of these areas, and,

Whereas, the scrapping of these fine camps with all of their modern facilities is a waste of the tax payers money, and,

Whereas, many of the dedicated workers are striving to better the program, when they could be on jobs in private industry at higher wages, but believe that the program is the salvation of our underprivileged youth in America.

Be it resolved: that the Cass County D.F.L. Party go on record disapproving the closing of the Job Corps Camps.

CLARENCE O. HOPEN,  
Chairman.  
MARIE V. SMITH,  
Chairwoman.  
ARDITH V. POTTER,  
Secretary.

GILL BROS.,  
Bemidji, Minn., April 15, 1969.

Governor LEVANDER,  
State Capitol,  
St. Paul, Minn.

MY DEAR MR. LEVANDER: I am heartsick that Lydick Lake Job Corps is to be closed.

For over 2 years I have watched young men come here with 1st, 2nd, and 3rd grade reading ability and leave ready to earn their own living.

I agree with the editorial in the Minneapolis Star that Lydick Lake should be kept open. I am glad that groups I belong to such as American Association of University Women are in favor of it being kept open. I am glad Business and Professional Women have wired President Nixon to keep it open.

I know of no other way to have boys from the slums to get to know and have confidence in the people who live in the North. I am glad for every boy who has gone to Church in Bemidji, gone to dentists and doctors in Bemidji . . . who have been invited into Bemidji homes. I think it is a built-in anti-crime program.

Here are the reasons I hope you will make effort to keep Lydick Lake Job Corps open:

1. Education for youth. Get them reading and writing and able to earn. Off welfare loads.

2. Anti-crime benefits.

3. Minnesota forest benefits.

4. Bemidji is in a depressed area and Northern Minnesota needs the money spent by Job Corps to help the economy.

5. It would be waste to abandon 1.1 Million Dollar investment already made by the government at Lydick Lake.

6. We understand this is one of the finest Job Corps in the United States and that urban centers have not done as well.

I know you are interested in the business economy of all sections of your state. Northern Minnesota needs the ¼ Million Dollars spent by Lydick Lake Job Corps.

For the past years I have served on the Resolutions Committee of the National Menswear Retailers of America. We have tried to work out ways to prevent crime and encourage education. Lydick Lake Job Corps does both.

I do hope that you are making effort to keep Lydick Lake Job Corps open.

I am sorry, Governor LeVander, that I cannot be in Minneapolis this Thursday noon to hear you speak at our club meeting at the Northstar Inn.

Very Truly yours,

HELEN GILL.

P.S.—So that you will know a little more about me:

Graduate of University of Minnesota, BBA 1941.

Member of various Alumni groups, School of Business, U. of M., Etc.

Member American Association of University Women.

Third year serving of State of Minnesota Advisory Committee . . . Vocational Rehabilitation.

Bemidji C & C.

Member of Does (Elks).

American Legion Auxiliary.

Member of 18 years, Menswear Retailers of America. Served on many National committees.

American Legion Auxiliary.  
N.W. Buyers & Jobbers, Inc. Minneapolis. Charter members. This is a group of buyers.  
Minnesota Retail Federation Members.  
Bemidji Jaycees Art Show Coordinator.  
Member National Shoe Retailers.  
League of Women Voters, Business and Professional Women.

Other members of my household are: Rotary, Toastmasters, Boy Scouts of America. VFW. DAV.

DETROIT LAKES, MINN., April 16, 1969.

Senator WALTER F. MONDALE,  
Senate Office Building,  
Washington, D.C.

Re: Tamarac Job Corps Center.

DEAR SENATOR: The people of Detroit Lakes are slowly coming to life and realizing the importance of retaining the Job Corps at Tamarac.

This Job Corps is located strategically between Frazee, Park Rapids and Detroit Lakes. Its effect economically on these three communities is great. Detroit Lakes alone has increased its spendable income, according to Standard Rate and Data, a publication, by approximately six million dollars in the last three years. At least to some degree this has to be attributed to the Job Corps.

The Job Corps trainees have caused absolutely no trouble in the community. They have carried out numerous projects of good for the town. People who never saw a negro in their life are developing a different attitude.

We feel that the move to centralize the Job Corps program in urban centers goes completely adverse to sensible planning. There should be a program to ruralize rather than urbanize. A simple drive on the Freeway in Minneapolis at 4:30 in the afternoon gives an illustration of just one of the big cities' great problems.

I would like to suggest to you that you come out very strongly for any program that retains or enlarges the Tamarac Job Corps Center. I would appreciate a copy of any public statements you might have made on this, or do make.

With kindest personal regards,

Sincerely yours,

R. W. IRVINE,

Vice Chairman, Seventh District DFL.

REDDING, CALIF.,

April 13, 1969.

HON. WALTER MONDALE,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MONDALE: I am a registered Minnesota Democrat and voter despite my present California address; I maintain my permanent residence in Minnesota.

I am writing you in disturbance over President Nixon's recent decision to emasculate the Job Corps program. I urge you to use your influence to prevent the damage this decision will do if it is carried out. I also urge you to support continuance of the anti-poverty program with special emphasis on community action. I support Representative Perkins' position on a five-year extension of the Office of Economic Opportunity.

I am writing my other congressional representatives on this matter, the chairmen of the appropriate committees in Congress, and the President. A copy of my letter to the President setting forth my position in detail is enclosed. If I can do more to influence this matter, please let me know.

I will closely follow developments as they are reported in the media. If you have information to send me which is pertinent, please do.

Thank you.

Peace,

DAVID F. BROWN.

REDDING, CALIF.,  
April 12, 1969.

President RICHARD M. NIXON,  
The White House,  
Washington D.C.

DEAR MR. PRESIDENT: I disagree with your decision to close down 57 of the nation's Job Corps Centers. My disagreement with your decision is because 1) I think the Job Corps is a very good program for making many of our country's youth employable, 2) the decision seems to be made of haste which is inconsistent with your general manner of doing things, rendering the decision's execution faulty and disruptive, and 3) some of the particular Centers to be eliminated are the best of the Job Corps programs.

1. My support for the Jobs Corps program is based on careful consideration of its record. We have a Job Corps Camp near where I live—the Teyon Job Corps—which has been a definite contributing factor to the community and which has done a fine job for many of its young enrollees. What I have learned from two government studies considering the Job Corps has led me to conclude that our local program is not an exception in the good job it is doing. A recent report by the Government Accounting Office has scored the Job Corps on its cost-effectiveness characteristics and high turnover, but a recent report by the Office of Education indicates that all of the government's vocational training programs have these drawbacks, and the Job Corps is the best of the varied approaches which have been attempted in its field. The Office of Education report goes on to indicate that not only is the Job Corps a superior method of training its enrollees, but it often succeeds with youths, especially the hard-core, with whom other programs fail. If you are going to cut the Job Corps program, perhaps you should also cut the other vocational education programs proportionately. I would prefer to see you retain the present Job Corps effort and make what budget cuts you must have in other programs, especially those in less vital areas than that of fitting our population for more productive citizenship.

It puzzles me also that you would eliminate the Job Corps when you know that it has pioneered in getting business involved in realistic training programs. As I understand some of your policy statements, you are emphasizing participation of the private sector in the solving of many of our domestic problems. The Job Corps is doing this according to the Office of Education report referred to above: "in [The Job Corps] it was found that business organizations could be successful in providing basic academic, remedial and skilled training to hard-core deprived youths".

2. Your decision does not seem to have been based on the sound administrative criteria which we have been told to expect your administration would bring to our government. My understanding is that Job Corps officials were not consulted, nor did you avail yourself of the information to be available when a \$270,000 government-financed evaluation of the Program is completed sometime this year. The Secretary Of Labor has said that the plan is to transfer men in those camps to be discontinued to other facilities, making the transition less rough than it first appeared, but could not a more gradual phase-out be yet arranged? Why not a gradual reduction in programs and staff at the affected facilities until some of the enrollees have had a chance to complete their training, and maybe close down after half of the enrollees have left normally? The suggested present method seems to me very disruptive. It leads one to believe that your Administration does not really care too much about these fellow citizens.

You have perhaps also noted that the method in which you choose to make savings

in this program may be illegal. Most of the centers you are closing are the conservation camps which will bring the enrollment of Corpsmen in these camps below the 40% level prescribed by law in the Economic Opportunity Act Amendments of 1967.

3. If one must cut back a program, he usually cuts out the worst, and yet this does not seem to be your method in this decision. I note that Woman's Job Corps Centers in Cleveland, Ohio and Clinton, Iowa are among those Centers you are eliminating, but they are among the best of the women's Centers in the program.

You are planning to replace the \$130 million effort in the 57 centers to be excised with a \$30 million effort through "mini" skills centers in our cities. This is a \$100,000,000 savings but at what cost in idle facilities at the closed centers, disappointed enrollees and their surrounding communities, and continued frustration of our disadvantaged youth. I also wonder if the decision to cut out the centers placed in our rural areas is indicative of further proportionate neglect of rural areas in our nation?

I am communicating my disagreement with your decision on the Job Corps to my congressional representatives and the appropriate committee chairman in the House and Senate. Hopefully they will join me in seeking more satisfactory action in this field.

Peace,

DAVID F. BROWN.

UPPER MIDWEST REGIONAL EDUCATIONAL LABORATORY,  
Minneapolis, Minn., April 14, 1969.

HON. WALTER F. MONDALE,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MONDALE: I am sending you a copy of a letter I have mailed to President Nixon. I call your attention to the position I take in this letter and accordingly suggest that you may be able to help prevent that proposed action.

Very sincerely yours,

DONALD J. CHRISTENSEN,  
Research Assistant.

UPPER MIDWEST REGIONAL EDUCATIONAL LABORATORY,  
Minneapolis, Minn., April 14, 1969.

THE PRESIDENT,  
The White House,  
Washington, D.C.

MR. PRESIDENT: I have learned today, of your decision to close 57 Job Corps centers across the United States. Because of my close association with the Job Corps Program (I was Director of Education at the Job Corps Conservation Center near Clam Lake, Wisconsin for two years), I feel compelled to respond to this action.

I fully concur with your expressed attitudes of upgrading and economizing efforts aimed at providing education of young people. I suggest to you, that the small gains, as considered within the magnitude of the total national budget, do not justify the damage and frustration felt by the young men enrolled in the Job Corps program. I once calculated that the entire Job Corps program could operate for one year on the number of dollars, compared to pro rated cost, of operating the Viet Nam war for a few days. I question whether there will be any real saving in dollars when the cost of relocating tenured government employees, the cost of disposing the facilities, and the wasted cost of recruitment and training of Job Corps personnel. What will become of the facilities at the closed centers? Fifty seven centers represents a capital cost of the order of one hundred million dollars. It is certainly no saving, if these facilities are scuttled at a fraction of the cost.

My concern, however, is not for the cost of

buildings or machines. It is for the effect this will have on young men at the 57 centers now marked for termination. I am certain each of these young men feels now that the establishment which promised them a step to a productive future, has now gone back on that promise. Just another reason not to trust anyone in the establishment. Can the nation afford further frustration among its neglected young?

During my term of service at Clam Lake, I grew to know many young men who perceived they had gained a second chance from the Job Corps. One young man who is now a Freshman in a Baltimore Art College because he learned to read in the Job Corps. One young man is now a successful government civil service clerk, secured by reason of his Job Corps experience. Five of these young men are now buying homes in Minneapolis! Every Job Corps center has hundreds of similar success stories. None that will make the headlines, but all of which make productive, self sustaining citizens, taxpayers and voters!

Do not interpret my comments to suggest that the program is without latitude for improvement. I hold there are many measures which could be taken to upgrade and economize the Job Corps program. (I will be happy to describe such suggestions if you request). But, it should not be cut as you propose. I urge you to reconsider your position on this matter.

Very sincerely yours,

DONALD J. CHRISTENSEN,  
Research Assistant.

CASS LAKE, MINN.

SENATOR MONDALE,  
Senate Office Building,  
Washington, D.C.:

Please help save Job Corps.

LAVERNE JOHNSON,  
Lydick Lake Job Corps.

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA,

Washington, D.C., April 14, 1969

HON. WALTER F. MONDALE,  
U.S. Senate,  
Washington, D.C.

MY DEAR SENATOR: We have been advised that a severe curtailment of the Job Corps Program is being considered.

Since May of 1968, we have had the opportunity of working very closely with the Job Corps Conservation Centers Program through the Department of Agriculture Forest Service and more recently with the Department of Interior in the operation of seven (7) Carpentry Programs, wherein we are providing related and manipulative experience to sixty (60) of the underprepared and underprivileged youth in each of the seven (7) centers.

Although none of the programs have run the full cycle, we have already placed fifty two (52) young men that we were able to qualify into our Apprenticeship Programs throughout the country and we expect to place all of the young men now in our programs in the industry upon the completion of their program, some of which will be completed in June, 1969 and others in July, 1969.

Therefore, we request that serious consideration be given to the continuance of the Job Corps Conservation Centers in that we feel an excellent job is being done in the training and placement of young men in gainful employment who will take their place in their community as active citizens and workers in the industry who, otherwise, will be returned to their same community as unskilled workers and thus become a burden, as well as a problem, for society.

If curtailment is essential of some of the Conservation Centers, it should be done on

a selected basis after full investigation of the quality of training and job placement that has been completed at each center.

Sincerely yours,

M. A. HUTCHESON,  
General President.

COMMUNITY ACTION, LEXINGTON-FAYETTE COUNTY, INC.,  
Lexington, Ky., April 11, 1969.

HON. WALTER F. MONDALE,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR MONDALE: I am writing to express my vigorous protest at not only the proposed closing of fifty-nine Job Corps Centers, but also at the manner in which the Nixon Administration has handled the matter.

Having worked with the original Job Corps Task Force, and as an Assistant Director of the Lincoln Urban Job Corps Center for Men, I can speak from some experience. The young men who will be forced to leave on July 1 will NOT again respond to any kind of training program, any kind of promises or exhortations about "bold, new innovative programs" because this current action is ample evidence to them that this Administration does not intend to practice today what it preached yesterday.

Secondly, to close down centers suddenly will put a frightening number of young people between 16 and 21 literally on the streets of our major cities at the worst possible time of year—the long, hot summer. The appropriations for summer programs such as Neighborhood Youth Corps have been so emasculated by cutbacks that what little we are able to get is almost a farce in face of the needs. It need not be said that the addition of thousands of displaced Job Corpsmen to the ranks of the waiting lists for summer jobs will find us in a disastrous situation this summer.

The fact that neither Congress nor the Job Corps Administration was consulted or involved in reaching this decision is indicative of an attitude that is perhaps even more alarming than the direct action. I urge you and your colleagues to act as forcefully and swiftly as possible to negate the closing of the Job Corps Centers.

With every wish for success in your efforts.

Sincerely,

MARGARET SHANNON,  
Director, Manpower and Education Office.

JOHN F. KENNEDY HIGH SCHOOL,  
Bloomington, Minn., April 17, 1969.

HON. WALTER MONDALE,  
Washington, D.C.

DEAR SENATOR MONDALE: It was very disappointing to learn about the proposed cut-back in the national Job Corps budget. It is even more distressing to learn that such action is being taken as an economy move and is not based on the merits of the program.

The basic concept of the program has been the removal of a trainee from his slum environment to a wholesome, challenging environment. Each corpsman participates in a vigorous program of vocational training, basic education, and group living. The vocational training program teaches the use of tools for the trade. In the basic education program, it is learning the three R's, and in group living it offers an opportunity to learn the skill of "getting along" with others of different interests, religions, races, and backgrounds.

One year ago this summer, a group of forty-five high school students and their three instructors from Kennedy High School in Bloomington visited the Job Corps Conservation Center at Clam Lake, Wisconsin. Both students and their instructors left the center with a feeling that something constructive was being done. The program was structured to offer the trainee many varied opportunities.

If we are to have an economy move, why should a program that has proved workable be in jeopardy? The Congress of the United States must act to assure our citizens that such meaningful programs shall not be discontinued for political or economic expediency.

Sincerely,

ROGER HOUSE,  
Conservation Instructor.  
LARRY THOMPORDE,  
Biology Instructor.  
RICHARD ANDERSON,  
Physical Education Instructor.

FOSSTON COMMUNITY SPORTSMEN'S  
CLUB,

Fosston, Minn., April 18, 1969.

Senator WALTER MONDALE,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MONDALE: As you know the Lydick Lake Job Corps Center in the Chipewewa National Forest near Bemidji, Minn. is marked for closing.

This camp, as you probably know, has a capacity of 224 boys in the age bracket 16-21 and, during its three years of operation has helped a large number of young men find their place in the world. Many of them were school drop-outs and non-readers.

Operating under the Forestry Department, the young men spent half their time on work projects and half on education.

We believe that this served to help many of them to find a place in life, which is a good investment of money and effort, both in the financial sense as well as for the moral obligations involved.

If there is any way in which this project could be continued, we would appreciate your efforts to that end.

Yours truly,

GIL DANIELSON,  
Secretary.

HON. WALTER F. MONDALE,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MONDALE: I am writing to tell you how sorry I am to hear the new administration is closing the 8 Urban Job Corps—particularly the excellent one at Omaha.

We maintain registration to vote in Minnesota, and continue to pay Minnesota State income taxes, as we, move with my husband's U.S. Air Force assignments. We hope you will recognize our distress in this matter and consider our voice of dissent.

We have seen so much poverty in our own country. It is sad to see the country take a step backward, when it should move forward to help poor people.

Sincerely yours,

CAROL GILDNER.

#### RETIREMENT OF MRS. MARY KING, BUTTE, MONT.

Mr. MANSFIELD. Mr. President, the Federal Government has many, many dedicated employees, and from time to time we learn of an outstanding achievement. I was just recently alerted to the retirement of one of the Nation's youngest deputy marshals. Mary King, of Butte, Mont., an old friend and whose family I have known for many years, has completed 30 years as a deputy U.S. marshal. She began her service when she was only 19. Mary received a number of service awards and just recently was given a pin and citation from the Department of Justice by her boss, the then U.S. marshal, George Bukovatz.

I wish to add my name to the long list of friends and associates congratulating

Mrs. King on this most memorable occasion. She has been a loyal and efficient employee of the U.S. Government, and we wish her many years of happiness and fruitful endeavor.

I ask unanimous consent to have printed in the RECORD an article published in the Montana Standard, of Butte, dated April 19, 1969.

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

#### THIRTY YEARS A DEPUTY U.S. MARSHAL

When Mary King recently completed 30 years as a deputy U.S. marshal, she was awarded a pin and citation from the Dept. of Justice to mark her service that began when she was only 19, then the youngest deputy marshal in the nation. U.S. Marshal George Bukovatz did the honors.

When appointed, she was Mary Shegina, daughter of the late Mr. and Mrs. John Shegina and member of a pioneer Anaconda family. Now she is Mrs. Joseph P. King, 3006 Harvard, in Butte.

She has served under six U.S. marshals and received commendations from them all. When Nicholas deB. Katzenbach was U.S. attorney general, she received a cash award for meritorious service. For a money saving suggestion, she received another cash award, this time when William P. Rogers, now secretary of state, was attorney general.

The presentation Friday was one of the last official acts in office of Bukovatz, who is retiring as marshal.

#### SENATOR MUSKIE WRITES ON AIR AND WATER POLLUTION

Mr. BAYH. Mr. President, I recently had the opportunity to read a thought-provoking article written by the junior Senator from Maine (Mr. MUSKIE) in which he dramatically sets forth the threats to human environment caused by ever-increasing air and water pollution and solid waste disposal methods in the United States. While stressing the continuing damage which has been done to our lakes, rivers, and landscapes and the resulting dangers to personal health and comfort, he also points to the positive gains which have been made in the last 5 years and summons the Nation to "renovate, rejuvenate, and recapture our environment."

Senator MUSKIE emphasizes that in the last analysis it is the people, not the Government or industry, who must act if the purity of air, water, and land is to be restored. As he states, the effectiveness and administration of laws made by Congress will depend in large measure on the people themselves. In view of the significance of Senator MUSKIE's analysis and his penetrating comments, I ask unanimous consent that the article, published in the March 1969 issue of the Carpenter, be printed in the RECORD.

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

THE AIR WE BREATHE, THE WATER WE DRINK  
(By Senator Edmund S. Muskie)<sup>1</sup>

Unfit for human consumption! Do not drink this water! No bathing—beach closed! Are these the signs inevitable of a modern industrial society? Or are they indicators

<sup>1</sup> An address by Senator Muskie before the Consumer Assembly 1969, Washington, D.C., January 30, 1969.

of decay, lack of concern, and disregard for resources?

Today throughout America these signs mark centuries of neglect of our water resources. Headlines such as "Lake Erie is dying" and "pollution takes toll" appear daily across the nation.

And they apply only to our water supply.

Air pollution occurs with increasing frequency. Air pollution alert systems have been established in many of our major cities. Emphysema, bronchitis and other chronic respiratory diseases continue to increase in geometric proportions.

And our landscape is scarred. Land developers, highway builders and strip miners have laid waste to the countryside with little or no regard to erosion or siltation control. We abandon our litter and bury and burn our garbage, with little or no thought to the environmental effects or to the waste of resources.

The environment we live in is more than skies, streams and open spaces. Highways and buildings are part of modern man's habitat. A highway built without regard to the integrity of a community can destroy the vitality and degrade the quality of that community.

With increased leisure, broader education and greater mobility, we are more sensitive to the impact of environmental contamination on our lives.

We demand changes. We react to dirty air, foul odors, vile water, noise and ugliness with disgust. We demand changes.

But as consumers of an ever-increasing supply of goods and services, we contribute to the activities which cause us misery.

It seems, at times, that man expects to use this good earth only for a short time; that, when all our resources are consumed, our water is useless, and our skies are black, we will pack up and resettle on another new frontier.

I do not subscribe to this theory, nor do I support those who would make it fact. We must move now to renovate, rejuvenate and recapture our environment.

We must maintain that which is not defiled, enhance that which is degraded, and restore that which has been destroyed. While we may dream of the frontiers of space, we must act on the frontier of recovery.

None of this can be done if the people of this nation leave the decisions and the efforts to government and industry alone. Government can only make the laws.

It is people, consumers, who will determine the effectiveness of those laws—how they shall be administered.

This is what participatory politics is all about: People at each level of government actively participating in the decisions made at those levels.

We have laws on the books today to assure public participation in policy decisions which affect our environment.

The first stage of the water quality program has been a good example. During the period when states were required to set water quality standards, they were also required to hold public hearings to ascertain what kind of water quality the public wanted.

The same basic system—with some modifications—has been established for air quality standards. But, having environmental quality laws on the books is no guarantee of success.

Those who have profited in the absence of such statutes will always be better prepared, have more information, and spend more time protecting their interests.

Individual citizens tend to join battles on a crisis-to-crisis basis and fight unorganized battles.

This is where public officials can and must perform a key role. State and local environmental control agencies can translate consumer concern into meaningful standards which meet the tests of economic and tech-

nical feasibility and enhance environmental quality.

A creative people deserve a creative government.

Unfortunately, government develops vested interests which become more concerned with self-perpetuation than with social values. Sometimes economic interests and government agency interests become so intertwined that the public cannot distinguish between the two. When this continues for a long time, a clash between individual citizens and the combined forces of public agencies and private interests are almost inevitable.

We have seen this develop, for example, in the growing dispute over the location of large nuclear power plants licensed by the Atomic Energy Commission.

During the past five years, the Congress has been engaged in an accelerating effort to overcome the problems created by those who put short-term private gains ahead of long-term public needs.

From recent news accounts, it is apparent that our work is not done.

#### LAWS CHALLENGED

Those who put the conservation of resources and the enhancement of environmental quality far down the list of priorities are challenging existing laws and resisting our efforts to improve them. They are challenging and resisting even within the Department of Interior, whose principal responsibility is that of conservation.

We intend to overcome the challenges and the resistance, but we can't do the job alone.

We need the active support of consumers who care about a better environment. We need their participation in the educational and legislative job to be done.

Unfortunately, too many people, for too long, have assumed that participating in a democracy begins or ends at the ballot box. City, state and federal governments have functioned in the abyss of public neglect. Those who can afford constant representation in the halls of Congress, in legislative lobbies and in the city halls have dominated the decision-making procedures—often because of their constant presence.

The public—the consumer—has abdicated civic responsibility on a "let George do it" basis. The result has been devastating and will worsen. Too frequently that which is destroyed today cannot be recovered tomorrow.

We as a society, as consumers, must develop an ability to become involved. In effect, we must move our criticism from the kitchen to the hearing room, from the living room to the legislature, from the back fence to the ballot box, from in front of the tv set to in front of the tv camera.

All too few of us take an active interest in many, many problems which immediately affect our lives.

We depend on government to make fair and responsible decisions on these matters, yet we complain about the costs required to bring the necessary expertise to government.

We depend on government to find solutions to problems which seem too complex for us as individuals, and yet we make no attempt to provide direction or participate in the decisions.

I recognize that meaningful public participation in environmental policymaking cannot occur in the absence of alternatives.

Examples abound where projects designed to meet a public need are caught between adamant proponents and opponents, because no alternatives have been offered.

One needs only to look at the federal highway program to see the inherent dangers which exist when people concerned about the environmental quality have no available alternatives.

Government has an obligation to provide and the public has a right to demand built-in-safeguards in these programs to assure that this does not happen. These safeguards

cannot be limited to public hearings and beautification measures. The public is entitled to and must demand alternative methods for meeting specific goals.

One of the areas where we are most in need of alternative approaches to pollution control is that of handling solid wastes.

We live in a disposable society. Appliances and machines have built-in obsolescence. No deposit, no return bottles and cans are used as a convenience and cast out as a nuisance.

Here, the consumer finds himself in the position of the industrialist or the government agency head. He—or she—intent on the enjoyment of technological advances and supported by the availability of the disposal and the trash collection, adds daily to the mountains of solid waste we dump, bury and burn.

#### RETURN TO NATURE

Some of these wastes gradually return to nature, as is the case with 100 million tons of wood wastes and 7 million tons of newspaper per year. Some kinds of wastes, however, become permanent additions to the landscape, as is the case with 150 million annual tons of steel mill slag and 30 billion glass containers per year.

The materials we waste need not be wasted. They contain resources which are limited and can be reused, if we are willing to find new and better ways to recover them.

From the limited evidence we have gathered in our committee, it is evident that recovery and re-use will have far lower costs than our present program of shifting the waste problem from private homes to public places.

But consumers will have to educate themselves and work for better solutions if public officials and corporate executives are to respond. The power of voices, votes and pocketbooks will have to be combined.

Man is affronted by his environment today because he has ignored his environment in the past.

We can never achieve the environment of our past, but we must recognize, as James Fenimore Cooper said in *The Prairie*, "The air, the water and the ground are free gifts to man and no one has the power to portion them out in parcels. Man must drink and breathe and walk and therefore each man has a right to his share of each."

Insuring that each of us has an equitable share of these blessings becomes more complex in a complicated world. But, as Cooper wrote, the water, the air and the land are in fixed supply. Each must yield to ever-increasing demands upon it. If we are not careful, God's future children will not have a fair share of any of them.

#### DEVELOPMENTS IN LEGAL EDUCATION—ADDRESS BY SENATOR MATHIAS

Mr. SCOTT. Mr. President, the distinguished Senator from Maryland (Mr. MATHIAS) recently delivered an outstanding address before the Baltimore chapter of the Federal Bar Association. In his remarks, Senator MATHIAS hails developments in legal education and notes that America needs and is beginning to get a "law corps" of young lawyers acquainted with social problems and dedicated to solving them. The Senator from Maryland highlights the reason behind the development of this "law corps"—the adoption by law schools of imaginative new programs which give the students meaningful experience in how the legal system actually works and integrate that experience with classroom teaching. As Senator MATHIAS aptly states, these young lawyers of the "law corps" can make a great contribution to society in

the finest tradition of the law—commitment to the orderly resolution of disputes combined with a commitment to justice.

I commend this excellent address to Senators and ask unanimous consent that it be printed in the RECORD.

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

REMARKS DELIVERED BY SENATOR CHARLES MCC. MATHIAS, JR., AT A LUNCHEON OF THE BALTIMORE CHAPTER OF THE FEDERAL BAR ASSOCIATION, APRIL 22, 1969

During the last five years we have seen greater changes in American legal education than during the previous ninety-four years since Langdell introduced the case method in 1870. It is no coincidence that these changes have occurred during a period of unprecedented social ferment. The law schools, perhaps more than any other segment of the legal profession, have recognized that this ferment poses new challenges to the bar, and that if lawyers are going to continue to play an active role as "social engineers" the very nature of legal education must change. I think this development is good, indeed necessary, because we need a special breed of "social engineers" to keep our society together while some painful adjustments are made. And that is the role—one might almost say the mission—of the bar today.

The term "social engineer" has been used before to describe our profession. And it fits very well, for much of what lawyers do can be described as "law-making." This is true in ways we do not always recognize. The terms of a contract are "law" to the parties to that contract; the elaborate covenants of a subdivision are a part, sometimes a very important part, of the law for those who live in that subdivision. This general point is especially true in the case of lawyers who work for or who practice before government agencies. The interpretation of laws, the making and interpreting of rules and regulations, all this is lawmaking just as surely as what we in Congress do. And in the long run it is probably more important. All in all, the way lawyers do their work and the attitude they bring to the job—in short the *kind* of lawyers we have—play a major role in determining what kind of society we have.

America needs—and is beginning to get—a "law corps" acquainted with social problems and committed to solving them. We have the Peace Corps, the Teachers' Corps, and VISTA—all of which give young people first-hand knowledge of social problems and a chance to do something about them. The law school graduates of today can truly be said to form a "law corps"—and it doesn't have to be a government-funded program to do its job either.

What then is happening in the law schools? The most significant development is the growing number of courses and programs that give the student an in-depth experience of how the legal system actually works. Students today are not just debating the constitutionality of "stop and frisk" laws under the fourth amendment; they are observing policemen stop and frisk. They are not merely learning the Uniform Commercial Code's definition of a "holder in due course;" they are seeing what that means when an automobile or a television set is repossessed by a finance company.

This development was long overdue. Mayor John Lindsay put it very well recently when he said that Law schools had "lost touch with the law on the streets—enforced by police, prosecuted by district attorneys, adjudicated by judges." He need not have limited this comment to the criminal justice system; it applies across the board.

One of the most imaginative programs anywhere in the country has recently been

instituted here at the University of Maryland Law School, in close cooperation with the Supreme Bench of Baltimore City and the State's Attorney, Charles Moylan. Many of you are no doubt familiar with it. Under the direction of an Assistant State's Attorney and a law school professor, students do research, interview witnesses, answer motions and generally assist in preparing cases for trial. Part of the program takes place in the classroom with seminars on particular problems in criminal justice. There are also field trips, which have included competency hearings at a mental hospital, a visit to the police laboratory, and an autopsy at the morgue.

The students receive academic credit, and they ought to. For this is meaningful legal education, combining the practical and the academic. There are a number of other programs across the country, many of which have gained national attention. These include the "Squad Car Lawyers" at New York University, the Roxbury Defenders at Boston University, and the Urban Legal Studies Workshop at Yale.

Another important development is the recognition that the law does not exist in splendid isolation from other disciplines. Increasingly in the catalogues of our law schools, one finds courses with titles like "Psychiatry and the Law," "Sociology of Law," "The Law and Computer Technology." Joint professorships and combined degree programs among the various faculties of a university are also increasing.

What these two developments taken together mean is that our law schools are producing graduates who not only know how the law actually works and how it affects people, but also see the law in broad perspective as part of a larger whole. I think this is happening without sacrificing the traditional skills in which our profession rightly takes pride: ability to reason, to analyze and to see the component parts of a problem. And these graduates are also instilled with that special commitment to justice which, time and again, has set our profession apart.

Out of the work of the law schools and this new melding of the practical and the academic can come the reforms which our legal system vitally needs. There are many respects in which the traditional criminal justice system seems to have broken down, particularly when it must process a staggering volume of cases. And it may be possible—even necessary—to develop wholly new ways of resolving disputes between individuals, and between individuals and the state. One thinks, for example, of the concept of the ombudsman or of the controversial question of how to handle automobile accident cases.

Even more important, I think, are the graduates themselves and the role they will play in society. In a time of civil disorder, campus sit-ins, demonstrations, counter-demonstrations and general alienation, there is an urgent need for men who are committed to orderly processes of making decisions and resolving disputes, but who cannot stand silent in the face of injustice. That is the kind of young men who are graduating from our law schools today, and they represent, in my opinion, the finest traditions of the law.

#### IDAHO'S 116TH COMBAT ENGINEER BATTALION—MAKING THE BEST OF A BAD THING

Mr. CHURCH. Mr. President, the May 1969 issue of the National Guardsman contains part two of a two-part series entitled "The Army National Guard in Vietnam." I was especially interested in the part of the article, dealing with Idaho's 116th Combat Engineer Battalion.

The story points out the effectiveness

of the Idaho National Guard unit and its successes in Vietnam. It tells of the work these fine young men from Idaho are doing in the service of their Nation in this most tragic and confusing of wars.

As a tribute to Idaho's 116th, I ask unanimous consent that the portion of the article dealing with the "Gem State Engineers" be printed in the RECORD.

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

#### THE ARMY NATIONAL GUARD IN VIETNAM—PART II

(By Lt. Col. Bruce Jacobs)

LONG BINH, REPUBLIC OF VIETNAM.—There are, as it has been written, so many strange aspects to this strange war which is Vietnam. It is strange for Guardsmen, too, and in a way which may not at once make sense to those who served as members of mobilized Guard units during World War II or the Korean War.

A Battalion Commander over here had this interesting observation: "This is the first time, in three callups as a Guardsman, that I have felt so distinctly the problem of being a member of a minority!"

The Guard units are, of course, but a small part of the force structure of U.S. Army, Vietnam. And this is what leads this particular officer to his main point.

"I think," he says realistically, "that it is precisely because there are so few of us that we just plain stick out. We always seem to be under the gaze of many sets of eyes!"

Many Regulars seem genuinely surprised to learn that there are Guardsmen in Viet Nam. There seems to be a somewhat general feeling that the mobilization sort of fizzled out. On the other hand, there is a widespread feeling among Guardsmen that the Army tends to over-supervise them and is reluctant to turn them loose.

As is always the case, there is a good deal of middle ground between the extreme views.

For example, those senior Commanders who have day-to-day or frequent contact with Army Guard units seem to be genuinely pleased and impressed. Guardsmen who voice feelings of frustration at being "over-supervised" tend to lose sight of the fact that in this tightly controlled and politically-oriented war, all military forces in Viet Nam are subject to sometimes extraordinary precautionary measures designed to protect friendly forces and friendly civilians and to give the troops themselves every possible advantage which will enhance the chances of survival.

What seems to come out of this situation is that the more contact Army Commanders have with Guard units, the better they like them. There is no note of condescension, for example, when Col. William L. Barnes, CO of the 35th Engr Group in the Southern II Corps Tactical Zone talks about the tough, hard-driving 116th Engr Bn from Idaho.

#### "GEM STATE" ENGINEERS

"These are good Engineer troops," he says. "And the same goes for my other Army Guard unit, the 131st Engr Co (from Vermont). Both of these outfits are out working key roads which have very high priority in the line-of-communications mission in the 35th Group. If they weren't first-rate Engineer troops we certainly wouldn't have them assigned to our high-priority tasks!"

Col Barnes' 35th Group is one of the major elements of the 18th Engr Bde—and it is the only Group with two Combat Engr Bns assigned. To give the 116th some of the capability of a Construction Bn, Lt Col Donald R. Gormley's Idaho command was beefed-up with the attachment of the 572d Engr (Light Equipment) Co, an Active Army unit.

To provide the same configuration to the sister 70th Engr (C) Bn, Vermont's 131st, commanded by Capt John Andrews, was attached to the RA unit. It is, of course, sheer

conjecture as to whether the achievements and reputation of the 116th caused the 70th to add to its CP sign: "The only RA Combat Engineer Battalion in the 35th Group."

That the 116th is a Combat Engineer Bn, however, is without question. The Bn soon after its arrival in Viet Nam last Fall moved out into an isolated area in the Central Highlands and threw up a defensive position which, from the air, looks for all the World like one's mental image of an old horse Cavalry post in the Far West.

With a well-fortified perimeter, a stout berm, mortars and machine guns emplaced for self-defense, the 116th base camp near Bao Loc is indeed a formidable sight. Essential installations are dug-in and sand-bagged. "If Charley wants to come in here," the Bn CO says laconically, "he'd better bring his lunch."

But of course the Engineers are, first of all, road builders. When a visiting senior Commander worried over the lack of nearby Infantry forces, Col. Gormley gently reminded him: "We're Combat Engineers. . . ." And the 116th continued to work its road.

Its road is the so-called National Highway 20 so-called because, like so many roads designated National Highways on topographical maps, it twists and winds, crudely paved in some places, little more than a meandering dirt trail in others, and a rock-strewn jumble where it slices through steep jungle canyons.

Yet it is a most vital artery whose opening, if it can be kept open, can have a profound effect on Viet Nam traffic and commerce.

The route is more-or-less North out of Saigon. At the boundary of the III and II Corps Tactical Zones, it traces its way through the so-called Banana Pass, winds past B'Sar to Bao Loc and thence North-North-east through Di Linh to Dalat, and on to the coastal logistics complex of Cam Ranh Bay.

On the one hand it offers a possible major alternate means of getting from Saigon to Cam Ranh without having to use the often-interdicted portions of National Highway 1. Second, it holds out the promise of a high-speed road to carry farm produce from the lush fields of Dalat to the waiting markets in Saigon—a route which today is marked with delay and danger for the traveler, whether in military or civilian convoys.

The Bn AOR—area of responsibility—encompasses all of Lam Dong Province, the Southern half of Binh Thuan Province and Northwestern Tuyen Duc Province. The 116th is in support of Task Force South, a force of small Brigade size which is the I Field Forces fire brigade, as its name suggests, in the Southern Corps Tactical Zone.

The Bn, less Co B, moved into its AOR last October after its in-country orientation at Phan Rang on the Coast. Co B, commanded by Capt. George W. Eldridge, was sent on a special mission to Phan Thiet, some distance South of Phan Rang where urgently-needed repairs were to be made on an airfield.

In January, the author was present at an Engineer conference in Nha Trang when Lt Gen William E. Peers, the IFFV CG, talked about "the magnificent work of Co. B, 116th Engineers, in completing the airstrip construction task four full days ahead of the deadline we had given them. . . ." It was a sincere and soldierly tribute and the General concluded his remarks by saying: "These people are going to be missed when they get pulled out. They are really paying dividends."

After its work on the 3500-foot Phan Thiet runway, a major resurfacing project, Co B also found itself with a road clearing and maintenance assignment on nearby sections of Highway 1.

Once the bulk of the Bn was airlifted to its present base camp site Bao Loc, its major job began. That, of course, was the task of upgrading Highway 20. The Engineers quickly found Lam Dong Province to their liking.

It is mountainous, thickly forested and cool after sundown, the climate proving to be strangely similar to that of Northern Idaho in the Summer.

Soon after the Bn started to occupy its new base camp, the enemy struck—a violent standoff attack by 82mm mortars. The result was one killed and 21 wounded. It was an angry and frustrated Bn that easily spotted the enemy mortar position but found itself lacking organic weapons with which to place effective fire on the enemy tube. Steps were taken quickly to get .50-cal. machine guns and 81mm mortars.

Engineer crews manned the heavy weapons and wasted little time in registering on nearby reference points. The VC took note of the Bn's improved defense status and the heavy attack was not repeated. But in the weeks and months ahead their work parties time and time again would be the targets of enemy gunners.

On 4 Dec., for example, a Co D work party drew sniper fire near Bao Loc, and the very next day a work detail from Co A was fired on near Di Linh. There were no friendly casualties. But on 8 Dec., three Co D men and six ARVN Infantrymen were wounded when a mine was detonated while the Engineers were trying to shore-up a battered bridge.

Also during December, Hq and Charley Co convoys came under sniper and automatic weapons fire. During January, the Engineers found that the enemy was stepping up his mine warfare campaign, intended to thwart the Bn's progress. An Alfa Co 'dozer hit a mine which resulted in a seriously-wounded operator and a slightly-wounded assistant; a Charley Co 'dozer detonated a small explosive and a Bravo Co detail found two mines which the Engineers quickly blew in place.

When a MACV officer reported a bridge on Highway 20 blown, Delta Co found a mine in the roadway while its work detail was repairing the bridge. It was blown in place. Later that same day a nearby timber trestle bridge was blown.

By this time the Engineers had pretty well scraped and cleared the road from Dalat through Di Linh to Bao Loc. During January Cos A and C were ordered to displace to a new base camp in the vicinity of B'Sar, close to the Corps Tactical Zone boundary. Here they would come to grips with the last and most difficult section of their road, for B'Sar is the approach from the North to the winding and tricky Banana Pass.

Scarcely had Co C moved into its base camp when it received several rounds of 60mm mortar fire. But they landed 75 meters outside the defensive berm. In no time at all Co C cleared 90 acres of jungle to make way for its base camp. It set up housekeeping and soon was joined by Alfa Co.

Co D has remained co-located with "Head & Head" at the Bao Loc base camp where it continues its work on Highway 20—widening shoulders, ditching and culvert inlet basin improvement. It has repaired four damaged bridges (two of them twice) and built one permanent bypass.

Sometimes this can be frustrating work. For example, Delta Co raced against time to replace the decking on the Eiffel (a type of Engineer bridge) portion of the Dai Quay River bridge. A few days later the concrete bridge across the Da R'Sion River was partially destroyed, so the Engineers provided the Ministry of Public Works assistance in dismantling, repairing and launching a new bridge. A temporary bypass also was constructed. But within a couple of weeks the bridge once again was partially destroyed, and again the Engineers had their work cut out for them. To thwart the enemy thrusts, the Delta Engineers then constructed a permanent bypass.

Altogether, along Highway 20 from East of Di Linh to the Corps Tactical Zone bound-

ary, the Bn has installed about 20 culverts, constructed two bridge bypasses and cleared better than 137,300 square meters of jungle and excavated some 85,000 cubic yards of earth.

Base camp areas have been cleared for an ARVN Infantry Regt. Showers, latrines and SEA "hootches" were built for a Bn of the 173d Airborne Bde. The Idahoans also improved the road nets in and around the various base camps, relocated berms for defensive purposes, and installed and upgraded culverts.

And while it has been working its road, improving base camp living and defensive conditions, clearing the jungle and completing a vital electrical distribution system, the Engineers have not neglected opportunities to take part in civic activities.

Co C, for example, leveled and cleared a 12,000-square-meter area to provide a village center for a Montagnard community and built earthen pads to be used as sites for a hospital, school and administration buildings near Di Linh.

While the Engineers were still in the Di Linh area, they started an English language program for Montagnard children. According to 1st Lt. Michael Brown, this project was undertaken by members of Alfa and Charley Cos. Some 50 men volunteered and 10 were picked. More than 100 children took part in the program until the Engineers displaced to B'Sar.

Although spared the effect of the formal infusion program (both Army Guard Engineer units were exempted from the system by USARV), an infusion of sorts has taken place in the flow of replacements for combat losses, ETS, etc. About 140 new men have come into the Bn. A number of officers have been promoted out to new jobs.

An important aspect of the Highway 20 assignment is clearing the jungle back 50 to 100 meters to each side of the road. In some places it would seem that this can't be done, so thick is the jungle and so steep are jungle-covered canyon walls.

But the Idaho Engineers with their 'dozers yo-yoing at hairy and precarious angles hack away at the jungle growth and day by day more of the thick, lush growth is laid bare, depriving the enemy of well-protected ambush positions. And as the road is widened, scraped and compacted, a high-speed highway appears, to make it more difficult for VC tax collectors to harass the civilian convoys that have been such easy prey in recent years.

"This is just exactly the right kind of job for this kind of Battalion," says Col. Ghormley. "This is a job for Combat Engineers."

#### DR. WILL PIRKEY ELECTED PRESIDENT, EXECUTIVE COMMITTEE, NATIONAL ASSOCIATION, PARTNERS OF THE ALLIANCE

Mr. DOMINICK. Mr. President, I am pleased to invite the attention of Senators to the recent election of a distinguished Coloradan to serve as president of the executive committee of the National Association of the Partners of the Alliance.

Dr. Will Pirkey of Denver will succeed Mr. Edward Marcus, of Dallas, in this post of an organization endeavoring to further mutual development with Latin and South American countries. Dr. Pirkey is the former president of the Colorado Partners Committee and was a member of the original Colorado program development team which traveled to their Partner state of Minas Gerais, Brazil, in 1964. Dr. Pirkey's leadership in the Partners program included service as chairman of the Third Inter-

American Partners Conference in Lima, Peru, in 1968.

The Partners committees throughout the United States and Latin America are making final preparations for the Fourth Inter-American Conference to be held in May in our neighboring State of Utah. Citizen leaders are volunteering their talents to implement action-oriented projects in the fields of agriculture, health, education, and business. The program is an encouraging example of how individuals and private business can organize and channel their resources in working with other nations, without relying solely on Federal programs.

I am very proud that Dr. Pirkey, as the president of the National Association of the Partners, has undertaken this new responsibility and I wish him all success in his effort.

#### OPPOSITION TO ABM

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD an unusually persuasive letter—among the many I have received—in opposition to the Safeguard ABM proposal. It was written by University of Michigan Associate Professor of Physics Byron Roe. I believe that Senators will find it of interest.

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

ANN ARBOR, MICH.,  
April 24, 1969.

Senator PHILIP A. HART,  
U.S. Senate, Washington, D.C.

DEAR SENATOR HART: I am writing in response to your request for comments on the Safeguard ABM proposal.

In the previous letter which I signed together with many of my colleagues I felt that our most important argument against the ABM system was that we did not feel the system as proposed would work.

I have seen no new features published about the Safeguard proposal which would lead me to believe it would work any better than the previous proposal.

Let me respond to the remarks made by John Foster in his letter to you dated March 23.

1. His discussion of penetration aids ignores the consideration that reliability is much more of a problem for the ABM than for the attacking ICBM. A 70 percent reliability is fine for the attacker but disastrous for the defender. It is in fact far simpler to design and build specific penetration aids against a specific and generally well known defense than to design a general defense system which would be effective against the whole spectrum of penetration aids. For instance, as I understand the present proposal it has only a few radar sites and would be extremely vulnerable to a radar blackout type of attack. This would involve essentially no new development of penetration aids by the Russians and only require them to fire some missiles in advance which would be exploded in midflight blacking out the sky behind them to radar stations. Further missiles appearing out of this blacked-out area could come closer to the radar, then explode bringing the blackout region closer. With an expenditure of perhaps 5 to 10 missiles per radar site, the blackout could be essentially complete, the Spartan system made useless, and the Sprint system crippled.

It would be exceedingly interesting to have the Defense Department estimate relative costs of alternate methods of maintaining our second strike capabilities. For instance,

We could rearrange our missile sites to be far enough apart that on the average one attacking missile could only destroy one ICBM of ours. In that way the Russians could only hope to destroy our second strike capabilities if they had many more missiles than we had, which is not the case now and which I am certain we would never allow to happen. The same result could be obtained by "super-hardening" existing missile sites so that only extremely close hits by a huge bomb would disable them.

2. As stated in our previous letter, the accidental launch problems may in fact increase with a large number of ABM missiles in place which must necessarily be on a hair-trigger. It seems generally senseless to worry about an accidental launch of a single missile which is aimed at our missile bases. It would be hard for it to do 8 billion dollars worth of damage. If the ICBM missile is aimed at a city and if an ABM can intercept it, then generally the cities are also in the range of the ABM which necessarily has a larger accidental launch probability than an ICBM.

3. The Safeguard system was first advertised as a defense for our missile bases only. Foster's letter and also several newspaper releases, however, mention protection versus a Chinese attack. The Chinese will certainly not have the means to destroy a significant segment of our hardened missile bases and polaris submarines in the next few years. Presumably then it is being argued that these same bases will in fact defend our cities against a light ICBM attack. The Sprints will be useless for this purpose in the proposed system since they will not be placed adjacent to cities. The questions are then whether the Chinese will have sufficient technical skill to employ effective penetration aids against the proposed Spartan systems and sufficient insanity to attack our cities while leaving our first strike capabilities intact. I suspect that they will be able to develop penetration aids in a reasonable time. We may in fact obtain a year or two of some measure of security against Chinese attack but it is very unlikely that it would last for a longer time. It is quite conceivable in fact that their penetration aids could be readied before our ABM system is deployed.

I might add that Foster has previously been quoted (*Aviation Week*, May 15, 1967, p. 23) as making statements precisely counter to the arguments presented in his letter to you, and in fact arguing that any ABM system would necessarily be obsolete before being deployed.

There are perhaps several more important questions than those raised by Foster's letter. This defense, even if it would work, would defend only against ICBM's. The attacker has, however, a great many more options. Smuggling of A or H bombs into our cities, for example, appears to me to be quite feasible, especially considering that the amounts of money which could be utilized for such projects would be extremely large by normal standards and still be only a fraction of the cost of ABM's or ICBM's. Low-level bombers are a means of delivery of atomic warheads not defended against at all by this system. There are methods involving airborne radar systems which have been suggested as a partial defense against low-level penetration, but these involve the additional expenditure of several billions of dollars and are not included in the present request at all. The defense system would be almost totally useless without these, and it is a near certainty that if the Safeguard system is approved a further request for this system will follow shortly.

Finally I wonder why the question of biological warfare has not been raised. It seems unlikely to me that an aggressor willing to kill a hundred million or more people in a nuclear attack would shrink from this weapon. Deadly germs and viruses could be smug-

gled in almost trivially, and we have little conceivable defense against it.

In short, it would seem that we are defending against ICBM's because there is some small hope we can do it, but that it is like stopping up one hole in a sieve. The water will pour through all the same.

Sincerely,

BYRON ROE,  
Associate Professor of Physics, University of Michigan.

#### CHRISTIAN CONSCIENCE AND THE WAR IN VIETNAM

Mr. FULBRIGHT. Mr. President, the April 17 issue of the *Arkansas Baptist* magazine contains an excellent article entitled "Christian Conscience and the War in Vietnam," written by Frank Stagg. I believe that it will be of interest to Senators and readers of the *RECORD* in general. I ask unanimous consent that it be printed in the *RECORD*.

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

#### CHRISTIAN CONSCIENCE AND THE WAR IN VIETNAM

(By Frank Stagg)

"Free, white, and twenty-one" was once a proud boast.

We have been compelled to rethink the meaning of color, and now millions of young men are compelled to reassess the meaning of being 21 or 18 or 26.

For many it means being thrust into the awful dilemma of a young man who loves his country yet loathes what it commands him to do. He must turn his back on moral, ethical, and personal values counted Christian and taught as primary in home and church. He must become the property of a military establishment and learn how to kill men ten thousand miles from home.

Vietnam hangs like a cloud over much of our life, crushing numberless young men whose plight it is to be between 18 and 26. For many there is a less viable option to an impossible course that there is for a boy in a ghetto, however impoverished or disenfranchised. The boy in the ghetto can at least start walking out; the military draftee has no real option—only silent submission to what for him may be worse than death. He is forced to participate in a war which after eight years remains undeclared, possibly illegal, and judged unjust by many Americans who are impeccable in their devotion to their country.

Listen to Dwight D. Eisenhower and David M. Shoup. Parents agonizing over their sons may speak more from distraught feeling than informed judgment. Hear, then, the former general of the armies and president of the United States of America. In his farewell address, he uttered that by which he most wanted to be remembered, and what probably was the most important thing he ever said:

"In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for 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."

President Eisenhower saw both security and liberty to be threatened by the rise of the military-industrial complex.

In the years since Eisenhower sounded the

alarm, the number of retired high-ranking officers of the military now in industrial firms holding contracts with the Defense Department has increased 300 percent. According to a report prepared for Senator Paul H. Douglas (D-Ill.): in 1959 there were 721 retired military officers of the rank of army colonel or navy captain or above in the top 88 defense industries. Today there are 2,072 such retired military officers in the top 95 industries holding contracts with the Defense Department.

But more! General H. Shoup, former commandant of the Marine Corps, hero of the Battle of Tarawa in World War II and holder of the Medal of Honor, has charged in a national magazine (*The Atlantic*, April, 1969) that our deep involvement in Vietnam and our invasion of the Dominican Republic are traceable to the search for promotion, inter-service rivalries, and the desire to test new equipment and tactics on the part of the military establishment.

What can a Christian father say to his son. Can Christian conscience keep silent when proven patriots in the military, in the Congress, even in the presidency warn that wars are sometimes fought for money, glory and promotion?

Already we have sent almost 35,000 young Americans to their deaths in Vietnam. We have killed probably a million Vietnamese soldiers and civilians. We have virtually destroyed a country and imperiled our own. To what end? For how much longer? The secretary of defense proposes at least two years and possibly ten. An eighteen-year war? Why?

Vietnam has a known history of more than 2,000 years (from 208 B.C.) characterized by strong nationalism and resistance to outside aggression. Until modern times it was China which the Vietnamese most feared and resisted. Then came France with missionaries backed by troops and colonialism. For one month after the defeat of the Japanese in World War II Vietnam was united. Then, at Potsdam in 1945, the country was arbitrarily divided by the "Big Three": Russia, Britain, and the United States.

North Vietnam was awarded to Chiang Kai-shek and South Vietnam to France as "sops" from the spoils of battle. Chiang Kai-shek was too weak to fight for his portion, but the French fought to hold on to theirs—by using captured Japanese troops (over Douglas MacArthur's protest) against the Vietnamese.

Finally, though, the French were out and we were in—caught in the middle of a civil war. Except for those who are deriving money and political power from us, do we have friends in Vietnam? Is the extensive "pacification" program itself an admission that we must persuade the people to let us "liberate" them? After eight years of war, we are still capturing the same villages—for we are fighting South as well as North Vietnamese! Why?

There are only two ways our land is vulnerable to military assault: by land invasion or by missiles. Vietnam, ten thousand miles away, means nothing to the safeguarding of our security against either threat. Our involvement there invites the fear and hostility of much of the world. And it serves no good for the Vietnamese!

When will the war stop?? When we choose to stop it. That could be and must be now. Save face? We can save face only by confessing that to err is human, and we are human. What is fatal is, not to err, but to persist in error.

While congressmen, generals, and a late honored President call in question our basic motives and interests, how can we justify continuing to send our young men into a war of such questionable morality or wisdom?

Some have proposed a million letters to Washington to protest the appointment of

an ambassador to the Vatican. How about a few letters to demand that an undeclared war be stopped now!

(NOTE.—Frank Stagg, author of this provocative article, is a native of Eunice, La. He is a graduate of Louisiana College (Baptist) and the Southern Baptist Theological Seminary, where he received the Ph.D. in 1943. In addition to a Louisiana pastorate in the 1940's, Stagg taught on the faculty of New Orleans Baptist Theological Seminary from 1945 until 1964, when he was named to the James Buchanan Harrison Chair of New Testament Interpretation at his alma mater, Southern Seminary at Louisville. He has written five major books, and is currently managing editor of Review and Expositor, the faculty journal of Southern Seminary. He has studied abroad at Basel, Switzerland, Edinburgh, Scotland, and Tuebingen, Germany.)

#### DEDICATED SERVICE OF JOHN MCGEE

Mr. TOWER. Mr. President, on May 1, the distinguished Senator from Wisconsin (Mr. PROXMIER) brought an important matter to the attention of this body. I am speaking of the remarks made concerning Mr. John McGee and the dedicated service he rendered to his country.

The CONGRESSIONAL RECORD of May 1 contains adequate explanation of the circumstances which led to Mr. McGee's discovery of waste in the supplying of jet fuel oil to Vietnam. I do not intend to add any information to the excellent report given the Senate by the Senator from Wisconsin on that date.

I do, however, wish to join with those who commend Mr. McGee for the contribution he made to our effort in Vietnam. I have recently returned from that embattled country, Mr. President, and the problems facing our fighting men there are quite fresh in my mind. Those fine Americans deserve all the support that we can possibly give them. There is no room for waste or inefficiency in the delivery of vital war goods. Mr. McGee's determination to examine all the facts rather than merely look the other way has resulted in an elimination of a situation in which American taxpayers were paying for goods which were never delivered to our fighting men. To the extent that Mr. McGee's efforts will prevent a recurrence of this situation, he has saved American lives. Surely no finer thing can be said of a man.

#### ELECTORAL CHANGE SUPPORTED BY FORMER VICE PRESIDENT HUMPHREY

Mr. BAYH. Mr. President, various newspapers have begun recently to publish a newspaper column written by former Vice President Humphrey setting forth his views on public issues. I was pleased to note that one of his first commentaries discussed why the electoral college should be abolished and replaced with a system which would guarantee that the Presidential ticket receiving the most votes would be elected. At the same time he also advocated lowering the voting age to 18.

In view of his experience as the Democratic standard bearer in the 1968 campaign and because of the small margin

separating the two major candidates in the election, Mr. Humphrey's testimony on these matters deserves special attention. Of particular interest are several of his conclusions regarding the advantages of a direct election system: that campaigns would be more national in character; that smaller States would get more attention than now; that no State would be considered "safe"; that the two-party system would be strengthened; and that there would be less inclination to nominate candidates from big States.

Mr. President, because of its timeliness and significance, I ask unanimous consent that the article, entitled "Electoral Change Held Necessary," published in the Indianapolis Star of April 21, 1969, be printed in the RECORD.

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

#### POPULAR VOTE, LOWER AGE—ELECTORAL CHANGE HELD NECESSARY

(NOTE.—Today The Star begins publication of two new weekly columns, one by Hubert H. Humphrey, former Vice-President and unsuccessful presidential candidate last year, and the other by Barry Goldwater, unsuccessful presidential candidate in 1964 and recently elected again to his previous post of Senator from Arizona. The two columns will appear on this page each Monday.)

(By Hubert H. Humphrey)

In the heat of the 1968 campaign, at a time when it looked very much like George Wallace might throw the presidential election into the House of Representatives, Richard Nixon asked me to join him in a pact committing each of us to the idea that the winner of the popular vote on November 5, ought to become President.

I declined, not because I disagreed with the principle of direct election of the President, but rather because I believe the Presidency was too important to be subject to campaign agreements between candidates. I told Mr. Nixon that while I had long worked for abolishment of the Electoral College in favor of direct election of the President by the people, I believed the change ought to be embedded in our Constitution, not bartered in the critical moments of a political campaign.

The 1968 election, decided by half a million votes, very nearly did end up in the House of Representatives, where each state would have cast one vote. What if either Mr. Nixon or myself had been elected by the House and the one of us chosen was not the popular vote winner?

It is, as the American Bar Association has noted, an archaic, undemocratic, complex, ambiguous, indirect and dangerous situation.

In 1787, when the framers of the Constitution created the Electoral College, they acted in the belief that the American people were not qualified to judge who ought to be President. They thought the voters of each state should elect a small, select group of men who would be qualified to judge.

But as it has evolved, each political party now puts up its own slate of electors, so the candidate who carries the state almost automatically gets that state's electoral votes. The electors, however, are legally independent. They can vote for whichever candidate they please, as one North Carolina elector did in 1968.

Congress and the states have let this situation continue for too long. The electoral reform issues raised in the recent election must be acted upon.

I favor direct election of the President, as do the American Bar Association and, according to polls, 80 per cent of the American

people. It would give each American citizen an equal vote—a fundamental principle of our democratic process.

Under the present Electoral College system, there is one elector for every 75,389 citizens of Alaska and one elector for every 392,930 citizens of California. This is unconscionable and undemocratic.

Direct election would give campaigns more of a national flavor. Candidates would continue to go where the most people are, but the smaller states would likely get more attention. Every citizen of every state would have good reason to cast a vote. There would be no safe or swing states. Each person's vote would count equally.

Direct election would also strengthen the two-party system by discouraging regional or splinter party candidates from trying to throw the election into the House where they might play a kingmaker's role. If, under the direct election plan, no candidate received over 40 per cent of the popular vote, then I would favor a run-off election between the two top candidates.

Direct election would also make it less tempting for political parties to put candidates from big states on the ticket. There is now pressure to do so in hopes of picking up a big electoral vote payoff.

In this era of mass quality education and instant communications, we also ought to lower the voting age to 18. And we ought to break down the paper curtain of outmoded registration laws which keep so many of our citizens from voting. In 1968, only 72 million out of a possible 120 million voting-age citizens went to the polls.

Such a change will require enlightened political leadership—from the White House to the courthouse. We can afford no less. We cannot move toward the 21st Century with 19th Century election laws. Let's make this the year we safeguard our nation by putting the needed electoral reforms into the Constitution where they belong.

#### THE HICKENLOOPER AMENDMENT: A BLACK AND WHITE THEORY OF FOREIGN POLICY

Mr. CHURCH. Mr. President, recently the United States narrowly avoided a diplomatic disaster with Peru. The underlying problem, occasioned by the Peruvian expropriation of an oil company owned by American investors, has not been resolved, merely postponed.

Later this summer, President Nixon may again be faced with a new deadline for implementing the Hickenlooper amendment to the present Foreign Aid Act, which requires the President to suspend all aid to any foreign government which expropriates American-owned businesses and fails, within 6 months, to take appropriate steps to compensate the owners.

While the objective of just compensation is laudatory, the mandatory nature of the Hickenlooper amendment could force the President to place the private interest of certain American investors above that of the United States itself.

The danger implicit in such a law is well described in an editorial entitled "Buying Time," published recently in the Times-News, of Twin Falls, Idaho.

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

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

#### BUYING TIME

On the face of it, the Hickenlooper Amendment to the foreign aid law seems logical.

The amendment, named after its sponsor, the retired senator from Iowa, requires the United States to cut off foreign aid to any government which does not pay fair compensation six months after it expropriates the property or facilities of U.S. businesses.

In practice, as shown by the current imbroglio with Peru, what the amendment really does is paint the United States into a corner and virtually tie the hands of the President.

In this case, the dispute is over Peru's seizure of the facilities of the International Petroleum Co., a subsidiary of Standard Oil of New Jersey—in particular, the exact amount of the reimbursement and a claim of \$690 million against the company for its "illegal enrichment" at the expense of Peru over the past 40 years or so.

If this were a world of black and white, the Hickenlooper Amendment might make sense. But things are always more complicated than they seem.

As a recent appeal by 135 American religious and lay volunteers working with the Peruvian people put it:

"The Hickenlooper Amendment . . . cutting off all aid to Peru, is unwise in its automatic aspects and ignores the particular situation, state of mind and needs of developing countries . . . United States aid, which should be given as a matter of simple justice instead of being tied to narrow United States corporate or national interests, would better be channeled through international agencies."

The United States is reaping in Latin America the consequences of decades of devotion to the principle that "the business of America is business." In turn, the military junta now in power in Peru is riding the crest of popular revulsion against "Yankee imperialism."

By ruling that the process for reconciling the dispute has not been exhausted, the administration has wisely bought a few more months' time before the aid cutoff is to be applied.

But should negotiations fail, we stand to lose far more than Peru, and far more than mere money, if the iron-bound reflex written into the Hickenlooper Amendment is permitted to come into play.

#### OPPOSITION TO DEPLOYMENT OF ABM SYSTEM

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD the statement of the National Council of Jewish Women on the Deployment of the anti-ballistic-missile system.

This statement was adopted on April 21, 1969, at the council's biennial meeting in Chicago. This national organization is made up of exceptionally well-informed, public-spirited women. I believe the statement deserves wide reading.

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

#### TOPICAL STATEMENT OF THE 28TH NATIONAL CONVENTION, NATIONAL COUNCIL OF JEWISH WOMEN, INC., CONCERNING DEPLOYMENT OF THE ANTI-BALLISTIC-MISSILE SYSTEM

The National Council of Jewish Women as a strong supporter of the ratification of the Treaty on Non-Proliferation of Nuclear Weapons, which obligates the signatories to pursue measures relating to cessation of the nuclear arms race and towards general disarmament, considers the deployment of the Anti-Ballistic Missile System as counter to the spirit of this commitment.

The deployment of an Anti-Ballistic Missile System constitutes an escalation of the nuclear arms race, and is therefore not compatible with the promotion of world peace, to

which the United States is committed. Escalation will tend to increase international tensions and greatly impair our efforts to create a climate in which constructive disarmament talks can take place.

Many eminent members of the scientific community challenge the validity of the ABM as a defensive weapon which will enhance the security of the United States. The enormous expenditure required to carry out the program—which could only be made at the expense of critical domestic needs—therefore seems unwarranted and not in the best interests of the country.

We urge the President to reconsider and the Congress to oppose the deployment of an Anti-Ballistic Missile system at this time.

#### ANTIPOLLUTION EFFORTS OF UNITED STATES STEEL

Mr. BAYH. Mr. President, considerable criticism has been directed at some of our industrial concerns for insufficient or improper means of waste disposal and for contributing heavily to the contamination of the Nation's supply of fresh water and air. While much of this criticism is thoroughly justified and conditions evoking them should be remedied, it is only fair to point out that many companies are now taking giant strides toward the control of pollution.

For example, last week Secretary of the Interior Walter J. Hickel cited one of our largest corporations, United States Steel, for its pollution abatement practices. In reply to a letter from the president of the company, Mr. Hickel described its progress in this field as a "fine example of industrial statesmanship and foresight" and as "both good policy and good industrial practice."

It seems to me that these achievements by the largest steel firm in America in combating both air and water pollution through intensive research, plant modernization, new equipment, and extensive construction deserve the recognition extended by Secretary Hickel. I ask unanimous consent that the text of a letter from President Speer, of United States Steel, to Secretary Hickel outlining these developments; a news release reporting Secretary's Hickel's citation of the company; and excerpts from an article entitled "Air and Water Care: 1969," from the United States Steel News for January-February 1969, be printed in the RECORD.

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

UNITED STEEL CORP.,  
Pittsburgh, Pa., April 30, 1969.

HON. WALTER J. HICKEL,  
Secretary of the Interior,  
Washington, D.C.

DEAR MR. SECRETARY: Knowing of your deep interest in promoting the cause of water pollution abatement in our country, I thought you might be interested in the progress to date in water pollution control by United States Steel.

While our efforts to control pollution from our plants have increased markedly in recent years, the fact is that the proper disposal of wastes from our operations has been a concern of our company for many decades. I want to make it very clear that it is now, and has been, our policy to install pollution control equipment as part of every new facility. With a major share of our water control installation program already accomplished, we are now concentrating on the installation of

control devices on older facilities. Technology and economics are the principal factors governing our rate of progress in completing this phase of the program.

This year, in dredging operations at Lorain (Ohio) Works, we are disposing of the dredged material on land to avoid the possible pollution of Lake Erie. Similar arrangements for our South Works will be made to avoid possible pollution of Lake Michigan.

A program is under way to provide incinerators and treatment devices for sanitary wastes from our ore carriers and other vessels plying the Great Lakes. The completion of this program is now contingent upon determination of the degree of treatment required.

The conservation of water in recycle systems has been a necessity in such water scarce locations as Torrance, Provo, and the Iron Range. Recycling now holds promise of wider application in water quality control and selected for our South Works' blast furnace water cleaning system.

Modern methods of controlling the old problem of acid mine drainage include a variety of devices to prevent water from entering the mine. The water that does become acidic is neutralized with lime and contained in settling basins for removal of solids. Results obtained by these practices at Greensboro, Pa., and other locations are encouraging.

Expenditures for pollution control equipment by United States Steel have amounted to more than one quarter of a billion dollars in the last 15 years, with the greater amounts being spent more recently, and now have reached a rate of one-half a billion dollars in ten years, with many additional millions predicted for the next few years.

A complete rundown of our pollution control efforts is contained in the attached reprint from the U.S. Steel News. I know that many other industrial firms are as proud of their pollution control facilities as we are of ours. Only through such efforts as these can our urban society be assured of adequate water supply to fill future industrial and domestic needs. At U.S. Steel, we look on pollution control as sound investment for the future.

Sincerely,

EDGAR B. SPEER.

[Department of the Interior news release,  
Apr. 30, 1969]

#### SECRETARY HICKEL SALUTES UNITED STATES STEEL ON ANTIPOLLUTION EFFORTS

United States Steel Corporation was cited today by Secretary of the Interior Walter J. Hickel for its initiative in pollution abatement practices at the company's Lake Superior, Lake Erie, and Lake Michigan facilities.

"What U.S. Steel has done is both good policy and good industrial practice," Secretary Hickel said. "It is making a positive contribution to assuring adequate water supplies for future industrial and domestic expansion."

In a letter to Secretary Hickel, Edgar B. Speer, president of U.S. Steel, set forth the policy of his company in pollution abatement engineering in the Great Lakes as follows:

1. In Lake Superior at the company's Iron Range plant, all water used in the plant is completely recirculated and wastes are not discharged into the lake. In addition, all mine tailings are disposed of on waste land owned by the company, not discharged into the Lake.

2. In Lake Michigan, the company is going to dispose of all navigational dredgings on land and not into the Lake.

In its South Works' plant on Lake Michigan at the Calumet River, U.S. Steel is going to use complete water recycling in its blast water cleaning system.

3. In Lake Erie, the company has also adopted the practice of disposing of all dredgings on land.

4. In addition to the above actions, the company has also initiated a program to provide marine sanitation devices for sanitary wastes and holding tanks for other waste waters on its 50 ore carriers and other ships in the Great Lakes.

In response to Mr. Speer, Secretary Hickel said, "This is a fine example of industrial statesmanship and foresight." He pointed out that water demand in the Great Lakes will be 3 times greater than supplies in 50 years. "The water reuse philosophy of U.S. Steel must become widespread if the industrial areas of the Great Lakes are to continue to provide jobs and incomes for millions of people," Secretary Hickel said.

"It makes good sense to be concerned with the quality of our environment. It is the base on which we have built a prosperous nation. If we destroy that base through careless and reckless pollution, we will diminish the economic and social fibre of our society," he said.

"Furthermore," Secretary Hickel added, "the company's action in the disposal of polluted navigational dredgings on land—rather than in the three threatened lakes—shows there is a sane, rational alternate to this dangerous pollution practice."

The company also told the Department it is now using lime to neutralize acid mine water, another source of pollution which causes significant damage.

[From United States Steel News, January-February 1969]

#### AIR AND WATER CARE: 1969

We at U.S. Steel share many uses of the life-sustaining resources—air and water—with our community neighbors.

Air and water not only help provide food, drink, and breath, but also help grow material for our clothing and housing—they heat our homes—and cool them. They support us in travel, help provide our recreation, and beautify our environment.

Air and water also play a substantial part in the manufacture of U.S. Steel's products that serve mankind and provide our livelihood.

The following report updates our progress in protecting the interests of our neighbors in that fraction of the community air and water resources that we use in mining operations and in manufacturing steel, cement, and chemicals.

After performing its many manufacturing functions, the water we use "goes to the cleaners" before it returns to the natural water supply. Agitating, filtering, settling, clarifying, digesting, skimming, and flocculating are the standard quality-restoring processes of our water treatment systems. If this sounds like water torture, don't be alarmed. Flocculation, perhaps the most fearsome-sounding of the clean-up methods, is a gentle paddling which hastens the settling of solids by agglomeration.

The air we use undergoes equally strenuous treatment before it returns to the atmosphere. Washing, filtering, gravity, centrifugal force, precipitation, and vacuum cleaning are some of the ways air is induced to shed the impurities it picks up in manufacturing.

Necessarily, U.S. Steel News, in a single article, can only scratch the surface of our company's over-all performance in fulfilling its conservation responsibilities.

We have chosen for this report examples of the air and water conservation systems recently completed or now being built in U.S. Steel plants. Their physical dimensions will give you a pretty good measure of our effort.

This report will also touch on other phases of conservation with an example or two of plant-community cooperation in solving environment and water scarcity problems.

#### GARY'S NEW WATER SAFEGUARDS COVER 35 ACRES

Water treatment facilities require huge amounts of space—space to hold the water we have used in manufacturing. These resources must be held long enough to draw out the impurities chemically, by filtration, or gravity separation.

To illustrate the space needed, we have gathered the water conservation systems recently completed or now under construction at U.S. Steel's Gary (Ind.) steel plants and dropped them on Grant Park in downtown Chicago. Occupying 35 acres in all, they "cover the waterfront" from Randolph Street to Congress Street.

Could the engineers who laid out these plants half a century ago have foreseen today's vast demands for conservation space?

#### NEW STEEL DUST TRAPS—ELECTRIC AND HYDRAULIC MODELS

Electrostatic control of open-hearth dust emissions, introduced in America by United States Steel at Torrance (Calif.) Works in 1951, has become one of the Corporation's principal air conservation instruments.

John E. Angle, executive vice president-elect—production, shows Edward L. Stockton, chief of Allegheny County's (Pa.) Air Pollution Control Bureau, a model of the new precipitator that will bring the dust collection capacity of Homestead (Pa.) Works' famous open-hearth shop No. 5 abreast of production advances. The new unit will weigh 1,250 tons and tower 12 stories above the ground.

The gas-cleaning system is in the new basic oxygen steelmaking shop at South Works, Chicago. Through a series of sprays and scrubbers, this installation washes dust from the gas. The cylinders in the foreground, towering above the furnaces themselves, are the last step in the unit's hydraulic gas scrubbing system.

Comparable gas cleaning facilities will be incorporated in the new basic oxygen process shop at the Braddock (Pa.) plant of Edgar Thomson-Irvine Works, which will replace an existing open-hearth shop.

Basic oxygen steelmaking is an air quality plus because installation of pollution controls is an integral part of the basic production unit. This gives engineers the leeway they need to install the most advanced control technology.

#### ROLLING MILL SCALE, OILS STOP HERE

The more steel our rolling mills deliver, the more scale and oil we will have to trap. Theodore J. Koenig, general superintendent of Gary (Ind.) Sheet and Tin Works, sums up the increasing complexity of rolling mill waste collection with this bit of history:

"The first scale pit at Gary Sheet and Tin Works was dug in the Indiana dunes in 1911. A major conservation project for those times, Pit No. 1 was more than adequate to handle its oil and scale collection assignment. Today, just one of the new scale pits on the 84-inch hot strip mill covers 120 times the area of the original."

This huge pit will collect scale removed from the surface of hot steel billets as they are rolled into bars on the new mill scheduled to go into operation at Lorain (Ohio) Works early this year. Skimmers will keep waste oils from the new mill out of the Black River.

The process water from Fairless Works' new rod mill will be contained in this settling basin for ample time to settle out solids and skim off floating oils.

#### CHEMISTRY SEPARATES EMULSIFIED OILS FROM PROCESS WATER

The old adage, oil and water don't ever mix, was officially disproved by the Dravosburg (Pa.) plant of Edgar Thomson-Irvine Works in 1960 with one of the steel industry's earliest systems for removing emulsified oils from cold-reduction mill process water. Unlike the general run of steel mill lubricants, cold-rolling oils are only partially

separable by gravity, and chemical treatment is required to break the emulsion before they can be removed.

The flocculator-clarifier at Gary (Ind.) Sheet and Tin Works removes the wastes of cold rolling from the process water by flocculation (aggregating particles of waste into larger, more readily removable flakes), sedimentation, sludge concentration, and free-oil removal (skimming).

#### TERMINAL TREATMENT

When this new flocculator-clarifier, and another just like it, along with three new primary settling basins, begin operating, Gary Sheet and Tin Works will be providing complete treatment for the waste oils of all of its cold-reduction mills. In addition, all of the plant's wastes, except those of the hot-strip mills which are separately treated, will receive terminal treatment.

#### DEEP WELLS ISOLATE WASTE CHEMICALS

In locations where geological studies have revealed that ground or surface water will not be affected by the deep well injection of chemical wastes, this disposal method has been adopted by U.S. Steel plants.

Gary (Ind.) Tube Works' waste pickle liquor is collected in this storage tank for eventual transfer to a deep well at Gary Sheet and Tin for disposal 4,300 feet below the surface.

"Pickling" in steel mill language refers to the immersion in dilute sulfuric or hydrochloric acid solution by which steel rids itself of the oxide film which has formed during heating, rolling, and cooling. Reaction between acid and scale gradually reduces the strength of the pickle solution, and deep well disposal permanently isolates the weakened pickle liquor from ground and surface water.

#### UNITED STATES STEEL MINES SCORE GAINS OVER DRAINAGE

A steelmaking resource of great value, water is an unwanted infiltrator in a coal mine.

Water seepage into a mine may become weakly acidic on contact with the sulfur and iron compounds that are frequently present in coal. When the resultant drainage empties into nearby streams, it may form the familiar "yellow boy."

U.S. Steel mines use many devices—from surface fissure seals to galvanize steel sheaths beneath stream beds—to prevent water from entering the mine. Where it does seep in, pumps and canals are employed to minimize contact with polluting materials. The water that does become acidic is neutralized with lime, and the resultant "yellow boy" is removed in settling basins.

#### SUPER VACUUMS TRAP CEMENT DUST

The fine, powdery dust released by electric furnaces and cement kilns is trapped most efficiently by vacuum cleaning systems called bag houses. Duquesne (Pa.) Works has installed a bag house to control electric furnace emissions. Current interests focuses on the Universal (Pa.) and Hudson (N.Y.) plants of Universal Atlas Cement Division, where bag-house controls have recently been installed, and the Northampton (Pa.) and Waco (Texas) plants of UAC Division, where new vacuum systems are under construction.

The dust stops here at the Hudson (N.Y.) plant of Universal Atlas Cement. Inside this structure, an imposing array of fiberglass filter bags strains out practically 100 per cent of the dust generated by the operation of the plant's No. 5 kiln. Each of the 2,160 filter bags are 1 foot across and 30 feet tall.

The Northampton (Pa.) plant of Universal Atlas Cement nears completion of two high-efficiency glass-bag dust-collection units for its No. 3 and No. 4 kilns. They will replace electrostatic precipitators in operation since 1948.

The glass bags—936 of them and each 31 feet in length—will be installed vertically in each of the steel structures. Below the dust bags on each system are the giant pyramid-shaped hoppers where cement dust

will be collected from the bags. The enclosures containing the bags were fabricated from USS COR-TEN high-strength, low-alloy steel.

#### NEW INCINERATION SYSTEM CONTROLS CHEMICAL WASTES

At the new phthalic anhydride plant under construction at the Neville Island plant of USS Chemicals, Pittsburgh, a 100-foot-high stack tops a control system that will render exhaust fumes harmless by direct flame incineration.

#### WATER GUARD PLAYS SECONDARY ROLE

This new scale pit intercepts oil and scale generated on Gary (Ind.) Tube Works' rolling mills—after primary removal of solids and oil at the mills themselves. Each of its compartments is served by revolving belt skimmers.

#### RE-USE STRETCHES WATER SUPPLY

Water is unevenly distributed, but most U.S. Steel plants are endowed with abundant supplies. There are exceptions, however, and examples of strict water economy are offered at Geneva Works, Provo, Utah, and Torrance (Calif.) Works.

At Geneva Works, whose principal water supply is visible in the snows of the Wasatch Mountains, Utilities Engineer Boyd Erickson inspects outflow gates and overflow pipes of a new settling basin now under construction.

Retention in the new 43-acre lagoon will permit additional treatment for rolling mill process water. Geneva Works' management says it uses the same water 10 times over.

#### PLANT-CITY TEAMWORK YIELDS COKE PLANT WASTE CONTROL

These storage tanks and an intricate network of piping began collecting coke plant wastes generated at Gary (Ind.) Steel Works and delivering them to the Gary municipal treatment plant recently. Years of planning and engineering work with the city of Gary officials preceded the treatment of coke plant wastes in the city system.

A newly expanded cooling tower conditions over a million gallons of water daily for re-use at Torrance Works. The three-story column has the capacity to lower water temperatures 20 degrees and is one of the measures that enables the plant to re-use 96 per cent of its process water.

#### AIR AND WATER CARE—A CONTINUOUS EFFORT

America's growing demand for more products and services has resulted in crowded airports, jammed highways, and overburdened waste treatment systems. The air and water control advances shown here are a measure of U.S. Steel's efforts to bring control technology abreast of production gains. They are also evidence of its determination to continue this important work, because it cannot be completed everywhere all at once.

#### NEED FOR EXPANDED AIRPORT CONSTRUCTION AND AIR TRAFFIC CONTROL SYSTEMS

Mr. CANNON. Mr. President, recently the Washington press published an item to the effect that the President had rejected Department of Transportation plans for financing expanded airport construction and air traffic control systems, both badly needed by our rapidly growing air transport industry.

The article indicated that the rejected plans, among other things, called for an increase in the domestic flight ticket tax from 5 to 8 percent, a new 5 percent way-bill tax on air cargo, and added user taxes on fuel used by general aviation.

The proposals were supposed to bring in about \$400 million each year, which

would be used to create a new air development trust fund from which \$150 million would be used for airport development and \$250 million for improvement of air traffic control and navigation facilities.

Mr. President, we are fast approaching the time, if we have not already reached it, that will require a crash program to handle our ever increasing air traffic, and the need is almost desperate for airport and traffic control facilities.

Soon the 747 will be scheduled; and if we think our airports and our traffic routes are crowded now, wait until those monsters land and each of them discharges around 400 passengers.

Apparently the Bureau of the Budget was afraid of tying up so much revenue in a permanent trust fund. They seemed worried that the President, "4 or 5 years" from now, might want to make other budget choices.

Be that as it may, I have a worry right now, not 4 or 5 years from now. I am afraid we are running out of time for improving our airports and traffic control systems.

While we have been predicting a tremendous growth in air transportation for a long time, we have not produced a program to foster it. So we end up with a dream turning into a problem.

Consider these facts: In the past 5 years the gross national product has increased about 8 percent per year, total transportation about 8½ percent per year, while air transportation has increased about 35 percent per year.

Take our business jet fleet as an example. It now numbers 1,000 aircraft, and the estimate for 1980 is 8,000.

Our general aviation aircraft fleet now has over 123,000 operating aircraft, which industry says will number 214,000 by 1980.

Production of all aircraft in 1969 will be over 15,000, and in 10 years this will more than double.

And remember, the increasing size of our transport aircraft will certainly add to the congestion, both on the ground and in the air.

As I stated earlier, the Bureau of the Budget seem afraid of a rigid program tying up funds for years. Why not launch a flexible program which may be changed, modified, or amended as required?

We can be sure that the problems of today will be multiplied tomorrow unless we improve our airway and airport traffic programs.

It would be deplorable if serious efforts are not made in the executive branch of our Government to compromise on any portion of the proposed legislation they are in disagreement on, or which they find objectionable.

The article also mentioned that a plan for funding the SST prototype was sent back to the Department of Transportation by the White House. I spoke about this problem Tuesday, April 15, 1969, pointing out that Russia, France, and England have all flown a supersonic aircraft. Delay on this program is also, I believe, a serious error.

Mr. President, I sincerely hope that the Department of Transportation will react quickly to the Budget's rejection of

their ideas on airports, air traffic systems, and the SST program, so that we may proceed in these very critical fields.

#### THE FULBRIGHT-HAYS PROGRAM— WE CAN AFFORD UNDERSTANDING

Mr. CHURCH. Mr. President, recently I received a letter from Prof. William R. Lindley of Pocatello, Idaho. Professor Lindley shares the concern of many Americans over fund cutbacks in the Fulbright-Hays program.

Enclosed with Dr. Lindley's letter was an editorial published in the State Journal, Pocatello, Idaho, of April 29, 1969. The letter and the article speak well for themselves. It seems to many in our Nation that we show a high regard for the increments of war and all too little regard for the increments of understanding.

I ask unanimous consent that the letter and the editorial, "We Can Afford Understanding," be printed in the RECORD.

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

POCATELLO, IDAHO,  
April 29, 1969.

Senator FRANK CHURCH,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR: As a former Fulbright professor with personal knowledge of the program's merits, I have been distressed to learn of wholesale cutbacks proposed in Fulbright funds.

May I ask your kind consideration of the enclosed for possible printing in the *Congressional Record*. And I hope you also will support the restoration of funds in the bill. Thank you very much.

Sincerely,

WILLIAM R. LINDLEY.

[From the Idaho State Journal, Pocatello, Idaho, Apr. 29, 1969]

#### WE CAN AFFORD UNDERSTANDING

While billions are being poured into the arms race, a strange kind of thrift is cutting back one of our best programs in the field of international education.

"I never realized before how interested I am in America!" reported an American history teacher who went to Sweden.

"I was able to look at America from a different vantage point and to appreciate America far more than I ever did before," said a teacher from the U.S. who went to Greece.

Both were among the hundreds of Americans who teach overseas each year with the help of money provided under the Fulbright-Hays Act. As they teach, they also tell about America. And at the same time, other teachers from foreign countries are in the U.S.

It's hard to say which direction of exchange is more important. An American ambassador, after meeting prominent citizens of the country to which he had just been appointed, wrote:

"It was most rewarding for me to hear them express their gratitude for the opportunity afforded them to study in the United States as Fulbright scholars. But it was not so much the expression of gratitude that was impressive as the fact that these men and women have now become important members of their communities, and can relate to their countrymen the ideals that America stands for."

For 20 years these exchanges have been going on, and now they are being cut back. Educational and cultural exchange programs have been reduced by nearly one-half in the

last three years. While some reductions had been expected because of Vietnam War expenses, these drastic actions have sent shock waves through the academic communities in the United States and in foreign countries, where in 20 years much goodwill and cooperativeness has been built up in planning for the annual appointments.

Up, up go the military expenditures, while in a single year the appropriations for international educational and cultural affairs are cut by 28 per cent.

The Fulbright-Hays exchanges have been among the noteworthy efforts in this field. In 1967-68, Americans from every state in the Union were among the professors, research scholars, teachers, and students who went abroad with the aid of funds from this program. At the same time, every state was host to one or more persons who came from overseas to study, teach or do advanced research. The foreign countries involved and the colleges and universities which participated added substantial sums to the federal money put into the program.

Now a reduction in the number of Fulbright-Hays awards to American scholars as great as from 1,600 to 650 is threatened. The sharpest reductions will be in the teaching of American Studies overseas. There also will be less help from Americans on hunger, disease, overpopulation and other problems.

Congress has often cast a skeptical eye toward these exchange programs, because their effects are hard to measure. But drastic cutbacks such as those recently made or threatened need to be looked into thoroughly by Congress, lest misguided "thrift" prove costly in the field of international understanding.

#### IMPORTANT BUSINESS GROUP SUPPORTS SLEEPING BEAR DUNES

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted on March 11, 1969, by the Michigan U.S. 31 Corridor Association. This group is made up of businessmen and local officials from 13 counties along the Lake Michigan shoreline. The resolution strongly supports establishment of the Sleeping Bear Dunes National Lakeshore.

The 31 Corridor Association is an important group in that portion of Michigan which will be closest to the lakeshore, including Benzie County, which is one of the two counties in which the lakeshore would be located. The group has had a number of meetings on the proposed legislation, and its members are thoroughly familiar with the issue.

This is significant and welcome support, and I feel certain that Senators will want to know of it.

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

RESOLUTION RELATIVE TO PASSAGE OF LEGISLATION TO AUTHORIZE AND ESTABLISH "SLEEPING BEAR DUNES NATIONAL LAKESHORE" IN NORTHWESTERN LOWER PENINSULA OF THE STATE OF MICHIGAN PROPOSED FOR ADOPTION AT REGULAR MEETING OF MICHIGAN U.S. 31 CORRIDOR ASSOCIATION, TO BE HELD AT FREMONT, MICH., MARCH 11, 1969

Whereas, there has been introduced in the Congress of the U.S. legislation to authorize and establish "Sleeping Bear Dunes National Lakeshore" in the northwestern lower peninsula in the state of Michigan; and

Whereas, responsible studies of this proposal confirm that the area included within the boundaries of the proposed national lakeshore consisting of 61,300 acres on the mainland of Benzie and Leelanau counties

and the Manitou Islands lying offshore are of unique character from the standpoint of both natural scenic beauty and scientific, ecological and geological makeup, and that the national lakeshore will preserve, protect and enhance these qualities for present and succeeding generations; and

Whereas, the proposed national lakeshore would provide an area of great recreational value to the people of this area, state and nation, and would result in a substantial annual increase in the number of visitors to the western shores of Lake Michigan; and

Whereas, substantial, annual increases in the number of visitors to western shores of Lake Michigan must ultimately result in the development and construction of new highways capable of carrying passengers and goods throughout western Michigan in safety and comfort, and the development and construction of scenic parkways to provide our visitors with the opportunities to see and appreciate the scenic landscape and natural beauty of the western Michigan and Sleeping Bear Dunes region.

Now, therefore, at this regular meeting of the Michigan U.S. 31 Corridor Association, held at Fremont, Michigan, on March 11, 1969,

Be it resolved, that this association does hereby support and urges the passage of legislation authorizing and establishing a "Sleeping Bear Dunes National Lakeshore" in the northwestern lower peninsula of the state of Michigan; and

Be it further resolved, that the secretary of this association be and he is hereby directed to transmit copies of the foregoing resolution to the Honorable Walter Hickle, Secretary of the Interior; the Honorable Philip A. Hart and the Honorable Robert P. Griffin, U.S. Senators; the Honorable Guy Vander Jagt, U.S. Congressman; the Honorable William G. Milliken, Governor of the State of Michigan; the Honorable John F. Toepf, State Senator; the Honorable Ralph A. MacMullan, Director, Michigan Department of Natural Resources; the Honorable Henrik E. Stafseth, Director, Michigan Department of State Highways.

#### WYOMING'S WIND RIVER RESERVATION

Mr. HANSEN. Mr. President, the 1969 annual historic edition of the Thermopolis (Wyo.) Independent Record contains an excellent article recounting the history of the Wind River Indian Reservation in Wyoming—the home of the Arapahoe and Shoshone Tribes.

Many changes have taken place at the reservation since the late 1800's, when the great Chief Washakie of the Shoshones fought for and won a place for his people in Wyoming Territory, later agreeing to a treaty with Arapahoe Chief Sharpnose which enabled the two tribes to make the lands of the reservation their home.

Progress has been made through the years, as the article notes, in dealing with the long-standing problems of the reservation's citizens—high unemployment rates, poor educational achievements, and a lack of economic growth.

But the article recognizes, as well, that among the employable adults on the reservation, only 25 percent have full time work. It is pointed out that any resolution of the unemployment problem will involve exploring possibilities outside of agriculture.

Mr. President, in order to expand a bit on present-day efforts to increase opportunity for the Wind River Reservation's citizens, I would like to mention

that the Arapahoes and Shoshones have exhibited a keen interest in recent years in attracting the kind of economic development to their land that will enable Indian citizens to have meaningful employment and the resultant increased income that will allow them to improve their standard of living.

The most significant of recent achievements in this area was the approval of a \$234,000 grant from the Economic Development Administration for development of the Arapahoe Industrial Park on the reservation.

This development, to which three business enterprises will be added in the immediate future, promises to be of tremendous benefit in the area of creating jobs and opportunity on the reservation.

I ask unanimous consent that the article entitled, "History of the Wind River Reservation," be printed in the RECORD.

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

[From the Thermopolis (Wyo.) Independent Record, Apr. 24, 1969]

#### HISTORY OF THE WIND RIVER RESERVATION

The Wind River Reservation is located in west central Wyoming just east of the Continental Divide, and is bounded roughly on the north by the Owl Creek Mountains and on the west by the Wind River Range. From these heights, streams and rivers flow south and east to form the fertile valleys and rolling plains of the lower elevations where the majority of the population reside. Riverton, with almost 7,000 people, is the only city on the reservation. Other communities are Fort Washakie (Agency headquarters), Ethete, Arapahoe, St. Stephens, and Crowheart. Lander, to the south; Thermopolis, to the northeast; Shoshoni, to the east; and Dubois to the west, are the principal communities near the Reservation.

The original reservation was established by the Fort Bridger Treaty of July 2, 1863, and included parts of Colorado, Utah, Idaho, Montana and Wyoming, for a total of some 44,672,000 acres. The Second Treaty of Fort Bridger, signed July 3, 1868, established the reservation in its present location. The present boundary is about 70 miles long (east to west) and 55 miles wide (north to south) containing 2,268,008 acres of which approximately 1,888,000 acres are Indian owned.

Both tribes are rich in historical background. The early treaties were made with the Shoshone Tribe. In 1878, the Arapahoe Tribe was moved to the Reservation. The celebrated Chief Washakie ruled as a paramount chief of the Shoshones for a period of 60 years, dying in 1900 at the approximate age of 102 years. He was always friendly to his non-Indian neighbors and helped protect them from the raids of hostile Sioux and Cheyennes in the early days of the settlement of Wyoming. He also prevented an uprising when the Arapahoes were brought to the Shoshone land, and was able to keep his vow not to shed white blood. His military prowess enabled him to hold this area against all other tribes and to eventually win it for the Shoshones as a reservation. Crowheart Butte stands as a monument to his courage, for this is where he fought a hand to hand battle with a Crow Chief for hunting rights to the Wind River Valley.

According to Shoshone Tribal information, Sacajawea, girl guide of the Lewis and Clark expedition in 1805 and 1806, was a member of the Shoshone tribe. They claim that she spent her last years on the Wind River Reservation and lies buried in the Shoshone cemetery near the Wind River Agency. Date of her death is 1884.

The Arapahoes, long famous for their assistance to the Army in putting down the Sioux uprising and for their help as guides for the Army, had two great chiefs, Chief Black Coal and Chief Sharpnose, who enlisted General Crook's help in getting them placed on the reservation in 1878, when they were desperately in need of a winter home. Chief Sharpnose was present at the Gift of the Waters, and signed the treaty with Chief Washakie when the Thermopolis Hot Springs were turned over to the Government.

#### NATURAL RESOURCES

The Wind River Reservation is one of the best watered parts of the State of Wyoming, and supports large herd of Indian-owned cattle and horses. Large quantities of hay and grain are raised. Irrigation is used to produce crops because of lack of rainfall. About 70,000 acres are irrigated. There are approximately 358,490 acres of forest land and about 1,612,327 acres of open grazing land. Most of the ranches are small in size, with about 65 per cent having 100 cattle or less. The timber resources have not been fully developed as yet.

Revenue from oil and gas is the main source of tribal income. Phosphate deposits near the reservation are now being investigated for development; other minerals such as coal, gypsum, bentonite and uranium have distinct possibilities. Almost every mineral found in the State of Wyoming can be found in some quantity on the reservation. Forest resources also have recreational value not developed to the maximum at this time. Activities such as skiing, fishing, hunting and sightseeing tours have great potential for future development.

#### THE INDIAN TODAY

Practically all the Indians live in frame and log-type houses. Homes are equipped with electric lights, modern furniture, radios, TV, and other conveniences. Enrolled members of the two tribes receive monthly dividend payments from Tribal income.

The Indian children attend regular public schools, or the one parochial school in the area, and approximately 75 children are in attendance at Government boarding schools off the reservation. Each year an increasing number seek higher learning at various colleges and universities. Within the past few years a total of \$127,973 has been granted by the Business Councils to enrolled members from both tribes to assist them in the pursuit of higher learning in colleges or post-high school vocational training schools. The Arapahoe Tribe grants \$900 a year scholarship and the Shoshone Tribe a maximum of \$750 a year to any high school student who has graduated. The Shoshone Tribe also grants scholarships to deserving students who have not graduated but who wish to go to vocational training schools.

New buildings and homes are being built. The new Shoshone Rocky Mountain Hall at Fort Washakie is a completely modern, well-equipped building with meeting rooms, kitchen, boxing arena and gymnasium. During 1964 the Arapahoes received nearly \$3,000,000 in judgment funds from the Government, 85 per cent of which was paid out in monthly installments to tribal members, the remainder placed in the tribal operating fund. Much of this money was used by the Arapahoes to build new homes.

Among the employable adults on the reservation, only 25 per cent have been employed full time. But with more education, they will be better able to seek employment in competition with non-Indians. However, any resolution of the employment problem on the Reservation must look beyond agriculture and explore the possibilities for getting more employable people into wage work. To this end, numerous government programs have been started to increase the employability of the Indians.

There are a number of Indians, mostly children, now living on the reservation who are not enrolled with either tribe. To be an enrolled member, certain requirements must be met. These requirements were adopted by the Shoshone and Arapahoe General Councils respectively and are subject to the approval of the Secretary of the Interior. Under the latest revision of June 15, 1963, an applicant of the Shoshone Tribe must possess at least one-fourth degree of Shoshone Indian blood of the Wind River Reservation and shall be the degree of Indian blood shown on the tribal rolls. In addition, at least one parent of the applicant must be an enrolled member of the Shoshone Indian Tribe, but if the father of the applicant is a member of another tribe at the time of the applicant's birth, the applicant is not eligible for enrollment unless the applicant is not eligible for enrollment in the father's tribe. An applicant of illegitimate birth must be born to a female member of the tribe and for purposes of enrollment, the Shoshone Indian blood of the applicant shall be one-half the degree of Shoshone Indian blood of the mother.

Requirements for enrollment with the Northern Arapahoe Tribe were adopted by the Arapahoe General Council on August 10, 1956, and approved by the Secretary of the Interior on June 20, 1957. It provides that the applicant must possess at least one-fourth degree of Indian blood, and the father must be an enrolled member of the Northern Arapahoe Tribe. No illegitimate child is eligible for enrollment unless the mother and the natural father are married within two years following the birth of the child.

#### RESERVATION ECONOMY

The affairs of the Arapahoe and Shoshone tribes are not completely integrated, each having its independent associations or enterprises and incomes. In order to produce some income for the Arapahoe Tribe, that tribe in 1940 organized the Arapahoe Ranch Enterprise. It is a cooperative tribal venture operated by a paid manager. The Arapahoe Ranch operates on the original Padlock Ranch properties and on ten smaller ranches in addition to about 300,000 acres of tribal range on the slopes of the Owl Creek Mountains. The ranch is operated as a beef production enterprise. The herd has been stabilized at approximately 7,000 head. The Arapahoe Indians have participated extensively in the actual work at the ranch, and all enrolled members of the Arapahoe Tribe share in the profits. Both tribes have encouraged individual livestock enterprises by making loans for expansion, and granting assignments on base properties from which families can carry on ranching operations.

There are three types of employment available on the reservation—agriculture only, agriculture and wages, and wages only. These groupings account for 19 per cent, 12 per cent and 44 per cent respectively of all employable adults. A 1963 survey listed 897 adult tribal members between 18 and 55 years of age. Of this group 14 per cent were engaged in agriculture, 53 per cent in wage work and 33 per cent unemployed. Only 25 per cent were engaged in full time employment.

#### TRIBUTES TO FORMER SENATORS MORSE AND GRUENING—THEIR ADDRESSES AT AN HONOR DINNER

Mr. McGOVERN. Mr. President, a large and enthusiastic group of friends of former Senators Wayne Morse and Ernest Gruening attended a dinner honoring them on April 21 in the Capitol Hill United Methodist Church. They were representative of national organizations

deeply concerned in the causes for which these two men had fought so long and so courageously—to end the war in Vietnam, for civil rights, antipoverty programs, and redirection of national priorities away from huge military spending to greater efforts for world disarmament through world law. The primary purpose was to show these Senators that their many years of leadership in the Senate were remembered with deep gratitude and that there is need for their continued help and work in this period of many crises.

The tribute to Senator Morse was made by Joseph L. Rauh, Jr., and to Senator Gruening by C. Edward Day. In addition a "traveling mike" carried by Sanford Persons broadcast brief messages from many nongovernmental representatives who had worked "on the Hill" with the Senators.

Rev. Channing E. Phillips and Rev. Rodney Shaw were cochairmen. The invocation was given by Rev. Robert W. Hoskins, pastor of Cleveland Heights Congregational United Church of Christ and the benediction by Rabbi Richard Hirsch of the Religious Action Center, Union of American Hebrew Congregations.

The sponsors of the dinner were: Tilford Dudley, United Church of Christ.

Edward L. Ericson, Council for Humanist and Ethical Concerns.

Walter E. Fauntroy, Southern Christian Leadership Conference.

Sanford Gottlieb, National Committee for a Sane Nuclear Policy.

Thomas A. Halsted, Council for a Livable World.

James Hamilton, Washington Office, National Council of Churches of Christ.

Richard Hirsch, Religious Action Center, Union of American Hebrew Congregations.

James Jennings, Division of World Justice and Peace, U.S. Catholic Conference.

Elsie Karo, Greater Washington Area, Church Women United.

Frances Neeley, Friends Committee on National Legislation.

Channing Phillips, Democratic National Committeeman.

Neal Potter, United World Federalists.

Jeannie Rosoff, Planned Parenthood-World Population.

Rodney Shaw, Board of Christian Social Concerns, United Methodist Church.

John Silard, Attorney.

Annalee Stewart, Women's International League for Peace and Freedom.

A. Buel Trowbridge, United Nations Association.

Dagmar Wilson, Women Strike for Peace.

Raymond Wilson, Friends Committee on National Legislation.

Lord Reginald W. Sorenson, a member of the House of Lords of the United Kingdom, who was in the United States on a lecture tour, paid tribute to the former Senators, whose work in both domestic and foreign affairs fields are well known in his country. Lord Sorenson was formerly Lord-in-Waiting to the Queen, retiring from this post in 1968. He was Junior Whip and Assistant Minister in the

House of Lords and before that a member of the House of Commons 1929-64, when he was made a peer. For many years he was chairman of the National Peace Council and is at present chairman of the World Congress of Faiths, the Mahatma Gandhi Memorial Committee, and the Tagore India Center, among many other organizations.

Lady Muriel Sorenson has been Lay Magistrate at Leyton since 1934 and a leader in community and welfare activities. She is well known in the peace movement, where she is a member of the British section of the Women's International League for Peace and Freedom.

After the tributes, Senator Morse and Senator Gruening spoke on the subject of peace and on the Vietnam war in particular.

Mr. President, I ask unanimous consent to have printed in the RECORD texts of the addresses by our two former colleagues.

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

SPEECH BY THE HONORABLE WAYNE MORSE, AT DINNER HONORING SENATOR MORSE AND SENATOR GRUENING, CAPITOL HILL UNITED METHODIST CHURCH, WASHINGTON, D.C., APRIL 11, 1969

Rev. and Mrs. Hoskins, Rev. and Mrs. Shaw, Channing Phillips, Secretary and Mrs. Day, Lord and Lady Sorenson, my dear friend Ernest Gruening and Mrs. Gruening, Rabbi Hirsch and Mrs. Hirsch, and dear friends.

It is impossible for Midge and me to tell you how much we appreciate this manifestation of true friendship. All I can say is that I shall never forget this evening. You have greatly strengthened us in our determination, as Lord Sorenson implied, to carry on with you together as we continue to fight for the great causes of freedom in our country.

We have a very fine procedure in the Senate of yielding to our superiors from time to time. I want you to know that I am going to yield most of my time tonight to my teacher, Ernest Gruening. I want to hear him, too, as I know you also do, and therefore, I shall just summarize my prepared written remarks. I shall leave the manuscript with Annalee Stewart for the records of the meeting. Thus, we will all have a greater opportunity to hear more from Ernest Gruening.

In summarizing my remarks, I want to say that I am more disturbed than I have ever been before about the cause of peace in this country. I am for stopping the escalation of the war and increasing the escalation of peace efforts. I think one of the most disturbing and discouraging experiences I have had in recent months was to listen to the press conference of the President of the United States the other day. I heard naught in it that gives me much hope for the escalation of peace. I wish to make a brief comment or two upon my evaluation of that press conference. I think it reflected again a determination on the part of the President to continue the foreign policy that Eisenhower and Nixon and Dulles laid down in 1953. I have opposed it from the beginning; it was and is a policy of establishing a military containment program of the United States in Asia. In the name of peace we must continue to oppose it.

I am so glad that Mr. Wilson in his comments tonight made reference to the Formosa resolution of January 1955, because the Eisenhower, Nixon, Dulles military containment policy of 1953 was quickly followed by the Secretary of State's proposal for massive retaliation. He then developed pact-mania that produced, as I point out in my manuscript, forty-two bilateral security pacts that we have entered into around the world. If

any five of those countries sought to collect at the same time, we would have neither the manpower nor the resources to carry out our commitments. That's why I am for using the revision clauses in those pacts and turning over maintaining peace in the world to multilateral negotiations under the United Nations and other international bodies.

I shall never forget an assignment made by the Chief of Staff, General Ridgway, in 1954. He is one of the great national leaders of our time, may I say. He recognized the danger of an American military containment policy. He assigned in 1954 to General Gavin, then the top military strategist of the Pentagon Building, a great field commander in World War II, and a great American ambassador in Paris, the preparation of the famous Gavin Report of 1954. The assignment given to General Gavin by the Chief of Staff, General Ridgway, was to prepare a memorandum that would bring out all the problems connected with American military involvement on the mainland of Asia. The nation was entitled to be informed as to what would be the result if it ended up in a war. That memorandum was devastating from the standpoint of logistics; it was devastating from the standpoint of what would be involved in military losses if we became involved in a major war in Asia; devastating from the standpoint of the cost involved, and of course, devastating in the great loss of human lives that would result.

Unfortunately, the Gavin memorandum didn't stop the Eisenhower, Nixon, Dulles military containment program, for as Mr. Wilson pointed out tonight, in January 1955 Eisenhower, Nixon and Dulles proposed the Formosa resolution. Let me say that Formosa wasn't the key to that resolution. Quemoy and Matsu were, but we weren't told that by the administration. Therefore, I was in a very difficult position as I opposed the Formosa resolution in committee.

As I listened to the then chairman of the Joint Chiefs of Staff, Admiral Radford, and the then Secretary of State, Mr. Dulles, testify that what would be involved would be to authorize the United States committing a strike against the Mainland of China before an act of aggression was committed against the United States if they, in their discretion, decided that China was about to commit acts of aggression against the United States, I recognized that the Formosa Resolution was a preventive war resolution. I couldn't believe my ears.

I asked the chairman of the joint committee when it was my turn to cross-examine to call General Ridgway to the stand. I think that this testimony of Ridgway and that of George Marshall at the time of the MacArthur hearings probably represent the two greatest examples of courageous testimony before a Senate committee that I heard in my twenty-four years in the Senate. I asked if General Ridgway had been in the room all the time that Dulles and Radford had testified, and he said he had. I asked if he heard what had been said about the purpose of the resolution. He said he had. I asked if he agreed with them when I asked them if they thought that they could successfully prosecute such a maneuver without the use of American ground troops. They said they thought they could.

The plan was to use American naval forces and air forces, and Nationalist Chinese ground troops. Well, I happened to know what the then battle rating of the Nationalist Chinese was in regard to battle efficiency, and so I said I hope you won't get any American troops behind them, because I don't want them trampled to death from the retreat of the Nationalist Chinese forces as they retreat under Red Chinese attack, for their battle efficiency at that time was 11 per cent.

I asked General Ridgway if he thought ground action against the Red Chinese could

be successfully prosecuted without the use of American ground troops, and he said, "No, Sir." I asked if he thought we had American ground troops in sufficient numbers to successfully prosecute that maneuver. He said, "No, sir." When you have been in the Senate as long as I had been there, one develops a keen sense of smell, and my nostrils told me that something was awry. So I said, "General, are we to understand that you are up before this committee, joining with the other members of the Joint Chiefs of Staff in a unanimous recommendation that this Formosa resolution be passed by the Congress?" You know what his answer was? "Senator Morse, I was never consulted on this resolution." Here was the Chief of Staff of the United States Army who would have in his control and under his jurisdiction tens upon tens of thousands of American boys had that maneuver ever been carried out, telling us that he had never been consulted on the Resolution. Senator Walter George quickly declared a recess. He cleared the room of all persons except Senators.

After he got the room cleared, I knew a little relaxation was necessary in a period of tension such as this. So before we got back into formal hearing, I said, "Well, Mr. Chairman, I hope that all my colleagues on the committee took note of what just happened in this committee room. General Ridgway just torpedoed Admiral Radford's flagship right out of the Pacific." That produced the relaxation, but it didn't in any way lessen the seriousness of the committee hearing crisis. Senator Walter George said, "I think you all know what's happened in this committee room under the questioning of the Senator from Oregon. I am declaring a recess until ten o'clock tomorrow morning. It is late in the afternoon, and I am going to the White House."

I will refresh your recollections. He went to the White House. He asked me to stay in my office to talk to me when he got back from the White House. He called me about eight o'clock, asked if he could come to my office. I said, "No, where are you?" He said, "I'm in my office." I said, "I'll be right down." He said, "You don't know what you have accomplished. The President is issuing, if he hasn't already issued it since I left the White House, a press statement that we agreed upon."

That was the famous Eisenhower press statement you now may recall in which the President said in effect to the American people that he, and he alone, would make the decision as to what would happen under the resolution, and it would not be left to others in his administration. We were greatly concerned, of course, in the hearing that the resolution might lead to some sort of a delegation of discretion to the Secretary of State and the Chairman of the Joint Chiefs of Staff.

Senator George then said to me that my questioning had performed a great service. He said, further, "I now want you to help me pass the resolution."

"Well," I said, "Mr. Chairman, you haven't helped the resolution any. I am just as much opposed to Eisenhower sending those boys to their death under such a military maneuver as they have testified would be allowed under this resolution as I would be to have Radford or Dulles or anyone else do it. I am opposed to government by men. I believe only in government by law under our democratic system. I don't intend to pass over to the President of the United States war-making power without a formal declaration of war. This is a preventive war resolution outside of constitutional power." I said "I shall continue to fight the resolution," and I did.

The basic principle of the Formosa resolution is identical with the Tonkin Bay resolution. The principle of Tonkin Bay was hatched in the Formosa resolution. It was in January—January 28, 1955—when the Senate

debate started. Only three of us in the Senate voted against the Formosa resolution. This military containment policy in Asia continued throughout the Eisenhower administration. The Formosa Resolution entrenched the military containment policy of Eisenhower, Nixon, and Dulles. Don't forget it was Nixon in 1954 that wanted to send American boys into the Indo-China War. He proposed it in an off-the-record so-called secret speech to the American newspaper publishers. One of them called me at midnight that night and told me what he had said. I took the position that the information belonged not to the American publishers, but to the American people. I reported the next day what the publisher had told me in that telephone conversation. That brought forth, as you may recall, a great national controversy over the Nixon speech. Another statement from the White House was issued announcing that so long as Eisenhower was president, American troops would not be involved in the Indo-China War. He was right then, but he became clearly wrong in his subsequent support of the escalation of the Vietnam War. President Eisenhower, in his later years, ought to have taken the same position in regard to Vietnam that he took in 1954 in regard to the involvement of American troops in the Indo-China War.

I wanted to mention the background of the Formosa Resolution because there is nothing in the Nixon press conference of the other afternoon to give us any reason to feel any encouragement about escalating peace in Southeast Asia. He said we can't make any commitments for bringing troops home now. What he ought to be saying to the people of the United States and the world is that we are going to start immediately in reducing our forces in Vietnam. He ought to be standing for a ceasefire now. He ought to be standing for drawing our men back to a line of defense we can hold without killing them out in the jungles through escalating the war. Such a line-of-defense plan is, of course, the Ridgway-Gavin proposal of some years past.

He ought to be listening to the former Commandant of the American Marines, General Shoup. He makes a conservative out of me on Vietnam as he points out what the military complex is really up to in American foreign policy. Read his recent article in the *Atlantic Monthly* in which he points out that if we stopped the Vietnam war tomorrow, the American military would still be insisting upon maintaining the present military expenditures of over 80 billion dollars. They probably would ask for an increase in those expenditures. That's why I say we must make clear to the American people that they may have to start marching for peace if we are going to stop a march toward World War III.

Nothing in the Nixon press conference gave us any hope, may I say, for de-escalation of the war. The most shocking thing is, of course, the proposal in regard to continuing the carrying on of our military spy activity in international waters and international air zones in the China-Korea area. Of course, I hold no brief for any violation of international law by any power, be it North Korea or China, Russia or the United States. The sad thing is that we stand in open violation of international law in Asia, and we have from the beginning of our emasculation of the Geneva Accords of 1954. We have torn them apart, article by article, and eventually, may I say, we will finally be tried before the bar of world opinion. We are going to be found to be from the very beginning of our military involvement in Vietnam an international outlaw in Vietnam.

Nothing in the Nixon press conference the other day gives any hope for a de-escalation program. Instead, we are now going to surround our spy ships and our spy planes with military coverage. Let me make very clear, as I did at the time we had our first discussions on the Pueblo, that if we are going to

send in spy ships and spy planes, we owe to the boys we have involved in those spy vehicles adequate military coverage and protection.

But let us face up to the real problem that is involved. Even if we stay in international waters and stay in international skies, and continue to stimulate by our electronic spy equipment the electronic instruments of China and North Korea, they will continue to look upon our spying as acts of constructive aggression. They will continue to look upon our spying as an invasion, after all, of their military interests and safety. I do not think that we will stop the incidents of attack upon our spy ships and our spy planes by all the coverage we send up there. This is so risky that I raise the question, "Why send them up there at all?" I now challenge the Nixon administration to tell us what they can get by the kind of spying we are doing so close to Korea and China that they can't already get far removed from China and North Korea from bases that we already have.

Furthermore, may I say we know pretty well from other means of intelligence what's going on in those areas of the world. We are a proud people, and being a proud people, we like to hide our wrongdoings behind technical international rights. That's what Nixon is doing in all his talk about continuing to exercise our rights. I want someone to think about the rights of the boys that are going to be sent to be killed as a result of the involvement of this kind of spying in the North Korea and China area. The Nixon administration will have a hard time telling the American people how the security of America requires the kind of spying that we are engaging in. It is a form of provocation.

I close by giving you these vital statistics. We are the one power in the world that is building a military life-line around the world. No other nation is doing it. We maintain 429 major military bases abroad. We have 2,972 minor ones. This totals 3,401 American military installations scattered around this globe in 30 different countries. I have already pointed out the 42 security pacts we have. These bases are staffed, or have stationed at them one million U.S. servicemen; half a million dependents live with them, and a quarter million foreign nationals are employed at these bases. They cost between four and five billion dollars a year. Our present military cost is better than an 80 billion dollar defense budget. Now President Nixon proposes billions more for his ABM monstrosity. Let him produce the scientists that can demonstrate that it is scientifically feasible and justifiable. Of course, we know that he cannot justify it from the standpoint of building that ABM and still pretend he is for disarmament. With better than a 4 to 1 or 5 to 1 over-kill power now, the United States ought to start giving some demonstration in disarmament by rejecting the ABM. May I say to those senators who are inclined to vote for the ABM, your good faith as to whether or not you really believe in disarmament will be tested by your vote on the ABM issue.

It is not pleasant to find oneself in such complete disagreement with the President in regard to foreign policy. But I want to say that what is much more important than supporting the President is the future safety of this country. We must get unity back into our country. We must stop the wholesale killing that the United States is guilty of in Asia. The Eisenhower, Nixon, Dulles military containment policy has alienated Asia. We can't mention a single major power in Asia tonight that supports our military containment policy in Asia. We must get it out of our heads that some truce settlement in Paris is going to end our military containment in Asia. Unless we reject the Eisenhower, Nixon, Dulles military containment policy of 1953, we are going to be in Asia for decades until we finally end up in a

war with China and other Asian countries. We will never come out of that war except as a fourth or fifth rate power. Now is the time for members of Congress, and I am disappointed that more of them haven't stood up thus far in this session of Congress, to make clear to this administration that the fight for peace is on, and we're going to fight for peace in order to stop this administration fighting for war.

Thank you very much.

#### TWO WAYS TO GET OUT OF VIETNAM RIGHT NOW

(Address of Ernest Gruening at a dinner honoring Senator Gruening and Senator Morse, Capitol Hill United Methodist Church, April 21, 1969)

The great issue confronting the American people is to get back to sanity.

With an \$80 billion military budget which the Pentagon wants to enlarge further there is no hope of peace or progress in America until we cease giving top priority to the killing business.

Killing is now our nation's biggest industry. It is the product of what President Eisenhower in his farewell address called the military-industrial complex, but which Nobel Laureate George Wald of Harvard suggests should be labeled the military-industrial-labor union complex. I would add a fourth component to this hydra-headed monster: the Congress. This juggernaut should be called "the military-industrial-labor union-Congress complex."

The costs of this complex-begotten folly are terrifying: They include the 34,000 Americans killed in action in Southeast Asia, and 6,000 more dead from other causes—fine young Americans who have all died in vain.

The costs include a quarter of a million wounded—some of them horribly crippled for life—blinded, armless, legless, mindless, paralyzed.

The costs include the destruction of America's repute and tradition as a peace-loving, treaty-abiding nation, and a nation the pronouncements of whose leaders were credible.

The costs include the irrecoverable loss of \$150 billion in Southeast Asia, much of it to support and enrich a corrupt dictatorship which makes a grotesque mockery of our talk of freedom for the South Vietnamese.

The costs include the slaughter of thousands of innocent non-combatants, old people, women and children, and the making of a million or more refugees.

The costs include the erosion of our vital, overdue domestic programs, the elimination of pollution, the elimination of poverty, slums, ignorance and hunger.

These costs will haunt America beyond the lives of those now living and will be saddled on generations yet unborn.

It has just been revealed that the United States now maintains 429 major bases and 2,972 minor bases overseas and these are staffed by a million men scattered around the globe in thirty foreign countries.

Ancient Rome's legions were likewise stationed everywhere in the known world. We are now witnessing a repetition of history: "The Decline and Fall of the American Empire."

The evidences of that decline are already manifest.

Violence—sanctioned and sanctified abroad—breeds lawless violence at home.

If we want to diminish lawless violence at home, the administration must stop making violence compulsory overseas.

In this connection it—the Administration and Congress—should put a stop to the infamous dilemma which confronts our draftees. They are compelled either to take part in a war that they consider immoral, to kill people against whom they have no grievance and themselves maybe get killed or maimed, or by following their conscience and refusing to go, face years of imprisonment at

hard labor, with the possible ruin of their future careers in civilian life. I repeat that this is an infamous dilemma, to which no American, nor indeed any member of a society that calls itself free should be subject.

In the course of my Senate service I twice sponsored amendments to the Draft Act to provide that no draftee should be sent to Southeast Asia without his consent. These efforts failed, receiving only two votes—those of Senator Wayne Morse and mine. Yet the logic of such an amendment seems to me compelling. The draftees are the only Americans in our armed forces subject to this crucifixion. Their comrades who enlisted in one of the regular services—Army, Navy, Air Force or Marine Corps—may also detest the war, but they committed themselves when they enlisted to go wherever they are sent.

It is my view that enactment of such an amendment would be calming and beneficial, and in line with Senator Edward Kennedy's statement in connection with his bill to amend the Selective Service Act that "the hallmark of a free society is a pervasive spirit of individual freedom and choice," and that "in contrast, the hallmark of a closed society is compulsion." I was deeply disappointed that not more of my "dove" colleagues supported my amendment, particularly in view of their emphatic criticisms of the inequities of the existing draft. Senator Hatfield, for example, declared of the draft in the *Saturday Evening Post* (July 1, 1967), that it is "inherently unfair, monstrously inefficient and pernicious in its invasion of the individual liberty that eight generations of Americans have fought to preserve," and further that "we are long overdue in ending this invasion of the liberties of our young men."

Senator Edward Kennedy on March 28, 1967 introduced a bill to revamp the Selective Service System which was co-sponsored by Senators Case, Hart, Kennedy of New York, Mondale, Nelson, Tydings and Yarborough. After extensive hearings, Congress took no action and the inequities which he and his colleagues deplored continued.

The remedies they proposed through revised methods of selecting draftees seemed, and still seem to me beside the point. The draft for this war is itself the monstrosity and inequity. While there is in Congressional circles and elsewhere much talk now about "no more Vietnams" and about a volunteer army for the future, it is the immediate and continued slaughter in Southeast Asia, with all the other deplorable concomitant effects, which calls for prompt remedial action. Talk about future reforms is escapism from the urgent current need. Either of two reforms of the Draft Act would meet the situation for the duration of this war—the one I have proposed or one that would allow conscientious objection to a particular war. The latter seems to me the less practical. Since there may be a time when our country is really attacked and when our security and vital interests are threatened—as they were at Pearl Harbor but are not in the present Southeast Asian involvement—conscientious objection to a particular war therefore appears to me the less desirable of the two. But enactment of the other proposal would go far to diminish the spreading bitterness and unrest among our young people, and would bring comfort and relief to the hearts and minds of millions of Americans.

But our first imperative is to stop entirely our participation in the war in Southeast Asia.

While a candidate for the Presidency, Richard Nixon assured the American people that he had a way out but that he did not want to reveal it at the time in order not to interfere with the talks in Paris.

This Administration has now been in office three months. The war is still with

us. The draft calls continue. The casualties mount. The drain on our resources is increasing. The domestic crisis is unabated.

Hope was kindled in American hearts when a year ago President Johnson, facing political defeat on the war issue, announced his abdication and made some promises of diminished military activity.

These gestures proved as valueless as his repeated promises in the 1964 campaign that he would not send American boys to fight a ground war on the Continent of Asia and do the fighting that Asian boys should be doing.

Now we have a new administration which expresses its hope to achieve peace by negotiation. But it should be clear that that hope will not be fulfilled.

Why? Let us look at the realities.

The so-called Paris peace talks will not eventuate in anything because the United States' assumptions and those of its adversaries are diametrically opposed.

We claim we are there to repel aggression. The North Vietnamese and the Vietcong consider us to be the aggressors. And the evidence, once we brush aside our mendacious official propaganda, justifies their belief.

Now there is no question that President Nixon and most of the American people would like to extricate ourselves from this mess.

Increasingly we have been hearing this desire expressed, but for a while proposals for extrication were countered with the response: "Maybe we shouldn't have gone in, but we're there now," with the accent on the *there*, which means that we've got to compound our errors, our losses and our folly.

Lately this reaction has been refined:

"Yes, we ought to get out, but we've got to find an honorable way out."

Which is a way of saying that our adversaries must agree to our terms.

I say to you that *any* way out would be more honorable than to continue what we're doing.

Actually, the most honorable way out would be to repudiate the whole dishonorable episode (made even more demonstrably so since the Fulbright committee hearings last year revealed that the Tonkin Gulf incident was spurious) the most honorable way out would be to make an "agonizing reappraisal," and to confess error.

A new approach is desperately needed and I shall to-night offer two of them. One is to President Nixon, who, I doubt not, would like to rid his administration of the albatross bequeathed him by President Johnson. I offer it in the hope that he will lay aside his preconceptions and the assumptions that have underlain our policies to date. Let me approach this proposal with a brief review.

Over five years ago, on March 10, 1964, I delivered a major speech on the Senate floor in opposition to the war, the first of its kind. It was entitled "The United States Should Get Out of Vietnam." With exhibits, it occupied 30 pages in the Congressional Record. It would have been easy for President Johnson to have accepted that counsel and to withdraw our troops at that time since no U.S. units had been committed to combat and our casualties had been very few. Moreover, President Johnson had not made the commitments that he was to utter repeatedly the following Fall that he would not send American boys to fight on the Asian continent.

The opening sentence of that March 10 address was: "The mess in Vietnam was inherited by President Johnson."

Now this also holds true for President Nixon, and he is under no more obligation than was President Johnson to perpetuate his predecessors' policies.

Moreover, President Nixon has the additional benefit of the ghastly experience of these last five years, and of the deepening disaster in the face of the optimistic fore-

casts of our military and diplomatic representatives at the scene.

My proposal to President Nixon is in line with one I made fifteen months ago to President Johnson.

On February 26 of last year, addressing the Senate shortly after the rigged South Vietnamese elections and the sentencing to years at hard labor of the defeated non-Communist opponents of the Thieu-Ky ticket (it was as if President Nixon after his victory had ordered Mr. Johnson and Mr. Humphrey to the chain gang!), I made a specific recommendation to the President. It appeared in the Congressional Record under the heading, "One Possible Solution to the Vietnam Dilemma." At that time there had been considerable official propaganda that one mustn't criticize our involvement unless one had a solution. So my statement began:

"Recommendations for extrication of the United States from its Vietnamese folly are not the responsibility of those who for years have dissented from United States policy in Vietnam. It is the responsibility of those who got us into the Southeast Asia mess."

"However, if President Johnson really wants to get the United States out of the morass in Vietnam, and save us from ever-mounting and ever-deepening disaster and the increasing slaughter of the flower of our youth and of thousands of Vietnamese non-combatants, his opportunity is here and now. "He would go on nationwide radio and television and, in effect, say to the American people:

"My fellow citizens, I have tried for 4 years and my predecessors have tried for a decade previously to bring a semblance of self-government and democracy to the people of South Vietnam. It has become clear beyond peradventure that it is not their desire and that the United States despite its prodigious efforts in manpower and money, and the sacrifice of thousands of American lives, cannot achieve these desired results for them."

"I have today ordered the unconditional cessation of all bombing of North Vietnam and of all offensive operations in South Vietnam. In addition, I have directed there be an immediate in-place cease-fire in South Vietnam on the part of the United States and I have requested the South Vietnamese Armed Forces to do likewise, with only defense action authorized. I have called upon the forces of the National Liberation Front and of North Vietnam in South Vietnam to do the same. It is my purpose, which I now declare, to initiate a phased military withdrawal which should be completed within a year. In the meantime, behind the shield of American military forces with the leverage afforded by U.S. military and economic aid, U.S. representatives in South Vietnam will insist that the Thieu-Ky government broaden the base of its Government to include their non-Communist opponents, represented in large measure by those whom they have now jailed and put in protective custody, and that this broadened South Vietnamese Government begin immediate negotiations with the National Liberation Front so that all these Vietnamese components can work out their own destinies."

"In addition, I have directed our Ambassador to the United Nations to work with other nations there to find places of refuge in other lands for those who would not want to live in South Vietnam under the new regime which will be formed and I will ask the Congress for such additional authority as may be needed to admit such refugees to the United States and to assist in their resettlement elsewhere."

"Further, I have instructed our Ambassadors to Great Britain, the Soviet Union, Canada, India, and Poland to propose a greatly strengthened International Control Commission to supervise any elections to be held in South Vietnam to obtain an expression of the peoples' will."

"The United States will assist in the reconstruction and rehabilitation of the burned villages, destroyed buildings and defoliated fields, and give suitable fiscal assistance to economic development. But our military efforts will cease. We will make every effort to assist the people of both North and South Vietnam to establish whatever form of government they can develop."

"Here lies a solution which both Americans and Vietnamese, I am confident, will welcome." End of President Johnson's broadcast.

I would not expect President Nixon to use that text—circumstances are somewhat different now—but the essential idea is there, namely that we should stop the killing and get out.

I am confident that such an approach would meet with widespread approval. It would lift a great fear from the hearts of millions of American parents.

But if the President persists in the obviously unproductive course that seems to be scheduled, I urge—this is my second proposal—that we turn to the Congress which shares the responsibility for our tragic and needless involvement in Southeast Asia.

It could—and indeed should—rescind the Tonkin Gulf resolution, the rescinding of which is provided for in the resolution, but failing that, Congress should unflinchingly vote against the military authorizations and appropriations. This would have been, during the last five years, the effective method of calling a halt to our folly and ending the war. It was a matter of regret to me, as I know it was to Senator Morse, that our fellow doves with only an occasional exception would limit their opposition to the war to speeches denouncing it. President Johnson himself twitted the Congress on this issue saying that if it voted for the appropriations, he did not care what anti-war speeches they made.

But the Congress can no longer evade its responsibility. It shares equally in the guilt for the bloodshed in Southeast Asia. A promising start was made a few weeks ago when 25 House members voted against a military authorization bill. That was unprecedented and vastly encouraging. All that is needed now is to increase their numbers so that a majority of each House makes use of its Constitutional prerogative to invoke the power over the purse which Wayne Morse repeatedly urged his colleagues to do. Let no one be misled into thinking that such action could be not backing our boys at the front. There are plenty of funds in the pipeline. The copters, guns, ammunition and other paraphernalia of warfare do not reach the front for a year or more after Congressional action. Congress would on the contrary be backing the boys. We would start bringing them back home.

Having taken the steps that will end the war, The Congress should call a halt to the ABM folly. Opposition to it is growing on the Hill. A year and a half ago in October 1967, when the Sentinel Antiballistic Missile System was first brought before the Congress for its approval, only six of us in the Senate voted against it. They were Clark of Pennsylvania, Fulbright of Arkansas, Hart of Michigan, Young of Ohio, and old reliable Morse and Gruening. I am glad that so many are now joining this half-dozen.

Next the Congress should take over the examination of our commitments to Dictator Francesco Franco. To date they have been handled very secretly by the Executive Branch. It is doubtful whether those Spanish bases were ever necessary and whether the hundreds of millions of dollars spent there were not misspent. But now with missile weaponry it would seem clear that the bases are obsolete. How many Americans know that the Executive agreement the Johnson Administration entered into in 1963 and now up for renewal is in fact a formal

military alliance with Spain which pledges us to go to the defense of that fascist country if called upon? This agreement should promptly be scrapped and not renewed. The Congress should examine not only into this pending commitment but all the others made by executive action, and transform those that are clearly vital to our security into treaties—negotiated after full hearings and with the respective commitments and duties of the contracting parties clearly spelled out—the "open covenants openly arrived at" to recall a phrase from the Wilsonian era. The Congress would do well also to question—and to challenge—the existing policies of getting in bed with dictators; it is slightly nauseating in the face of all the official professions of love for freedom and democracy.

It is extremely gratifying that Senator Fulbright has created a subcommittee to look into our numerous global commitments and has appointed Senator Stuart Symington to head it. The effort deserves unqualified support. It should, in addition to its valid objectives, be a first step in re-establishing the Congress as a co-equal branch of government in the management of the Nation's affairs. During the years it has abdicated its responsibilities with the disastrous results we now are becoming aware of.

Having reduced the superswollen military establishment to a reasonable department of true defense, and not offense, we can hopefully turn that offense into a war on our domestic enemies—pollution, poverty, ignorance, crime, and start the long march back to the America we long cherished and would support with fervor and good conscience.

#### A REPLY TO JAMES J. KILPATRICK'S ATTACK ON FARMWORKERS

Mr. MONDALE. Mr. President, the Washington Star of April 22, 1969, published an article written by James J. Kilpatrick giving his version of the working and living conditions of the farmworkers in and around Delano, Calif. Copies of the article entitled "Grape Boycott in Delano Perpetrates a Hoax," have heretofore been placed in the CONGRESSIONAL RECORD.

As chairman of the Subcommittee on Migratory Labor, I have been studying the working and living conditions of the farmworkers, and I am personally aware of the union leadership and the efforts to organize those who harvest our Nation's bounty of food. It is clear to me that Mr. Kilpatrick makes many unwarranted charges not based on fact.

While I do not believe that Mr. Kilpatrick's charges are worthy of a point-by-point rebuttal at this time, I do wish to share with Senators and millions of Americans my position on Mr. Kilpatrick's article, which I have expressed in a letter to the editor of the Washington Star.

Mr. President, I ask unanimous consent that my letter to the editor of the Washington Star be printed in the RECORD.

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

APRIL 23, 1969.

THE EDITOR, THE STAR,  
Washington, D.C.

DEAR SIR: I have just read James J. Kilpatrick's April 22, 1969 attack on the Farm Workers' Union, its leader, Cesar Chavez, and the grape boycott. The inaccuracies and half truths in the article are too numerous to count and discuss in this forum.

I believe that Mr. Kilpatrick has done a serious disservice to millions of Americans who are committed to the peaceful pursuit of equal opportunity and justice. I know Cesar Chavez, and many of his colleagues and supporters, personally. Chavez is one of the most prominent American apostles of non-violence as a method in obtaining social justice. His supporters can more accurately be described as committed, concerned, socially conscious Americans, not gullible nuns, little children composing insulting letters, Hippies, Yuppies, priests, professors, political leaders on the make, and housewives with time on their hands, as Mr. Kilpatrick calls them.

In a time of National crisis, when many turn to violent means of social action, the grape boycott, UFWOC, and Cesar Chavez stand out as a hope to all reasonable men that we can eliminate injustice in our Nation without the resort to violence. Mr. Kilpatrick's resort to innuendoes and character assassinations stands as a personal affront to Americans who are dedicated to maintaining non-violent, peaceful avenues to social change, such as those advocated by the patient, long-suffering farmworkers.

Sincerely,  
WALTER F. MONDALE,  
Chairman, Subcommittee on Migratory  
Labor, U.S. Senate.

#### THE JOB CORPS CLOSINGS—HOW DO CORPSMEN FEEL?

Mr. CHURCH. Mr. President, the recent announcement by the administration that it would close many Job Corps sites around the Nation has been met with mixed reaction across the country. I personally consider it to be an unfortunate miscalculation, both in terms of our Nation's commitment to the underprivileged and in human terms.

On April 20, an article entitled "How Do Job Corpsmen Feel?—We Just Can't Believe It," was published in the Lewiston, Idaho, Morning Tribune. Contained in the article are the opinions of Job Corpsmen themselves. Almost without exception, they are dismayed.

In this article they speak for themselves. I ask unanimous consent that it be printed in the RECORD.

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

"HOW DO JOB CORPSMEN FEEL?—WE JUST CAN'T BELIEVE IT"

Hundreds of miles from home in a strange environment, 224 young men last week were worried about their future. To them the announcement that the Cedar Flats Job Corps Center would be closed came as a shock.

They had hoped to gain an education and a good job through the Job Corps. Now this opportunity seemed to be slipping away. The Selway River center would still be open several months. There is talk of new centers to be built in or near major cities. But there were still questions. Where would they go next? What would become of them now?

Mrs. Charles E. Fifield, wife of the counselor of Cedar Flats, interviewed several corpsmen to get their reactions.

"If the center closes there wouldn't be anything left," says Wallace Evans, president of the Corpsmen Senate, the governing body for the Cedar Flats youths. "I got as far as the 11th grade and had to quit because of financial difficulties."

"I came here to finish my education and now it is gone. I guess I will go back home and try to get a job. I won't be able to finish high school. We just can't believe the center

is closing. If it weren't for the Job Corps lots of fellows wouldn't be able to go to school and would be in trouble besides."

Other corpsmen viewpoints:

WENDELL LETHCO, Dade City, Fla. I am 20 and have been in Job Corps for six weeks. I got as far as the 8th grade but just couldn't make English in high school. I have been working at odd jobs for the last seven years. I haven't gained anything from the Job Corps. My vision is bad and they won't let me go to education I need an operation but so far I haven't gotten one

ROBERT SCHREFFLER, Cortland, N.Y. I am 19 and have been in the Job Corps for six months. I entered in programmed reading and am getting along pretty well. I want to go into forestry when I finish the program here. I don't feel very good about the center closing. It just isn't the right thing to do. Job Corps is needed to train men and give them an education.

RONNIE SMITH, Pingree, Ida. I am 19 and got as far as the seventh grade in school. I dropped out because I just couldn't take it any more. I worked at odd jobs for a while and then came into the Job Corps to finish my education. I'm not doing as good as I would like but I can read more than I ever did. I hate to see the center close but I'll stay here until they close it up.

ROBERT TINSLEY, Goochland County, Va. I am 22 and I got as far as the eighth grade but I still couldn't read. I came into the Job Corps in programmed reading and now I am in level five in reading and I have finished the math program. I want to be a heavy equipment operator and I would like to stay out in this part of the country for a while anyhow. I think it would be bad for me and for a lot of the guys if they close the center. We blame the President.

ARTIS OLDS, Virginia Beach, Va. I am 17. I got as far as the ninth grade in school but I just couldn't learn to read. I started in programmed reading and I'm in level six in reading and level five in math. The Job Corps has really helped me to finish my education. I would like to finish the program and I will feel bad if they close it down because the other corpsmen want a chance to learn something too. I have learned a lot about leadership, too, since I have been here.

HAROLD SHULTS, Denver, Colo. I am 20. I finished the eighth grade but quit because of emotional problems in school and with my family. I didn't want to stay at home. A friend read an ad about the Job Corps and told me about it. I want to finish my education and then become a hospital attendant. I will feel bad if they close the center. This is my real home and if it closes I have no home. I guess I would go back to Denver and try to get a job.

JESSE WILLIAMS, Newark, N.J. I am 17 years. I got as far as the eighth grade but just couldn't get along in school. I ran into trouble all the time so I quit. I came in five months ago at level two, now I am in level six in reading and level eight in math. What would I do if they close the center? I couldn't finish anything. I want to be a heavy equipment operator, but I have to wait until I am 17½. We don't think it is fair to close the center.

ALBERT SNELLING, Lexington, Ky. I am 20. I went as far as the 10th grade but I never learned to read. They just passed me along. I couldn't write when I came here either but I am learning. I am half way through the programmed reading schedule and I would like to have a chance to stay and finish the program.

ELIJAH MASSEY, Marge Point, Miss. I am 16. I got as far as the fourth grade. I am in level three in reading. I want to finish my education, that's what I came here for. I want to learn to weld. I think the center should stay open for the rest of the fellows so they get a chance too. There are 12 kids in our family so I wouldn't get a chance if I go back home now.

### PROPOSAL TO MOVE FEDERAL REGIONAL OFFICES FROM KANSAS CITY, MO., TO DENVER, COLO.

Mr. PEARSON. Mr. President, the Kansas Legislature has adopted a resolution urging President Nixon to reconsider the proposed move of Federal regional offices from Kansas City, Mo., to Denver, Colo.

It is estimated that approximately half of the Federal employees affected by the proposed move are now residents of Kansas. Members of both the Senate and the House of Representatives in the Kansas Legislature are naturally concerned about the sacrifices these employees and their families might have to face. Most significantly, this concern is now expressed in the form of a positive alternative proposal that would provide two regional centers for the 11-State area in question, one in Kansas City and one in Denver.

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

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

#### SENATE CONCURRENT RESOLUTION 36

A concurrent resolution requesting the President of the United States to reconsider his executive order transferring the regional offices of numerous federal agencies from Kansas City, Missouri, to Denver, Colorado; and further requesting that the cities of Kansas City and Denver be established jointly as centers for federal offices within prescribed areas of the region

Whereas, Richard M. Nixon, President of the United States, has established, by executive order, the city of Denver, Colorado, as the location for the regional offices of numerous federal agencies in an eleven-state region; and

Whereas, Said region includes the mid-western states of North Dakota, South Dakota, Nebraska, Iowa, Kansas and Missouri; and

Whereas, The regional offices for many of the federal agencies which are proposed to be located in Denver are now located in Kansas City, Missouri; and

Whereas, The regional offices of the federal agencies located in Kansas City, serving the aforementioned mid-western states, serve a large territory and a large number of people: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature and the people of the state of Kansas respectfully request Richard M. Nixon, President of the United States, to reconsider his decision to establish the regional offices of numerous federal agencies for an eleven-state region in the city of Denver, Colorado; and

Be it further resolved: That the legislature and the people of the state of Kansas request the President to give consideration to establishing two regional centers for federal offices within said eleven-state region: One center to be located in Kansas City, Missouri, to serve the mid-western states of North Dakota, South Dakota, Nebraska, Iowa, Kansas and Missouri; and the other to be located in Denver, Colorado, to serve the five remaining states in the rocky mountain area of said region; and

Be it further resolved: That the secretary of state be instructed to transmit a copy of this resolution to Richard M. Nixon, President of the United States; to each member of the congressional delegations from the states of Kansas and Missouri; to Mayor Ilius W. Davis of Kansas City, Missouri; and to Mayor Joseph H. McDowell of Kansas City, Kansas.

I hereby certify that the concurrent resolution originated in the Senate, and was adopted by that body April 15, 1969.

JAMES H. DECOURSEY, Jr.,  
President of the Senate.

RALPH E. ZARKER,  
Secretary of the Senate.

Adopted by the House April 15, 1969.

CALVIN A. STROWIG,  
Speaker of the House.

L. B. HAZEN,  
Chief Clerk of the House.

### WARNING AGAINST U.S. PULLOUT FROM SOUTH VIETNAM

Mr. McGEE. Mr. President, last week the prestigious Institute for Strategic Studies, in London, confirmed its belief in the so-called domino theory of Asian politics, warning that a U.S. pullout from South Vietnam would put Laos, Cambodia, and Thailand in a precarious position.

The impact would not, of course, be limited to Southeast Asia, for as the Institute said, if America withdraws from Vietnam, for whatever reason, the withdrawal will be looked upon in revolutionary circles as a defeat.

In that event—

It reported—

the efforts now being made to launch such insurrections or sustain them, in Africa and Latin America would be rebuffed.

In short, Mr. President, the Institute thinks, and with good reason, that an American pullout in Vietnam could only lead to additional hotspots around the world, with the area of greatest peril being in Southeast Asia. Its warning to this effect is timely. I ask unanimous consent that a news report on the Institute study, taken from the Washington Daily News for April 30, be printed in the RECORD.

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

[From the Washington Daily News, Apr. 30, 1969]

PRESTIGIOUS ENDORSEMENT OF DOMINO THEORY—VIETNAM PULLOUT CALLED PERIL TO NEIGHBORS

LONDON, April 30 (UPI).—An American withdrawal from Vietnam would imperil a number of Southeast Asian countries, the Institute for Strategic Studies reported today.

"By far the most dangerous field of activity will continue to be Southeast Asia, whether or not the Viet Cong achieve victory," the prestigious institute said in its study on "Problems of Modern Strategy."

It warned that a U.S. pullout from South Vietnam would put Laos, Cambodia and Thailand in a precarious position in which their governments could fall to communists.

The institute endorsed the so-called domino theory of Asian politics, which says that if the United States allows Vietnam to fall into communist hands, the rest of the Asian peninsula would do the same.

"It is a relatively painless intellectual exercise to reject President Eisenhower's original and simplistic domino theory," the report said. "But an examination of the situation as it actually is will show a fair number of dominos ready for toppling."

"A North Vietnamese victory would be followed very rapidly, by the absorption of Laos." Cambodia is unlikely to survive for long and Thailand's turn would come next, the study said.

"It should be noted in this context that the vast American investment in strategic air

bases in Thailand, and in aid to her governments over the years, makes sense only on the assumption that South Vietnam is to be held. If it is abandoned, Thailand will be expendable," the study said.

Vietnam therefore is the most decisive test case of revolutionary war, the report contended. It said:

"If the Americans are forced, whether for military or political reasons, to pull out of Vietnam, their defeat . . . will be hailed by revolutionaries everywhere as the final vindication of the theory of the people's revolutionary war . . ."

"In that event, the efforts now being made to launch such insurrections or sustain them, in Africa and Latin America would be redoubled."

### LOYALTY DAY

Mr. MONDALE. Mr. President, May 1 is a day dedicated to various commemorations. Among them is Loyalty Day, whose celebration was provided for by law at the suggestion of the Veterans of Foreign Wars.

A stimulating letter calling attention to this occasion was recently published in the monthly paper of the Minnesota Department of the Veterans of Foreign Wars. I think the letter is worth reading by all concerned with patriotism and love of our country. I ask unanimous consent that the letter written by Helen Kennedy, president of the VFW Auxiliary be printed in the RECORD.

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

LETTER FROM YOUR PRESIDENT,  
HELEN KENNEDY

#### THE MEASURE OF LIFE IS NOT LENGTH BUT LOYALTY

How do you measure up? Do you consider yourself a loyal person? Although not a tangible thing certainly loyalty is a measurable quality. It is detectable by positive action, and in no other way do we know of its presence.

This is one reason for the existence of Loyalty Day, a day to show patriotic responsibility and to manifest faith in our patriotic ideas. I am proud to say that display of loyalty was our idea. In order to counteract the communists' anti-American demonstrations on May 1st each year, the Veterans of Foreign Wars decided it was time for positive action in favor of our United States of America. It was time to proclaim our country's greatness and display the Stars and Stripes, and it was time to shout, cheer, parade, and generally with American patriotism, faze out any anti-American activity. This is a day on which we declare ourselves loyal Americans, and we call it Loyalty Day.

In 1962, under the 85th Congress, Loyalty Day was passed into public law by the Congress of the United States. The joint resolution states, "That the 1st day of May of each year is hereby designated as Loyalty Day and is to be set aside as a special day for the reaffirmation of Loyalty to the United States of America and for the recognition of the heritage of American freedom."

This year as in former years the President of the United States, the individual state governors, and leaders of local communities will sign proclamations calling upon all citizens to observe Loyalty Day with appropriate patriotic festivities.

On this May 1st week-end we as Americans are given an opportunity to renew our pledge of loyalty—loyalty to the democratic principles of our country, to the fundamental fact that we have a government of the people, by the people, and for the peo-

ple. We renew our pledge of loyalty to the men and women who have given their lives to preserve these democratic principles. We renew our pledge of loyalty to the cause of freedom and face the challenge of current struggles with courage and strength, for we must remember, we shall remain here very briefly, and during this short time we are but caretakers of freedom and America for the generations that will follow us.

Your loyalty is measurable! You can participate with the Veterans of Foreign Wars and its Auxiliary on Loyalty Day. You can display your loyalty to the dignity, blessings, and precious heritage you possess today.

### STATEMENT OF MATTHEW S. MSELSON ON CHEMICAL AND BIOLOGICAL WEAPONS

Mr. FULBRIGHT. Mr. President, on April 30, 1969, Prof. Matthew S. Meselson of Harvard University appeared before the Committee on Foreign Relations in executive session and submitted a statement on the subject of "Chemical and Biological Weapons."

I believe that Members of Congress and the public will find it interesting and informative. I ask unanimous consent that it be printed in the RECORD.

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

#### CHEMICAL AND BIOLOGICAL WEAPONS INTRODUCTION

Mr. Chairman, Members of the Committee: My name is Matthew Meselson. I am a professor of biology at Harvard University. I was trained in the field of chemistry and my present teaching and research activities are in the area of genetics and biochemistry. My concern with the problems posed by chemical and biological weapons stems from the summer of 1963 during most of which I served full-time as a consultant to the United States Arms Control and Disarmament Agency in Washington. Since then, I have continued to serve as a consultant to that Agency. However, I wish to emphasize that I appear here today purely as a private citizen, in no way representing any part of the United States Government.

Because of its leading military and political role, the United States can exert an important and possibly decisive effect on the factors that act to restrain or encourage CB warfare. This fact argues strongly against basing our policy on a weapon-by-weapon or situation-by-situation analysis and calls instead for the formulation of an overall policy on which decisions regarding particular weapons or particular situations can be based. Stated another way, decisions involving toxic weapons are likely to have important effects on the military environment we face years after those decisions are made.

I am concerned that United States policy for chemical and biological weapons has not received the far-sighted analysis it deserves. In part, this is because our CB programs and policies have been largely shielded from public and Congressional scrutiny. In what follows, I should like to present a brief description of certain CB weapons and a general discussion of their implications for national policy.

#### DEFINITION OF CHEMICAL AND BIOLOGICAL WEAPONS

Chemical and biological warfare has been defined by the U.S. Army as follows:

Chemical Warfare (CW): Tactics and technique of warfare by use of toxic chemical agents.

Biological Warfare (BW): Employment of living organisms, toxic biological products, and chemical plant growth regulators to

produce death or casualties in man, animals or plants; or defense against such action.

#### STANDARD ANTI-PERSONNEL CHEMICAL AGENTS

The United States has standardized for military use, seven anti-personnel chemical agents. Parts of the following descriptions are taken from U.S. Army Field Manual FM3-10, March, 1966.

1. Nerve Agent GB: GB is one of the highly lethal "nerve gases" developed but not used by Germany during World War II. It is a quick-acting lethal agent intended to enter the body by inhalation. Protection can be afforded by a gas mask. GB can be made available in a wide variety of munitions and delivery systems including land mines, mortars, artillery shells, rockets and bombs. It can also be dispensed from aircraft by means of special spray tanks. The performance of poison gas weapons, such as those containing GB, is highly dependent upon meteorological conditions. However, for rough descriptive purposes, it may be said that the explosion of an artillery shell containing 6 pounds of GB will kill most unmasked personnel within an area approximately the size of two football fields around the site of the burst.

At the other end of the magnitude scale, an attack on an urban area by a bomber dispensing GB might be able to kill most unmasked persons within an area of at least five square miles, this being the size of the zone of high mortality caused by the Hiroshima and Nagasaki atomic bombs. I have used the words "might kill" in the previous sentence in order to indicate that the statement is based on rather simple calculations and not on results of actual field tests on a simulated urban target. The properties and means for production of GB are relatively well documented in the open literature.

2. Nerve Agent VX: This is a lethal agent that enters the body primarily by absorption of liquid droplets through the skin. A gas mask, as well as complete covering of the body, is required for protection against VX. The same general types of munitions and delivery systems as listed above for GB may be used for VX. A tiny droplet on the skin will cause death. It appears that VX or an agent closely related to it was responsible for the accidental killing of approximately six thousand sheep near the Dugway proving ground in Utah last March. The affected sheep were grazing within an area of approximately 200 square miles located at an average distance of approximately 30 miles from a test area where an aircraft had conducted an operational test of a nerve gas spray system. Detailed information concerning VX is classified.

3. Blister Agent HD: Agent HD is also known as mustard gas, widely used in World War I. It primarily causes incapacitation rather than death. Casualties are produced by blistering action on the eyes, skin and respiratory tract. As in the case of nerve agent VX, protection against HD is afforded by a special impermeable suit and a gas mask. Weight-for-weight, HD is much less effective than VX in producing casualties.

4. Incapacitating agent BZ: This agent is classed as a temporary incapacitant. It interferes with normal mental and bodily processes. It can cause violent and irrational behavior and its effects may persist for several days. Most information regarding agent BZ is classified. Aircraft delivery systems are available for its dissemination.

5. Riot Control Agent CS: This agent, sometimes called "super tear gas" has been used in large quantities by U.S. forces in South Vietnam. It attacks the eyes, nose and throat even in extremely low concentrations and also causes nausea. Its effects continue for approximately ten minutes after exposure to fresh air. It is not generally lethal to healthy personnel even at quite high concentrations. However, a few

deaths from CS in Vietnam have been claimed.

6. Riot Control Agent CN: This is the ordinary tear gas commonly used by police in this and other countries. It was also used in considerable quantity in World War I and manufactured in large quantity but not actually employed in World War II.

7. Riot Control Agent DM: This agent causes violent sneezing, nausea, and vomiting. It may also be lethal under certain conditions and is therefore not approved under current U.S. policy for operations, where deaths are not acceptable. It was first produced for military purposes during World War I.

#### BIOLOGICAL WARFARE AGENTS

Specific information on biological agents and weapons systems is classified. Nevertheless, certain general principles regarding the use of biological agents are widely known. Various germs, i.e., bacteria, rickettsia, fungi and viruses, have been examined for utility as weapons against humans, animals and crops.

Because of the very small weight of biological agent needed to cover a given area, biological weapons have been considered for use against large areas.

The most generally considered mode of attack is by means of an aerosol cloud released by planes, drones, missiles, off-shore submarines, or ships.

For infection of target personnel to occur, particles from the aerosol must generally lodge in the deep recesses of the lungs. A well fitting gas mask or, possibly, certain simpler protective devices can afford a large measure of protection, given adequate advance warning of attack.

For military purposes, it is desirable that epidemic spread of the disease to those outside the immediate target area be avoided. Therefore only those diseases which can infect the target population but which are believed to be incapable of man-to-man transmission are considered for military use.

Aerosol attack would cause the pulmonary form of a given disease. Generally this is not the most commonly occurring form under natural conditions. The pulmonary form of a disease is generally more severe, more rapid in its development and more difficult to treat than other forms.

The effectiveness of a biological aerosol attack on human populations is extremely difficult to predict. Poorly understood and highly variable factors that determine man's resistance to infection are involved. Additional serious uncertainties can be introduced by meteorological and atmospheric conditions and by complicated factors that influence the survival of infectious organisms in the air.

If biological weapons can be brought close to anything like their potential efficiency, very small amounts would suffice for the attack of large areas. Under such conditions, a single aircraft would be capable of attacking an area of many thousands of square miles.

Field Manual 3-10 presents an illustrative discussion of biological agent employment in terms of three hypothetical anti-personnel biological agents designated as Lugo Fatigue, September Fever, and Toledo Infection. Because it is unclassified, Field Manual 3-10 does not refer to actual biological agents. Nevertheless, the information given for the three hypothetical agents may be taken as illustrative of the properties to be expected for actual biological agents. Table 5 "Hypothetical Anti-Personnel Biological Agents and Delivery Systems", taken from Field Manual 3-10, is presented as Appendix I.

Not considered in FM3-10 are the potential anti-crop biological weapons. Chief among these are rice blast and wheat rust. These are fungal diseases of rice and wheat that cause considerable damage to crops in the world today. Their effectiveness in any given application would be difficult to predict, due to

variable resistance of different plant strains and other technical factors. Potentially, however, relatively small quantities of anti-crop biological agents may be capable of devastating very large areas of cropland.

#### CONSIDERATIONS BEARING ON THE FORMATION OF THE CB WEAPONS POLICY

Half a century has passed since the world's only major outbreak of poison gas warfare. Large-scale germ warfare has never been attempted. Gas and germ warfare are explicitly prohibited by international law in the Geneva Protocol of 1925. Considering the enormous scale of gas warfare in World War I, it is remarkable how well the Protocol has been respected. There have been only two instances of verified poison gas warfare since 1925—in Ethiopia, and in the Yemen. In Vietnam the United States has been employing a powerful but generally non-lethal anti-riot agent, maintaining that the Protocol does not forbid it.

When compared with the recent history of other forms of warfare the record shows that the governments and peoples of the world have come to practise and expect a degree of restraint against the use of chemical and biological weapons not found for any other class of weapons, except nuclear ones. The chief factor justifying that restraint is the same for both nuclear and CB warfare—apprehension that, once begun, it would open up an unfamiliar and highly unpredictable dimension of warfare that might lead to the extermination of very large numbers of troops and civilians, especially one's own.

#### Destructiveness of CBW

There is no doubt that existing nuclear weapons could destroy entire populations. Although the performance of chemical and biological weapons in any particular attack would be less predictable than that of nuclear weapons, they too have very great potential for mass killing. The most effective method of strategic CBW attack would presumably entail the production by bombers or missiles of a cloud of toxic or infectious material over or upwind from a target, to be inhaled or absorbed through the skin by persons in the attacked population. Although masks, protective suits, and special shelters can provide effective protection against known chemical and biological agents, the cloud would readily penetrate dwellings and other ordinary structures.

An attack by a single bomber, dispensing one of the more deadly nerve gases, could kill most unprotected persons within an area of at least five square miles, this being the size of the zone of high mortality caused by the Hiroshima and Nagasaki atomic bombs. Although nerve gases are among the most poisonous substances known to be suitable for military use, it may well be possible to devise weapons containing far more poisonous materials, perhaps toxins or related substances. Weapons based on such super-poisons might become as destructive to unprotected populations as thermonuclear weapons of equal size.

Poisonous as nerve gases are, virulent micro-organisms and viruses can be a million or more times more so, in terms of the amount that can cause incapacitation or death. Although many infectious agents are rapidly inactivated or lose their virulence when dispersed in the atmosphere, this obstacle to the development of biological weapons can probably be circumvented or overcome with sufficient research effort. If so, biological weapons could surpass thermo-nuclear bombs, in terms of the area coverage possible for a weapon of specified size. However, even after very extensive research, the performance of biological weapons is likely to remain subject to great uncertainty. Their effects would depend in large measure on poorly understood and highly variable factors that determine man's resistance to infection. A biological attack intended to be highly lethal

might actually kill very few persons, and, conversely, an attack expected only to cause temporary incapacitation could cause high mortality.

Although biological warfare agents might be chosen from among those that are not highly contagious under natural circumstances, this would not preclude the unexpected initiation of a widespread epidemic under the very unnatural conditions inherent in military use. Indeed, it is possible that bacteria or viruses disseminated in an aerosol cloud could subsequently emerge from the exposed population of humans, insects, birds, rodents, or other animals with increased persistence, contagiousness, and virulence to man. Large-scale operations in regions populated by many persons or animals would be more risky than small operations in desolate places, and viruses might be more hazardous than bacteria. However, we cannot evaluate the risks with any confidence in any of these situations. Therefore, the field testing of live biological weapons and especially the outbreak of actual biological warfare would constitute a menace to the entire human species.

#### The uncontrollability of CBW

A major uncertainty in predicting or controlling the course of CBW, once it is begun, would arise from the great variety of possible weapons and targets, from the incapacitating to the highly lethal and from the local battlefield to entire continents. Once begun at any level in earnest it would be very difficult to predict how far CBW might go. Distinctions and stopping places would be very difficult to define and to keep. The preparations and training required for one form of CBW would facilitate and therefore tempt escalation to larger scale and more deadly CBW operations. The breakdown of barriers to weapons once regarded as illegal and peculiarly uncivilized can inspire and encourage methods of warfare even more savage than those underway at the time.

The vulnerability of troops or civilians to CBW attack depends very much on the availability and effectiveness of protective facilities, the rigour of defensive training and discipline, and the performance of early-warning systems. All of this may act to place an unusually high premium on surprise or clandestine attack and on the use of novel or unexpected agents or means of dissemination. Once the effect of surprise has worn off and defensive precautions have been instituted, CB warfare might continue on a large scale but with relatively inconclusive effects until new weapons are introduced or until conventions against the attack of previously inviolate targets are transgressed.

The difficulty of allowing the limited employment of gas without running the risk of bringing the whole chemical and biological arsenal into use has been concisely stated by T. C. Shelling in his book *Arms and Influence* (Yale University Press, 1966).

"Some gas' raises complicated questions of how much, where, under what circumstances; 'no gas' is simple and unambiguous. Gas only on military personnel; gas used only by defending forces; gas only when carried by projectile; no gas without warning—a variety of limits is conceivable . . . But there is a simplicity to 'no gas' that makes it almost uniquely a focus for agreement when each side can only conjecture at what alternative rules the other side would propose and when failure at coordination on the first try may spoil the chances for acquiescence in any limits at all."

These principles appear to have been understood by the leaders of both sides in World War II, during which neither lethal nor non-lethal gases were employed. At the outbreak of the War, both sides exchanged assurances that they would observe the Geneva Protocol of 1925. Later, in 1943, President Roosevelt declared:

"Use of such weapons has been outlawed by the general opinion of civilized mankind. This country has not used them and I hope that we never will be compelled to use them. I state categorically that we shall under no circumstances resort to the use of such weapons unless they are first used by our enemies."

Although many rules of war were violated in that conflict, it is fortunate for all sides that the rule against gas was observed. Germany had secretly developed and produced a large quantity of nerve gas. Although the Allies had no weapon of comparable deadliness, they could have produced vast quantities rather soon after becoming aware of its existence. Since the previous restraints against anti-city warfare had already broken down, the introduction of nerve gas in the midst of World War II would almost certainly have caused a death toll vastly greater than it was.

Chemical and biological weapons by their very nature are suited to the attack of large areas; their natural targets are people rather than military equipment; important military personnel can be equipped and trained to use protective devices far more easily than can civilians. For all of these reasons, civilians are the most natural and most vulnerable targets for CBW attack. If the barriers against CBW are broken down, civilians are likely to become its main victims.

#### *The myth of humane CBW*

It is well known that some chemicals such as tear gas are able to incapacitate a man for a short time with little risk of killing. Some people have concluded from this that the introduction of non-lethal chemicals and even of biological weapons thought to be non-lethal might actually make war more humane. The argument has shown considerable appeal both for thoughtless zealots who wish to advance the practice of CBW in any form and also for persons who genuinely hope to make war less savage. Although it is true that some chemical warfare agents are relatively non-lethal in themselves, it seems to me almost certain that their use would definitely not make wars on the whole less savage and would in fact risk making them much more so, should it trigger the use of lethal CB weapons.

It is naive to expect that in a real war non-lethal agents would be used by themselves. Once introduced into a combat area, the pressure would be very great to utilize them in any manner that increased the overall effectiveness of general military operations. Non-lethal chemical weapons would be used to increase the effectiveness of lethal ones. Tear gas can reduce the accuracy of enemy rifle fire, allowing one's own forces to approach more closely, increasing the accuracy and intensity of their counterfire. It can be used to force men out of protective cover and into the line of fire or the path of bomb and shell fragments. Under the desperate pressures of a war fought with artillery, bombs, napalm, and other lethal weapons, it is only reasonable to expect that "non-lethal" weapons once introduced will come to be used in order to kill. This has happened in Vietnam where U.S. forces have spread riot gas over large areas to force persons from protective cover to face attack by fragmentation bombs. It happened in World War I when both sides used tear gas and other non-lethal chemicals in grenades and artillery shells to facilitate conventional infantry and artillery operations.

In any case, if tear gas or similar agents should prove at all effective when first used both sides would introduce protective devices and tactics, making subsequent use of such agents much less effective. Thus, except perhaps when they are first introduced, non-lethal chemical weapons are unlikely to have

much effect except to set the stage for more deadly CBW operations.

The conduct of non-lethal CBW can greatly facilitate preparations and training for the use of lethal chemical and biological agents. When combatants learn to protect themselves against the effects of mild or "conventional" agents the temptation will be strong and the means will be at hand to experiment with more deadly ones. During the first year of World War I both sides used tear gas and other harassing agents until the Germans introduced lethal chlorine gas. Following that, both sides tested a large number of poison gases seeking to find ones that would be decisive in battle. The first attack with poison gas had a devastating effect. The Allied front was broken, and 5,000 of the 15,000 gas casualties died. However, even though more effective gases were introduced in great quantity by both sides, advances in defensive preparations prevented gas from being a decisive weapon in World War I. Advocates of "humane" gas warfare often point out that, at least toward the end of World War I, gas produced casualties with proportionately less mortality than did high-explosive weapons. However, this was not because commanders on both sides wished to fight without killing, but rather because the most effective gases then known caused more wounds than deaths. Modern nerve gases are vastly more lethal than the old World War I gases. Can anyone have much confidence that skin-penetrating nerve gas would not have been used in World War I had it become available in 1917?

#### *Chemical and biological weapons and minor powers*

The development and initial production of a new weapon usually requires much greater sophistication and effort than is needed to reproduce a weapon already possessed by another. The accessibility of chemical and biological weapons to smaller powers will depend very much on the CBW programmes of great powers and, for a limited time, on measures to keep the results of those programmes secret. With chemical and biological weapons as with other weapons, great powers will probably lead the way unless they deliberately refrain from doing so.

The chemical compositions of several nerve gases are published in the open literature, and detailed manufacturing procedures could be specified by competent chemists and chemical engineers. Although no thorough cost-analysis has been published, it would appear that a considerable number of smaller nations could produce and integrate nerve gas weapons into their artillery and air forces without great economic strain. Commercial transport aircraft could be modified without great difficulty to drop or spray the gas. No small power is definitely known to produce nerve gas or to have been supplied with it by another, although there have been newspaper reports that Egypt has used a nerve gas on a small scale in the Yemen conflict.

The acquisition of nerve-gas weapons would greatly increase the destructive potential of a small nation's military forces, but it might also greatly reduce its overall security by provoking its neighbours to arm themselves similarly. This they might do by producing the gas themselves or by demanding it from their great power allies. If nerve gas warfare should ever break out between two small states, the population of one or both could be largely annihilated within a short space of time, and the intense feelings provoked around the world might well ignite a much larger conflict.

The attempt to develop biological weapons of reasonably assured characteristics would require a costly and technically sophisticated effort and an elaborate testing programme. Indeed, only use in war itself would provide

the kind of information that responsible military men would require before placing much reliance on a radically new type of weapon. It seems unlikely that a small power would attempt the development of biological weapons except perhaps as a deterrent threat. However, this would be an extremely risky posture for a small power unless large powers had already legitimized the possession and threatening display or use of biological weapons.

#### *Why single out CBW for special prohibitions?*

As long as wars continue to be fought with high explosive weapons and napalm, what sense does it make to maintain special constraints on CBW? The question is understandable, but it seems to me that some substantial answers are contained in the remarks above. We realize that special rules are required for nuclear weapons. The distinction between conventional weapons and nuclear ones of any size is a real one, and the importance of maintaining it is generally understood. Chemical and biological weapons share with nuclear ones the attribute of potentially overwhelming destructiveness. Biological weapons could pose a threat to the entire human species. Both chemical and biological weapons place a high premium on clandestine and surprise attack, thus lessening stability. Once developed, chemical and biological weapons can be exceedingly cheap, relatively easy to produce, and quick to proliferate. They would threaten civilians especially. Their use would violate the oldest major arms control treaty now in force.

#### *Preventing the use of chemical and biological weapons*

It is important for nations to understand that it is in their long-term interest to prevent the use of chemical and biological weapons. A relatively clear and unique standard to guide both the practice and the expectations of nations is provided by the Geneva Protocol of 1925. The Protocol has been ratified by all major powers except Japan and, ironically, the nation which proposed it at Geneva—the United States. Many of the states organized since World War II, including the People's Republic of China and both Republics of Germany, have ratified the Protocol or have agreed to be bound by the ratification of their predecessors. Less than two years ago, in December, 1966, the General Assembly of the United Nations passed without opposition a resolution calling for strict observance of the Geneva Protocol and appealing for universal accession to it. The United States and Japan voted in support of the General Assembly resolution along with 99 other states. It is important to secure the actual ratification of Japan, the United States, and other nations that have not yet ratified the Protocol. Means should be found to make clear that viruses as well as bacteria and non-lethal as well as lethal chemical and biological weapons are meant to be included under its prohibition. But great care must be exercised to make sure that attempts to further clarify the scope of the Protocol do not result in weakening its universal authority.

The Geneva Protocol is a no-first-use agreement. It does not prohibit CB weapons production, nor does it prohibit reprisal in kind. Last July, the United Kingdom submitted to the Eighteen-Nation Disarmament Conference in Geneva a proposal concerning biological weapons that goes well beyond the Geneva Protocol. Under the terms of the British proposal, states would undertake not to engage in germ warfare of any kind under any circumstances. In addition, the production of germ weapons would be prohibited under terms yet to be worked out in detail. A copy of the U.K. proposal is appended, as well as a copy of The 1925 Geneva Protocol.

TABLE V.—HYPOTHETICAL ANTIPERSONNEL BIOLOGICAL AGENTS AND DELIVERY SYSTEMS

A. Hypothetical antipersonnel biological agents

Agent	Symbol	Time required to produce casualties (days)	Percentage of deaths	Length of incapacitation	Time of effectiveness (hours)		Physiological effects
					Day	Night	
Lugo fatigue.....	AA	2-3	0-10	3 months.....	2	3	Incapacitating disease of long duration; sores in the nose and throat.
September fever.....	BB	1-3	2-3	6 to 10 days....	1	3	High fever, muscular aches, vomiting, diarrhea, and extreme prostration.
Toledo infection.....	CC	1-3	90-100 (%).....		10	10	High fever, glandular swelling, coughing, pneumonia, and sores on the skin.

B. Hypothetical delivery systems

System	Maximum range (hectometer)	HOB	Area coverage		Percentage of casualties		
			Square kilometers	Dimensions (kilometers)	Lugo tetig	September fever	Toledo infection
Guided missile (medium).....	75	High.....	100	5.7 (radius).....	70	25	60
		Low.....	50	3.5 (radius).....	90	50	30
Guided missile (heavy).....	150	High.....	200	8 (radius).....	70	25	60
		Low.....	100	5.7 (radius).....	90	50	30
Fighter aircraft (spray).....	(?)	(?)	1,000	50x20.....	60	25	50

<sup>1</sup> Not available.  
<sup>2</sup> Variable.

Note: To be used for instructional purposes only.

PROTOCOL FOR THE PROHIBITION OF THE USE IN WAR OF ASPHYXIATING POISONOUS OR OTHER GASES, AND OF BACTERIOLOGICAL METHODS OF WARFARE, SIGNED AT GENEVA ON JUNE 17, 1925

The text of the substantive part of the protocol reads as follows:

"Whereas the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, has been justly condemned by the general opinion of the civilized world; and,

"Whereas the prohibition of such use has been declared in Treaties to which the majority of Powers of the world are Parties; and,

"To the end that this prohibition shall be universally accepted as a part of International Law, binding alike the conscience and the practice of nations;

"Declare:

"That the High Contracting Parties, so far as they are not already Parties to Treaties prohibiting such use, accept this prohibition, agree to extend this prohibition to the use of bacteriological methods of warfare and agree to be bound as between themselves according to the terms of this declaration."

The United States delegation at Geneva proposed the ban on gas, and the Polish delegation suggested that this be extended to include bacteriological weapons. The protocol is in force with respect to most countries, including the United Kingdom, France, the Federal Republic of Germany, Italy, the Peoples Republic of China, and the U.S.S.R. The United States and Japan signed but did not ratify the protocol. Although the protocol was favorably reported by the Committee on Foreign Relations, the United States Senate in 1926 referred the report back to committee without giving its advice and consent to ratification.

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS

The General Assembly,

Guided by the principles of the Charter of the United Nations and of international law,

Considering that weapons of mass destruction constitute a danger to all mankind and are incompatible with the accepted norms of civilization,

Affirming that the strict observance of the rules of international law on the conduct of warfare is in the interest of maintaining these standards of civilization,

Recalling that the Geneva Protocol for the Prohibition of the Use in War of Asphyxiat-

ing, Poisonous or Other Gases and of Bacteriological Methods of Warfare of 17 June 1925 has been signed and adopted and is recognized by many States,

Noting that the Conference of the Eighteen-Nation Committee on Disarmament has the task of seeking an agreement on the cessation of the development and production of chemical and bacteriological weapons and other weapons of mass destruction, and on the elimination of all such weapons from national arsenals, as called for in the draft proposals on general and complete disarmament now before the Conference,

1. Calls for strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and condemns all actions contrary to those objectives;

2. Invites all states to accede to the Geneva Protocol of 17 June 1925.

(148th plenary meeting, 5 December 1966.)

WORKING PAPER ON MICROBIOLOGICAL WARFARE

The United Kingdom Delegation consider that the 1925 Geneva Protocol is not an entirely satisfactory instrument for dealing with the question of chemical and microbiological warfare. The following points may be noted:

(i) Many states are not parties to the Protocol and of those that are parties many, including the United Kingdom, have reserved the right to use chemical and bacteriological weapons against non-parties, violators of the Protocol and their allies.

(ii) Jurists are not agreed whether the Protocol represents customary international law or whether it is of a purely contractual nature.

(iii) Even if all states were to accede to the Protocol there would still be a risk of large-scale use of the proscribed weapons as long as states have the right to manufacture such weapons and to use them against violators and their allies.

(iv) There is no consensus on the meaning of the term "gases" in the phrase "asphyxiating, poisonous or other gases and all analogous liquids, materials or devices". The French version of the Protocol renders "or other" as "ou similaires" and the discrepancy between "other" and "similaires" has led to disagreement on whether non-lethal gases are covered by the Protocol.

(v) The term "bacteriological" as used in

the Protocol is not sufficiently comprehensive to include the whole range of microbiological agents that might be used in hostilities.

(vi) The prohibition in the Protocol applies to use "in war". There may therefore be doubt about its applicability in the case of hostilities which do not amount to war in its technical sense.

2. It is not to be expected that all these difficulties can be easily or speedily resolved. The United Kingdom Delegation suggest, however, that the problem might be made less intractable by considering chemical and microbiological methods of warfare separately. The Geneva Protocol puts them on an identical basis, but—

(i) As indicated in paragraph 1 (iv) above, there is disagreement on whether the ban covers all agents or only lethal ones. It would be extremely difficult to secure agreement on a new instrument banning the use of all agents of chemical warfare, particularly as some of those agents have legitimate peaceful uses for such purposes as riot control.

(ii) Chemical weapons have been used on a large scale in war in the past and are regarded by some states as a weapon they must be prepared to use if necessary in any future war, particularly as they fear they may be used against them. In any event, at the moment, they would be reluctant to give up the manufacture of chemical agents and the right to conduct research, etc., in this field.

3. The United Kingdom Delegation recognize that verification, in the sense in which the term is normally used in disarmament negotiations, is not possible in either the chemical or the microbiological field. The difficulty, as far as the microbiological field is concerned, is that the organisms which would be used are required for medical and veterinary uses and could be produced quickly, cheaply and without special facilities either in established laboratories or in makeshift facilities. As far as chemical agents are concerned it seems unlikely that states will be prepared to forego the right to produce and stockpile such agents for possible use in war unless adequate verification procedures can be devised and applied and problems of definition etc. resolved. However, the use of microbiological methods of warfare has never been established, and these are generally regarded with even greater abhorrence than chemical methods. The United Kingdom Delegation therefore consider that in this field the choice lies between going ahead with the formulation of new obligations and doing nothing at all—in which case the risks and the fears of eventual use of

microbiological methods of warfare will continue and intensify indefinitely.

The United Kingdom Delegation therefore propose the early conclusion of a new Convention for the Prohibition of Microbiological Methods of Warfare, which would supplement but not supersede the 1925 Geneva Protocol. This Convention would proscribe the use for hostile purposes of microbiological agents causing death or disease by infection in man, other animals, or crops. Under it states would:

(1) declare their belief that the use of microbiological methods of warfare of any kind and in any circumstances should be treated as contrary to international law and a crime against humanity;

(2) undertake never to engage in such methods of warfare themselves in any circumstances.

5. The Convention should also include a ban on the production of microbiological agents which was so worded as to take account of the fact that most of the microbiological agents that could be used in hostilities are also needed for peaceful purposes. Thus the ban might be on the production of microbiological agents on a scale which had no independent peaceful justification. Alternatively, the Convention might ban the production of microbiological agents for hostile purposes, or it might ban their production in quantities that would be incompatible with the obligation never to engage in microbiological methods of warfare in any circumstances.

6. Whatever the formulation might be, the ban would also need to cover ancillary equipment specifically designed to facilitate the use of microbiological agents in hostilities. In addition, the Convention would of course need to include an undertaking to destroy, within a short period after the Convention comes into force, any stocks of such microbiological agents or ancillary equipment which are already in the possession of the parties.

7. The Convention would also need to deal with research work. It should impose a ban on research work aimed at production of the kind prohibited above, as regards both microbiological agents and ancillary equipment. It should also provide for the appropriate civil medical or health authorities to have access to all research work which might give rise to allegations that the obligations imposed by the Convention were not being fulfilled. Such research work should be open to international investigation if so required and should also be open to public scrutiny to the maximum extent compatible with national security and the protection of industrial and commercial processes.

8. In the knowledge that strict processes of verification are not possible, it is suggested that consideration might be given *inter alia* to the possibility that a competent body of experts, established under the auspices of the United Nations, might investigate allegations made by a party to the Convention which appeared to establish a *prima facie* case that another party had acted in breach of the obligations established in the Convention. The Convention would contain a provision by which parties would undertake to co-operate fully in any investigation and any failure to comply with this or any of the other obligations imposed by the Convention would be reported to the Security Council.

9. As regards entry into force of the Convention, the appropriate international body might be invited to draw up a list of states (say 10-12) that it considers most advanced in microbiological research work. The Convention might come into force when ratified by all those states and a suitably large number of other states.

10. Consideration should be given to the possibility of including in the Convention an article under which the parties would undertake to support appropriate action in accord-

ance with the United Nations Charter to counter the use, or threatened use, of microbiological methods of warfare. If such an article were included it might be endorsed by the Security Council in rather the same way as the Council welcomed and endorsed the declarations made by the United States, the Soviet Union and the United Kingdom in connection with the Non-Proliferation Treaty.

#### THE 178TH ANNIVERSARY OF POLISH CONSTITUTION

Mr. JAVITS. Mr. President, May 3 marked the 176th anniversary of the Polish Constitution, one of the guiding lights of European democracy. That constitution encompasses many of the principles of a free society that we in the West hold true today: the sovereign power and will of the people, the rule of law, and the protection of the individual from the smothering influence of an all-powerful state.

How tragic it is that this nation should now be the subject of those evils against which it asserted itself at such an early date.

Yet despite the history of oppression and inhumanity that has troubled the country, Poland has been able to make a real contribution to the cultural development of Europe. We are indebted to Poland for Copernicus, Marie Curie, Chopin, Paderewski, Henryk Sienkiewicz, and many others, such as the courageous Kościuszko, the heroic Masaryk, and the Jewish heroes of the Warsaw ghetto.

The people of Poland have acquitted themselves on many historic occasions with the honor and courage that is so characteristic of a freedom-loving people in the many historical misfortunes they have had to bear.

America owes a great deal to Poland for the sturdy citizens it has sent to our shores. As a measure of appreciation I join in saluting the glories of Poland's past, and in looking forward to a hopeful future of greater understanding and cooperation between our two nations.

#### A NEW MEXICAN-AMERICAN MILITANCY

Mr. MONDALE. Mr. President, Homer Bigart is the New York Times reporter who just last month wrote an award-deserving series of articles on hunger in America. Some of the articles were directly related to the hunger and malnutrition suffered by migrant farmworkers, a substantial number of whom are Mexican-Americans.

It seems quite natural, therefore, that Mr. Bigart followed up his series on hunger with a long article on Mexican-Americans, "a distinctive minority, separated from the dominant culture by a great gulf of poverty and differences in language and culture." In his article, Mr. Bigart describes his travels throughout the Southwest and West and reaches a conclusion that—

Too few of us have yet come to grips with the (Mexican-Americans) all have a common complaint: they say all the Anglos treat Chicanos as a conquered people by suppressing their Spanish language in the schools and discriminating against them in jobs, housing, and unions.

As chairman of the Subcommittee on Migratory Labor, I am particularly aware of Mr. Bigart's finding:

The worst off Chicanos are the farmworkers.

As stated by the Most Reverend Robert E. Lucey, the local Texas Roman Catholic Archbishop, migrant farmworkers live "in the awful reality of serfdom."

The significance of the New York Times article is in the vivid description of the reality of a new militancy to which Mexican-Americans are being forced to turn. Will the Nation ever learn that if we do not awaken to this reality we are going to face the same turmoil in the brown community that was experienced in the black community?

Another social crisis is upon us, Mr. President. We must awaken to the reality. As a priest warned:

If there are no immediate changes in the Southwest, no visible improvement in the political and economic status of the Mexican-American, then I definitely foresee that our youths will resort to violence to demand the dignity and respect they deserve as human beings and as American citizens.

I see the barrios already full of hate and self-destruction. I see an educational system doing psychological damage to the Mexican-American, creating a self-identity crisis by refusing to recognize his rich cultural heritage and by suppressing his language.

And therefore, to me, burning a building and rioting is less violent than what is happening to our youth under a school system that classes as 'retarded and inferior' those with a language difficulty.

As chairman of the Subcommittee on Migratory Labor, I hope to bring an understanding of this subtle yet powerful form of violence to the attention and conscience of the American people through hearings and investigation.

I ask unanimous consent that the excellent article written by Homer Bigart, and published in the New York Times of April 20, 1969, be printed in the RECORD.

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

[From the New York Times, Apr. 20, 1969]

#### A NEW MEXICAN-AMERICAN MILITANCY

(By Homer Bigart)

LOS ANGELES.—Five million Mexican-Americans, the nation's second largest minority, are stirring with a new militancy. The ethnic stereotype that the Chicanos are too drowsy, too docile to carry a sustained fight against poverty and discrimination is bending under fresh assault.

The Chicano revolt against the Anglo Establishment is still in the planning stage, however. No national leader has arisen. La Causa, as the struggle for ethnic identity is called, has only a fragmented leadership of regional "spokesmen." No one really seems to want a chief, for as one young militant explained: "It's too easy to co-opt; buy off or assassinate a single leader."

The Mexican-Americans are a distinctive minority, separated from the dominant culture by a great gulf of poverty and differences in language and culture.

California, with two million, and Texas, with a million and a half, have the most Chicanos. New York probably has less than 10,000 and they are completely submerged by the massive Puerto Rican presence.

Some in New Mexico claim descent from Spanish explorers. Others say they were derived from the ancient Aztecs, and stress their Indianness. But the vast majority describe themselves as mestizos, people of mixed Spanish and Indian blood.

They all have a common complaint: they say the Anglos treat Chicanos as a conquered people by suppressing their Spanish language in the schools and discriminating against them in jobs, housing and income.

Consigned in the main to menial jobs, they earn a little more money than the Negro, but because their families are larger, the per capita income is generally lower: \$1,380 for Mexican-Americans, against \$1,437 for non-whites in the Los Angeles area.

The worst-off Chicanos are the farm workers. Testifying last December before the Civil Rights Commission in San Antonio, the local Roman Catholic Archbishop, the Most Rev. Robert E. Lucey observed that migrant farm workers lived "in the awful reality of serfdom."

Like other ethnic groups, the Chicanos are drawn to cities. The crowded urban barrios are usually adjacent to the Negro ghettos, and the rising ferment among Mexican-Americans has been stimulated in part by the Negro civil rights movement.

There are varying degrees of Chicano militancy:

In the Spanish-speaking ghetto of East Los Angeles, barrio toughs boast of grenades and other explosives cached for the day of revolt against the gringo.

In Denver, Rodolfo (Corky) Gonzales plans a massive nation-wide school walkout by Chicano students on Sept. 16, Mexico's Independence Day. Corky, a former prize fighter, claims total victory in last month's strike at a high school in the west side barrio, a strike marred by violence in which, Corky says, a dozen police cars were disabled.

#### QUIXOTIC COURTHOUSE RAIDER

In New Mexico, Reles Lopez Tijerina, the quixotic former evangelist who raided a courthouse two years ago to make a "citizen's arrest" of a district attorney, takes a visitor on a tour of a "pueblo libre," a proposed free city-state in the wilderness where Chicanos will control their own destiny.

Unfortunately, 90 per cent of the pueblo is national forest. This does not bother Tijerina's followers. They claim the land under Spanish royal grants made prior to American sovereignty. They have chopped down the boundary markers and other signs of gringo occupation.

They have even held a mock trial for a couple of forest rangers who fell into their hands. Tijerina himself is under a two-year Federal sentence for aiding and abetting an assault on a ranger. His conviction is under appeal.

Tijerina, who has been alternately snoozing and crunching sunflower seeds in the back seat while his lawyer, Bill Higgs, takes the wheel, suddenly comes to life. At a high pass where the road cowers under skyscraper rocks, the leader shouts: "Here's our port of entry for the Free City of Abiquiu."

Straight ahead, gleaming in the sun, is the Abiquiu Reservoir of the Chama River and on either side, sloping gently to the mountains, are wide stretches of grazing land. The black tower of Flint Rock Mesa looks down on a bowl completely empty of cattle and men.

"To me, this is holy ground," cries Tijerina with some of his old Penecostal fervor. "Here we will build a city dedicated to justice. This is our Israel! And just like the Jews we are willing to die for our Israel, yes sir."

#### A DIVERSE PEOPLE

Mexican-Americans are as diverse as any other people. Cesar Chavez, the gentle, introspective, sad-eyed director of the California grape strike, is totally unlike either the fiery Tijerina or the somberly wrathful Corky Gonzales.

Mr. Chavez has been called the spiritual leader of the Chicano moderates. His tiny bedroom at Delano, Calif., where he spends most of his time (he is afflicted with muscular spasms) is adorned with photos of his heroes—Ghandi, Martin Luther King, both

apostles of nonviolence—and of his political mentor, the late Senator Robert F. Kennedy.

His belief in nonviolence seems unshakable. He told a visitor: "Those of us who have seen violence never want to see it again. I knew how it tears people apart. And in the end we lose."

"I am not saying we should lay down and die. I think I'm as radical as anyone. But I think we can force meaningful change without the short cut of violence."

The strength of the militants is impossible to gauge. Tijerina contends he has 35,000 members in his Alianza; Corky Gonzales says he can muster 2,500 for a demonstration in Denver. Barrio militants in Los Angeles say they have "gone underground" and refuse to discuss strength.

"Our people are still frightened, but they are moving," commented Mr. Chavez, who said he had no wish to become a national leader. "I'm at most a leader of our union, and that union is very small," he said.

Three years ago, the Mexican-American community had no staff-funded organization except Mr. Chavez's organizing committee. Today there are several, including the Mexican-American Legal Defense and Educational Fund (which resembles the N.A.A.C.P. Legal Defense and Educational Fund, Inc.) and the Southwest Conference of La Raza (The People), both of which are supported by the Ford Foundation.

The grape strike is now in its fourth year. The main issue is no longer money. Most of the table grape growers against which the strike is directed have raised wages. The main issue now is recognition of the United Farm Workers Organizing Committee, and Mr. Chavez says he expects a long tough fight before that is achieved.

#### STRIKE EXTENDED

This week Mr. Chavez extended the strike to the Coachella Valley of Southern California. The strikers expect even more trouble in organizing the workers there than in the San Joaquin Valley, for the Coachella vineyards are only 90 miles from the border and a plentiful supply of strike breakers can be recruited from the hordes of "green carders" who pour across the frontier each day in search of work.

These green carders, so-called from the color of identification cards, are aliens who are allowed to commute to jobs in this country. They are a constant source of cheap labor, undermining wage scales in the border region and frustrating union attempts to organize not only the farms but also the new industries that are settling in dozens of frontier towns from Brownsville, Tex., to San Diego.

Chicanos are demanding a tightening of the immigration laws. They would curb the commuting by requiring the green carders to reside in the United States. Then, confronted by higher living costs on this side of the border, the Mexicans would no longer be willing to work at depressed wages and might be more receptive to joining a union, the Chicanos believe.

The grievances of the Mexican-Americans, most of whom live in California, Texas, New Mexico, Arizona and Colorado, with sizable colonies in the Middle West (founded in the last century by construction gangs for the Santa Fe Railroad) sound familiar: job discrimination, miserable housing, social isolation, lack of political power (the result of gerrymandering the urban barrios) and exposure to a school system completely insensitive to Mexican-American history and cultures.

In only one respect is the Mexican-American better off than the Negro. Provided he is not too swarthy and provided he has money, the Chicano can escape from the barrio and move into Anglo middle-class districts.

He is worse off in other respects. Of all the minorities, only the American Indian

makes less money than the Chicano. A linguistic and cultural gap separates the Mexican-American from the Anglo. Proud of his ancient Spanish-Indian heritage, the Chicano is less eager for assimilation than the Negro.

#### MOST SPEAK LITTLE ENGLISH

Most Chicano children speak only a few words of English when they enter school. It can be a traumatic experience, especially in districts where Chicano pupils are spanked if they are overheard using Spanish in the halls on the playground.

Recalling his first encounter with the strange and threatening atmosphere of an Anglo public school, Arnulfo Guerra, now a successful lawyer in Starr County, Tex., said that when a Chicano wanted to go to the toilet he had to wave his hand and try to say: "May I be excused?" Mr. Guerra said with a laugh that for a long time he believed that "bisquez" (be excused) was the Anglo word for toilet.

Children caught speaking Spanish were sometimes humiliated, he said, by having to stand with their nose pressed against the blackboard inside of a circle of chalk. If overheard on the playground, they were made to kneel and ask forgiveness.

Besides being confronted with an alien language, the Chicano pupil finds that the attitudes, social relationships and objects depicted in his lessons are entirely outside his home experience. He is constantly admonished that if he wants to be an American, he must not only speak American but think American as well.

Their school dropout rate (34 per cent for Chicano children enrolled in grades 7-12 in Texas) is the highest for any minority group.

In San Antonio, which has the second largest Mexican-American colony (about 350,000, Los Angeles is first with about one million), a hearing conducted last December by United States Civil Rights Commissioner J. Richard Avena disclosed subtle forms of discrimination.

School officials admitted, according to Mr. Avena, that junior high school counselors tended to steer Chicanos into predominantly Mexican-American vocational high schools. This betrayed the counselors' ethnic stereotype of the Chicano as an individual inherently equipped only for vocational training and unsuited for the Anglo college preparatory schools, he said.

#### SCHOOLS ARE ASSAILED

The school system is a prime target of Chicano wrath. "Cultural rape" is a term frequently used by Mexican-Americans to describe what they call the system's attempt to make little Anglos out of their children.

School strikes and boycotts in the Southwest are becoming an almost daily occurrence. In Texas, Chicano pressure has obliged the school districts of San Antonio, Austin, El Paso and Edcouch-Elsa (adjacent towns in the lower Rio Grande Valley) to stop the punishment of children using Spanish in schools or playgrounds.

In Denver a few weeks ago, Corky Gonzales made the school board suspend a teacher accused of "racist" remarks.

The teacher denied having called a Chicano "stupid," denied having said: "If you eat Mexican food you'll look like a Mexican," and his denials were supported by some students who said he had been quoted out of context.

However, the school board seemed intimidated by the disorders that attended the walkout. Stones and bottles were thrown at police cars; a 26-year-old Mexican-American was struck by a charge of birdshot fired by a policeman; 16 others were injured, and more than 40 persons, including Corky, were arrested.

#### CONCESSIONS GRANTED

The board made a number of concessions: more emphasis on Mexican history and litera-

ture in west side barrio schools, a re-evaluation of the counseling programs (Corky charged that some counselors were urging Chicano youths to join the armed forces) and Mexican food in the cafeteria.

A grand jury returned no indictments on the Denver outbreak, although it found that "the inflammatory statements of Rodolfo (Corky) Gonzales at Lincoln Park bordered upon violations of the anarchy and sedition laws of the state." It exonerated the patrolman for shooting the demonstrator and praised the police for "remarkable self-restraint in the face of vile abuse and obscene taunts."

Corky Gonzales, 40 years old, father of eight children, was one of the top 10 featherweights from 1947 to 1955. A former Democratic district captain in the barrio, he gave up politics because, he said, "I was being used." Then he founded a militant organization, "Crusade for Justice."

On a recent warm April day, a visitor to Corky's headquarters, a former Baptist church in the decaying Capitol Hill district of Denver, was led upstairs to a barnlike room where four or five hairy, unkempt youths were watching the funeral of Dwight D. Eisenhower on television. They were offensive and rude.

"C'mon, stick him in the ground and get it over with," one of them said, and the others laughed.

#### ACCOMPANIED BY GUARD

Corky, when he arrived with a bodyguard, went directly to his office, a musty cluttered room that had been the minister's study. He was no longer a featherweight, but he still looked trim and tough. He had grown a bushy black mustache, and he wore a pendant symbol of his movement—a three dimensional head representing Spanish father, Indian mother and mestizo offspring, mounted on an Aztec calendar plaque.

"How can there be justice," he demanded bitterly, "if we don't have our people on the jury system and the draft boards?"

Denver Chicanos had lost faith in the political system, he said, because every Mexican-American who achieved office in the country was "absorbed into the Anglo Establishment and castrated by it."

Chicano schoolchildren were being perverted, he said, by "middle class aspirations," and the middle class was "dying and corrupt." He was against competitive society: "Success today in this country is learning how to cut throats."

Corky said he believed the best way to unify Mexican-Americans was through nationalism.

To foster Chicano nationalism Corky held a five-day conference in Denver at the end of March. About 1,000 youths from five southwestern states showed up, and they represented an ideological spectrum that included the New Left, Communists and Liberals.

#### COALITION IN DISPUTE

The convention nearly broke up on the issue of coalition with Negroes. Some barrio youths, resentful of Negro dominance in the civil rights movement, insisted on maintaining racial separateness.

Corky, who had quarreled with the black leadership of the Poor People's March on Washington a year ago, preached a modified ethnic nationalism, and he prevailed. Coalition with the blacks might be feasible later, he said, but meanwhile the Chicano must first achieve enough self-reliance to "do his thing alone."

As a first step toward liberating the Chicanos, Corky told the youths to go home and prepare a nationwide walkout of Mexican-American students on Sept. 16.

Down in Albuquerque, meanwhile, Corky's main rival for leadership of the Chicano youth, Tijerina, was plotting his own demonstration. It would be held on June 5, the sec-

ond anniversary of his shootout at the Rio Arriba County courthouse, an event as significant to Mexican-Americans, Tijerina believes, as the Boston Tea Party was to the gringos.

Inside this fortress Tijerina discussed the future. The June 5 anniversary would be peaceful, he said, unless the gringo interfered. Some new Chicano families would be settled in the free city-state of San Joaquin and there would be a barbecue.

"Are you in rebellion?" he was asked. "I don't know," he replied thoughtfully. "It's a matter of interpretation. The Government has raped our culture. So I think the Government is in revolt against the Constitution. It's our constitutional obligation to go on the cultural warpath to save our honor and identity. We demand that the Government cease the illegal occupation of our pueblos."

Tijerina said he had signed a treaty of mutual respect with the Hopi Indians, pledging mutual support against any aggressor.

#### SEPARATE STATE URGED

Another plan for territorial revision was being advanced in Texas by Dr. Hector P. Garcia, founder of the American GI Forum, an organization of moderate Mexican-Americans.

Dr. Garcia proposed that South Texas, which has a large Chicano concentration, be made a separate state. This would give the Mexican-Americans a chance to send one or two Senators and several Congressmen to Washington, he said, thereby easing the frustrations of political impotence.

The new Chicano militancy, with its cry of "Brown Power," can be heard even in Texas where Mexican-Americans have long complained of brutal suppression by the Texas Rangers and by the state and local police.

Last month more than 2,000 Chicanos paraded through the border town of Del Rio, ostensibly to protest Gov. Preston Smith's decision to shut down the local projects of VISTA, the domestic Peace Corps, but also to cry out against discrimination.

Normally such demonstrations are small and sedate, the Chicanos parading behind a priest carrying the banner of the Virgin of Guadalupe.

But this time the priest and the Virgin were forced to yield the front of the line to militants of the Mexican-American youth Organization (MAYO), and they tacked a manifesto on the courthouse door warning that violence might erupt if demands for equality were not met.

Two years ago Tijerina and his band raided the courthouse in the northern New Mexico hamlet of Tierra Amarilla to "arrest" the district attorney for "violation of our civil rights."

He said that the district attorney, the sheriff, the state police and the forest rangers were all conspiring to deprive the Mexican-Americans of ancestral land, insisted that the Federal Government had welshed on a promise, contained in the protocol to the Treaty of Guadalupe-Hidalgo (which ended the Mexican-American war in 1848) to honor some old Spanish and Mexican land grants.

#### ACQUITTED BY JURY

A jury acquitted Tijerina of kidnaping and other charges growing out of his bloodless coup.

Tijerina's headquarters are in a blue and white two-story abode building on a quiet Albuquerque street—quiet except when terrorists are trying to bomb the place. Tijerina, a hawk-faced man vibrant with nervous energy, said he suspected the Minutemen, a right-wing Anglo organization, of perpetrating three explosions, the last of which wrecked a dozen automobiles in the headquarters parking lot.

The leader of the Alliance of Free City-States has taken a few precautions. His apartment above the ground-floor meeting hall is

protected by a steel door, by 18-inch concrete walls and by a triple-layered steel and cement floor.

#### INDEPENDENT POLITICS

One of the founders of MAYO, Jose Angel Gutierrez, 22, said the organization's goals were the formation of political units independent of the Republican and Democratic parties ("only Mexicans can really represent Mexican interests") gaining control of schools, and the building of economic power through the weapon of boycott.

But the cause has had serious setbacks in the Rio Grande Valley. Attempts to organize farm labor have failed completely. Unemployment is high. And a powerful friend of the Chicanos, the Rev. Ed Krueger, was recently dismissed by the Texas Conference of Churches as its field representative in the lower valley.

Mr. Krueger said he had been under pressure from conference officials to "work with the Establishment instead of with the poor," and that his superiors were also displeased because he refused to withdraw a suit against the Texas Rangers, a suit alleging that the Rangers manhandled Mr. Krueger and his wife when they tried to photograph a farm strike in Starr County two years ago.

The dismissal of Mr. Krueger was investigated by a panel headed by Dr. Alfonso Rodriguez, in charge of the Hispanic-American ministry of the National Council of Churches. The panel reported "tragic conditions of alienation, polarization, conflict and tension" in the valley, adding that the tension had been aggravated by Mr. Krueger's dismissal.

Further west, El Paso and Phoenix show scant signs of Chicano militancy, despite their teeming barrios. In El Paso, where thousands of Mexican-Americans still live in squalid, rat-infested, barrack-like "prezidos," some of which have only one out-house for 20 families, about the only recent demonstrations have been peaceful "prayer-ins" on the lawn of a slumlord's agent.

In Phoenix a Roman Catholic priest, the Rev. Miguel Barragan, field representative of the Southwest Conference of La Raza, said it was difficult to involve the older Chicanos because they were prejudiced against political solutions, recalling the turmoil in Mexico. And the newer migrants feared police harassment and loss of jobs.

Yet the priest warned:

"If there are no immediate changes in the Southwest, no visible improvement in the political and economic status of the Mexican-American, then I definitely foresee that our youths will resort to violence to demand the dignity and respect they deserve as human beings and as American citizens."

"I see the barrios already full of hate and self-destruction. I see an educational system doing psychological damage to the Mexican-American, creating a self-identity crisis by refusing to recognize his rich cultural heritage and by suppressing his language."

"And therefore, to me, burning a building and rioting is less violent than what is happening to our youth under a school system that classes as 'retarded and inferior' those with a language difficulty."

In California Mexican-American demands for larger enrollments of Chicanos at the Berkeley and Los Angeles campuses of the University of California were receiving sympathetic attention. And Berkeley was planning a Department of Ethnic Studies in which Mexican history and culture would be taught.

But in East Los Angeles and Boyle Heights, these concessions were taken as insignificant crumbs.

Basically, people are tired of talking. said a youth in the Boyle Heights barrio. "A confrontation is inevitable. It's not unusual to see people going around with grenades and TNT. The tension is here; the weapons are

here. The new underground organizations of excon, addicts and dropouts make the Brown Berets look like Boy Scouts."

Across town, on the U.C.L.A. campus, a neutral observer gave a pessimistic but somewhat milder assessment. Prof. Leo Grebler, a German-born economist who directed a four-year study of Mexican-Americans for the Ford Foundation, a study soon to be published, recalled how Gunnar Myrdal in his classic study of the Negro in the United States had been over-optimistic about the nation's ability to cope with the racial crisis.

#### FORMER VICE PRESIDENT HUMPHREY'S REMARKS ON THE ABM

Mr. HART. Mr. President, former Vice President Humphrey is esteemed for his constructive and valiant efforts over a period of years in the disarmament field. He is a thoughtful and knowledgeable expert in this area.

Therefore, I believe it would be helpful to Senators and to the public generally to assemble in one place four major discussions of the ABM problem by the former Vice President. This material appeared in "ABM: Yes or No?" a publication of the Center for the Study of Democratic Institutions, February 1969; in a speech made at the University of Minnesota, February 26, 1969; in remarks at the William C. Foster dinner in Washington, D.C., April 3, 1969; and in a guest editorial in the Saturday Review of April 5,

I ask unanimous consent that these documents with their thought-provoking comment on this major issue be printed in the RECORD.

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

#### THE STATE OF THE QUESTION: AN INTRODUCTION

(By Hubert H. Humphrey)

America's determination to find ways of stabilizing the nuclear arms race will be severely tested in the coming days. President Nixon will be faced with a series of decisions that will irrevocably affect the security of this nation and the peace of the world. The U.S. Congress will review these decisions and a spirited exchange of opinions on Capitol Hill is guaranteed. We are, in short, on the verge of a great debate on nuclear arms control, a debate whose outcome could well determine the survival of this country, not to mention the life and death of millions of other persons around the globe.

Yet the American people are shamefully ill-informed on these matters. Decisions of far-reaching significance can be accomplished with only the slightest involvement of the informed and politically aware public. In a representative democracy this is unhealthy under any circumstances. When the survival of the planet may be involved, the situation becomes intolerable. That is why this paper is so important. It seeks to bring to the American people the facts on the most critical issue of nuclear arms control; should the United States build an antiballistic-missile defense system?

As President Nixon takes office he will find that the basic decisions on the strategic issues posed by ABM, far from being settled by the congressional authorization for a "thin" screen that lies on his desk, are yet to be made. He will receive, as we did in the Johnson Administration, directly conflicting testimony from his scientific advisers as to the capability of the proposed anti-missile defenses; and he will receive conflicting intelligence estimates as to the Russians' capability to penetrate our defenses, or shield

themselves against our nuclear missiles. He stands now at the point where he must modify or reverse the recommendation of his military advisers; rest with the admittedly inadequate "thin" ABM system for which the Army is already selecting sites; or make a commitment to a "heavy" system that will, by common agreement, usher in another fateful stage in the nuclear arms race with the Soviet Union.

Throughout the Presidential campaign, I emphasized that the most important question facing the new President would be that of negotiating an agreement with the Soviet Union to limit the strategic arms competition. Despite the brutal invasion of Czechoslovakia by the Soviet Union and its dire consequences for East-West relations, both the United States and the Soviet Union continue to have a mutual interest in reaching such an agreement. The discussion over the ABM should be viewed in relation to this broader issue, but the ABM issue is however, the most immediate and potentially dangerous issue on the arms control agenda. Although the ABM issue was not discussed in detail in the Presidential campaign, I have always been skeptical in my own mind about the security value of deploying an ABM system. I share the reservations stated by Secretary McNamara when he announced the ABM deployment in 1967. At the same time, I understood the reasons why the President felt that preparations for a limited deployment might quicken the interest of the Soviet Union in meaningful negotiations on the strategic arms race, provided we place top priority on the urgent necessity of reaching an agreement on the ABM issue.

The ABM issue is not an easy one for the public to follow. It may be, as suggested by Dr. David R. Inglis, of Argonne National Laboratory, "the world's nuclear problems are too subtle for the average unconcerned citizen; the part most visible to him is the economic manna descending from the defense-industry heaven." The trouble with that complacent view is that there is no longer any such thing as an unconcerned citizen, whether he knows it or not.

There are a good many reasons why the ABM controversy, which has raged within the government for almost a decade now, has been hard to follow. Official secrecy has had something to do with it, but not much. Although sometimes delayed and distorted by security regulations, the essential facts on such large strategic questions always come to light and find their way into general circulation. The description of the development of American ABM policy quoted from a paper published by the British Institute of Strategic Studies in the preface to this paper is an example of the manner in which the information and estimates of the "intelligence community" are regularly publicized. Although a few details may be incorrect, or missing, the principal elements upon which the official policy-makers based their decisions are neatly laid out for all to see.

The record of the debate on *ABM: Yes or No?* which follows provides a valuable demonstration of how this kind of decision-making actually goes forward. As the reader will see, the participating scientists provide a hard core of factual analysis, usually reduced to numerical calculations suitable for a computer, and upon this base the strategists erect their structures of speculation and conjecture. It is, on the surface at least, comforting to come back to this solid collection of presumably measurable facts after a chilling exercise in what, in the nuclear era, has come to be called "thinking the unthinkable."

The very vocabulary of nuclear gamesmanship is uncomfortable for all but the most hardened practitioners. Neil Jacoby has noted that what economists ordinarily call "cost-benefit" analysis is changed to "cost-effect-

tiveness" analysis in Pentagon parlance, "probably because it puts language under serious strain to refer to the death of a hundred million Russians or the destruction of a hundred billion dollars of Soviet capital as a benefit."

But one begins to suspect that this resort to the "facts" is not, as it appears, a return to reality but a retreat from it. Changing the vocabulary does not disguise the fact that the counters in the game are human lives, and the stake the fate of nations. Jerome Wiesner, who played it for years, calls it "the numbers game" and insists that it runs out of substance at the point at which it requires human judgment—as it always does.

Trying to explain to President Kennedy why scientists, who are supposed to be the most rational of people, could differ so on a technical issue, Wiesner pointed out that it is nature that is rational, not the scientists who try to explain natural processes: "Different people make different assumptions about all these elements. That is what is involved in the argument about anti-ballistic-missile systems. One man's assumptions give one set of conclusions; another man's assumptions give a different set. Some of the assumptions are essentially undefinable. We are talking about things we do not and cannot know anything about no matter how we try. And so you can take whichever set of assumptions you choose."

Yet much of our most critical defense policy is being made on the basis of these numbers. And even so experienced a Washington hand as Dr. Jacoby, turning a skeptical economist's eye on the decision to put five billion dollars in the thin Sentinel ABM system, has looked at the cost-analysis considerations involved and accepted the result because "presumably the Pentagon has plugged figures into the equations, run the calculations, and reached an affirmative conclusion."

We are living in an environment significantly affected by what President Eisenhower called the military-industrial complex and its principal off-spring, the mammoth research and development budgets which sustain the defense establishment in the nuclear and missile age. R & D is a catalyst; by its nature it leads to far greater investment in production of the goods and systems it makes possible. Thus every dollar spent on R & D has produced an expenditure of at least five dollars in military procurement alone. This diversion of funds into the military-industrial complex is widely recognized. What often escapes notice is the massive diversion of manpower away from the civilian economy into the defense establishment. There inevitably arises among many of these talented individuals a disposition to justify defense expenditures, rather than to think in terms of national limitations on the production and dissemination of arms.

The principal points at issue in the ABM controversy are ably set forth in the following discussion. Here, as in the inner circles in Washington, they are advanced by men of great intellectual capacity and high moral purpose. In summary they are:

**Challenge:** The "heavy" ABM system will be the most complex technological system ever built by man, and there is no way to test it except under actual enemy attack. The odds are for at least a partial failure, and in this contest even a low percentage of missile penetration can be fatal.

**Response:** The military-industrial complex can meet the challenge and produce a system with a tolerable margin for error.

**Challenge:** Today's offensive missiles, with their improved penetration aids, probably could overcome the ABM system as now visualized, and the offensive improvement that its deployment is bound to stimulate certainly will render the system obsolete before it can be made operational.

*Response:* Any projected margin of failure for the defense system is not necessarily any greater than that for the offense.

*Challenge:* The cost is disproportionate to the protection ABM can afford.

*Response:* Potential deaths in an undefended United States are a hundred and twenty million; ABM could reduce that casualty list to forty million; the saving of eighty million lives is not only a compelling humane consideration but involves our survival as a nation.

*Challenge:* ABM will intensify rather than restrain the arms race, worsening instead of improving U.S.-Soviet relationships.

*Response:* This does not necessarily follow. If the United States deploys an effective ABM system the Russians might also shift their emphasis to defense, thus permitting a mutual deescalation of the offensive missile race.

There is not, as Dr. Wiesner points out, any final proof here, only untested assumptions—and a man may come down in good conscience on either side, depending upon which set of assumptions he chooses. In closely following the development of missile policy over the year, I have myself found the most persuasive scientific argument on the side of restraint. I did not change that view when Secretary McNamara reluctantly comprised in favor of the "thin" ABM; it seemed to me that even in announcing it he made a better case against the new system than he did for it.

There is a grave omission in all this. The missile game is played almost entirely within the limits of scientific and military concepts; political considerations are largely dismissed as imponderables, relegated in the computer computations to a place along with such diversionary factors as the possibility of human error. The result is to predetermine the character of the game's result; the policy it produces is bound to be shaped within limits of the military factors upon which it is predicated. We may have more missiles, or fewer, or missiles of a different type, but this is no more than addition and subtraction of the hardware of deterrence—and experience on both sides has indicated that the exercise leads inexorably to multiplication.

The tendency is to dismiss the political alternative to the balance of terror as entirely too risky—or at best to give it lip service. Well, politics is a risky business. But I would ask in all seriousness if it is any more difficult for the skilled and dedicated men who practice diplomacy to compute the odds on possible failure of a U.S.-Soviet disarmament treaty than it is for the scientists and strategists to determine the malfunctioning potential of ABM. I do not believe it is, and if the question is to be decided by the simple assessment of risk, it ought to be pointed out that a diplomatic debacle would not necessarily be terminal, while an ABM failure certainly would be.

The truth is that we have been demanding more certain guarantees of success of those who have urged the positive course of negotiated disarmament than we have of those who insist that prudence requires us to rely on the negative protection of nuclear deterrence. The only proof of effectiveness that can be offered in defense of the missile standoff is that we have survived twenty years of international tensions without precipitating World War III.

ABM is described by its proponents as defensive, but if it does achieve an effective missile screen it could become offensive, since it would release strategic policy-makers from the restraints imposed by enemy second-strike capacity. The Russians will certainly recognize such an offensive potential, as we did when a rudimentary missile defense system was deployed around Moscow several years ago.

It is contended that we can build up our defensive screen and our deterrent forces at

the same time we actively pursue the goal of arms control and ultimate disarmament; indeed, it is argued that this is the only practical way we can proceed, since our adversaries will not respond to anything less than the clear threat of being outdistanced in the arms race. The history of the last decade seems to me to provide a monument to the fallacy of this theory.

So it is in the larger arena where we co-exist uneasily with the Soviet Union, while sharing with the Russians the overt hostility of the People's Republic of China. I would be the first to agree with the dictum that the United States must negotiate with the communist world from a position of strength. But there is reason to doubt that we can any longer equate strength with military power alone. Secretary Clark Clifford, in his final report to the Congress, echoes the thoughts of his predecessor in the Defense Department by stressing that true national security is a compound of more than nuclear warheads and missiles. Another round in the nuclear arms race could only increase our insecurity compared to achieving verifiable agreement with the Soviet Union to limit strategic offensive and defensive forces.

For a while, when the leaders of all the nations accepted the balance of terror as an inescapable fact of strategic life, we began to see our differences more clearly, and to consider means by which they might be resolved without the use of the military force now denied the great powers, at least on a global scale. We did not resolve our ideological differences, nor reduce all our conflicts of interest, but, as Justice Douglas notes in the concluding essay in this paper, we did achieve a substantial number of agreements and arrangements under which a great deal of useful international business has been conducted. We can draw at least a minimal lesson from that experience: we are not strangers any longer, and it is not ordained that we must again become enemies.

Robert McNamara, who has been as close to these matters as any man alive, ended his long tour in the Defense Department convinced that the most dangerous thing in the world is a state of mind—the belief among powerful men on both sides, in the face of all the horrendous evidence to the contrary, that somehow the scientists will yet find a way to employ nuclear weapons so that military men may again win a war. This is the real issue in the ABM controversy; when nations begin to accept the thesis that they may be able to devise adequate protection against nuclear attack they also raise the possibility that they may yet be able to use decisively offensive missile force; and on the basis of a mixture of unfounded hopes and challenged assumptions they may turn away from serious negotiation and the effort to find a way to base international relations on liberating reason rather than paralyzing fear.

I say the time has come when we should take some risks in the name of peace, rather than continue the great nuclear gamble in the name of security. In this light ABM might yet provide a great service in advancing the strategic arms negotiations, if, having taken the system to this stage; of development, we set it aside as a symbol of our determination to halt the arms race where it is, and turn it back if we can. Let us couple this with passage of the nuclear non-proliferation treaty now pending in the Senate, and go back to the negotiating table with the Russians. The application of as much energy, imagination, and determination in an honest effort to find a formula for arms control as we have invested in the effort to ring our cities with ABM will, I am confident, bring far greater rewards with less risk.

Many wise and experienced men in Washington who agree that this is what we should do insist that it cannot be done—that it is

a political impossibility to reverse the policies that have produced, and are now shaped by, the military-industrial complex. It will be difficult, yes, but it is not impossible. For we cannot forget that our only chance of obtaining the huge volume of funds and talent required to rebuild American society at home lies in placing some limitation on the arms spiral. If we fail to do this, urgent domestic needs will go unmet. What is needed now is a great expansion of the dialogue set forth in this paper: let us get the issues out in the open, and get them clear. The fundamentals of the missile controversy are not beyond the comprehension of the American people, and certainly no decision of the magnitude of ABM should be taken on their behalf without greater evidence of their informed consent than can be said to exist presently.

WAVERLY, MINN., January, 1969.

THE HONORABLE HUBERT H. HUMPHREY, UNIVERSITY OF MINNESOTA, MINNEAPOLIS, MINN., FEBRUARY 26, 1969

The security of a modern nation is to be found not only in its military power but in the sum total of its political, social, economic and military strength.

National security policy—while requiring the expert and technological advice of those skilled in military science—must ultimately be determined by the political leaders. Georges Clemenceau was right when he observed that war is too important to be left to the generals.

The 20th century has already seen two world wars and hundreds of regional and local conflicts that have taken millions of lives, consumed the resources of nations, and brought mankind to the brink of a nuclear holocaust. In many ways, it could be called a century of destruction.

And yet, paradoxically, this same century has seen the liberation of millions of people from colonial rule, a steady rise in the standard of living for many millions, the development of international institutions to preserve peace and to promote social justice.

It has been a century of war and a century of the search for peace. It has been a century of destruction of life and the century of human rights. In this century we have entered the nuclear and space age with its potential for human progress and peaceful exploration of the universe or its potential for the destruction of the human race as we know it.

This is the background to our discussion of the issues of peace and war in the nuclear age. More specifically, we now face a crucial decision: Will we continue the search for ways to end the momentum of the nuclear arms race, or will we begin yet another round of arms building—with all the danger and insecurity that decision would produce?

This is today's crucial political issue. Once we have moved to a new plateau of sophisticated weaponry, such as the Sentinel antiballistic missile defense system, it will become exceedingly difficult, if not impossible, to restore the strategic balance on which true security ultimately rests.

Since the dawn of the nuclear age, and the unleashing of the terrible destructive power of atomic bombs at Hiroshima and Nagasaki, we have tried to prevent the use of this indescribably destructive military power.

In these years we have provided for our defense—and for the protection of all mankind from nuclear war—through the philosophy of deterrence or, more precisely, a strategy of "mutual assured destruction." No man can contemplate a rational defense in a nuclear war that would leave millions of people dead. We must depend instead upon our ability to deter attack, to prevent a nuclear war from ever beginning.

This we have done thus far. We have provided ourselves with the ability to prevent any aggressor from attacking us with im-

punity. We have the ability to destroy any nation or nations that should choose to unleash a nuclear holocaust against us, or to threaten our vital interests or those of our allies—just as we understand the fatal dangers to the United States if we should ever initiate a nuclear strike.

As a result, there has been no nuclear war, not even in the darkest days of our political conflict with the Soviet Union.

But relying upon a strategy of deterrence is not enough. We must also guard against the danger that nuclear weapons will be acquired by nations not directly involved in the equation of deterrence which restrains and controls the actions of the great powers.

Too often conflicts between small nations have grown into conflagrations involving many others. In the nuclear age, no one can rationally predict the consequences for the safety of all mankind of a single nuclear weapon exploded in some far-off, supposedly limited, conflict.

For this reason, we have labored for years to limit the spread of nuclear weapons—to keep these terrible devices out of the hands of smaller, less responsible nations. And we have just achieved our first measure of success.

During the Johnson-Humphrey Administration, we concluded a nuclear non-proliferation treaty to take the first step towards preventing the world from becoming hostage to the mad act of some small country.

I long supported this effort. Indeed, I was the first member of the Johnson-Humphrey Administration to discuss publicly the desirability of such a treaty.

I support it now, as the non-proliferation treaty is finally submitted to the United States Senate for ratification by the Nixon Administration. I urge its early ratification, and I hope that we will take those further steps now required if the spread of nuclear weapons is to be halted.

But halting the proliferation of nuclear weapons among the nations of the world is not enough. We must also halt the nuclear arms race among the super powers.

Indeed, this is a step we must take if the non-proliferation treaty is to achieve its desired results. In the long run we cannot ask others to forego nuclear weapons if we—and the Soviet Union—fail to restrain ourselves in the needless accumulation of destructive nuclear power.

But there is another more fundamental reason for halting the strategic arms race with the Soviet Union. We are now on a strategic nuclear plateau—where neither side can commit nuclear aggression without incurring unacceptable destruction in return. In these circumstances, there is a relative measure of nuclear security for the United States and the Soviet Union. Both nations can now turn their minds from the dread dangers of a surprise attack by the other side.

This easing of tensions arising from the nuclear arms race has been achieved only after long efforts and at great cost.

Today both super-powers possess sufficient nuclear power for mutual deterrence. But tomorrow, if we allow the nuclear arms race to accelerate once again, we may find ourselves fearing for our lives and safety. We must not, in short, return to the fears and insecurity of the 1950's by introducing new uncertainties into the strategic arms balance between the United States and the Soviet Union.

There is some evidence that the Soviet Union appreciates the dangers in a further escalation of the arms race. They have, for example, continued to confine their ABM activity to a rudimentary system around Moscow. On the other hand, they have continued to strengthen their offensive missile forces.

But the Soviets have also indicated a willingness to begin comprehensive talks on a limitation of both offensive and defensive

strategic nuclear weapons. I have long advocated this step—and at the earliest possible opportunity.

I believe we can now join the Soviet Union in productive talks on controlling the strategic arms race.

To those who say you cannot successfully negotiate with the Soviet Union, I reply that we have successfully negotiated with them on many occasions. We have many precedents, beginning with the limited nuclear test ban treaty, negotiated by President Kennedy in 1963. We subsequently reached agreement to establish a hot-line between Moscow and Washington, and it was used to avert a confrontation during the Arab-Israeli War of 1967. At the United Nations we achieved a treaty to ban weapons of mass destruction from outer space.

We concluded a consular convention and a civil air transportation agreement with the Soviet Union.

I personally supported all of these measures and pioneered in advocating the test ban treaty and the space treaty. I understand the profound difficulties often encountered in such negotiations. Success is never guaranteed. Yet I think we have no alternative but to begin talks to end the nuclear arms race. We have to try.

To those who say you cannot rely on their word, I reply that it is not a question of relying on good faith alone. Any agreement to be acceptable must be subject to both inspection and enforcement. Modern technology has made this more easily accomplished than anyone would have dreamed possible, even five years ago. We are at a point in international relations where we can, through advanced techniques of science and technology, inspect and monitor agreements limiting strategic nuclear weapons and missiles.

To those who say we cannot risk losing the time that may be necessary for these negotiations to succeed, I reply that we now have the time to do this without jeopardizing our national security. Our offensive nuclear strength, based on our Polaris fleet, our Minuteman missiles and our manned long-range bombers, gives us the opportunity to explore in depth with the Soviet Union steps to preserve the existing strategic plateau and to avoid another round of weapons deployment that would destroy this plateau. We then can examine ways to reduce existing stockpiles of weapons by mutual action.

It has been suggested in recent weeks that these talks should be postponed until they can be linked to more settlement of outstanding political problems.

I cannot agree with this position. The urgency of our present problem—to prevent a further round of the nuclear arms race before it is irreversibly launched—cannot wait upon the solution of political disputes that have been many years in the making—and will be many years, if not generations, in solving.

Nor are these broader agreements necessary for success in talks to limit the arms race. Indeed, we negotiated both the limited test ban treaty and the non-proliferation treaty during the Vietnam War when our relations with the Soviet Union and the other Communist states were severely strained.

There is only one caution. It must be clearly understood that our desire to negotiate an end to the strategic nuclear arms race in no way condones the aggression of the Soviet Union against Czechoslovakia, nor would it condone similar acts in the future. Nothing we do now can erase from our memories the brutal repression last August in Prague.

We are sometimes told that our allies in Western Europe would be concerned lest our approaches to the Soviet Union on arms con-

trols should delay the day when Czechoslovakia will again be free. I do not agree. I believe that our allies understand the grave issues involved in ending the arms race and, with adequate consultation and counsel on our part, will strongly support that move.

Indeed, an effective agreement to halt the nuclear arms race will make it far more likely that we and the Soviets will be able to go forward with our allies, toward the solution of outstanding political problems.

But the fundamental requirement for this process of consultation is strategic stability. Anything we do to maintain that strategic stability—to freeze the arms race at or near today's levels or to reverse it—will improve our political relations. But anything we do to reverse it—will improve our political relations. But anything we do to disrupt that strategic stability will lead us back to the darkest days of the Cold War.

There is today an immediate danger to the stability of our strategic relations with the Soviet Union—the impending decision by the administration and Defense Department to proceed with deployment of the Sentinel anti-ballistic missile system.

Let me be clear: I have always supported and will continue to support, any effort for the security of the United States. There can be—there will be—no compromise with our defense.

But is this anti-ballistic missile system a contribution to that defense? I believe it is not. And therefore, I firmly oppose deployment of the Sentinel ABM system at this time.

The Sentinel ABM system was originally designed to nullify an attack by China against the United States sometime during the 1970's, after China acquires the ability to launch a limited number of nuclear missiles against us. If Sentinel would do this, and would not erode our security in other ways, I would support its deployment—even though it would only be needed to deal with the mad act of a Chinese leader whose own country would be destroyed in return.

The Sentinel system will not do this. Even its advocates do not claim that the Sentinel will provide absolute immunity to a Chinese attack. There are serious questions with regard to its technical feasibility and reliability, particularly against a carefully planned and executed attack. It could never be tested without renouncing the atmospheric nuclear test ban treaty that we worked so long and hard to achieve.

But more significantly, deploying an anti-ballistic missile system against China—however imperfect the system would be, and for however few years it would be partially effective—could have serious repercussions on our relations with the Soviet Union.

Quite simply, we cannot afford to upset the strategic nuclear balance with the Soviet Union—and Sentinel will do just that.

If we begin to deploy this system, we will inevitably raise doubts in the minds of the Russians about our intentions. We will force them to improve their own offensive missile forces, thereby postponing further a freeze in the arms race. We will add new uncertainties to a strategic balance that can remain stable only when each side is satisfied it knows the composition of this balance.

There are further dangers. Major weapons systems, once begun have a tendency to expand. The Sentinel systems would be no exception, especially since there is already strong pressure—to transform it from the so-called "thin" system to a more elaborate and costly deployment directed against Soviet strategic nuclear forces.

But for every advance we achieve in anti-ballistic missiles, the Russians will be able, for much less effort, to recapture the same ability to wreak destruction on the United States through more sophisticated offensive weapons. The same argument applies in re-

verse, and would make a serious Soviet attempt to build anti-ballistic missile defenses equally futile. The offense can always be a step ahead of the defense—our generals and scientists agree on this.

What we are now facing, therefore, is the prospect of embarking on a project that will provide us with only a marginal increase, at best, in our physical protection against China, yet will almost surely introduce grave uncertainties into our relations with the Soviet Union. And if history is at all instructive in this regard, it is likely that the defensive weapons system will be obsolete at approximately the same time its initial deployment is completed.

On balance, then, the risks of deployment far outweigh the risks of continuing to maintain this system at the research and development stage.

To postpone—or to abandon—deployment of the Sentinel system does not mean that we are leaving ourselves to the mercy of Soviet technological breakthroughs. We must continue with research and development of ABM technology—and we are doing so. The issue is deployment—not development.

Then there is the question of cost. The present limited Sentinel system will cost at least \$10 billion dollars. A full system, directed against the Soviet Union, would initially cost in the neighborhood of at least \$40–\$60 billion dollars—or more.

These are dollars vitally needed for meeting the problems of poverty, the decay in our cities, and the explosive time bombs of division and discord in America. We would purchase new nuclear weapons—adding nothing to our real defense—at the price of further postponing our efforts to improve our society at home.

It is now being argued that deployment of the Sentinel system will help us in our negotiations with the Soviet Union to control the nuclear arms race. We are supposed to trade it away for a comprehensive agreement on the more vital questions of limiting all offensive and defensive nuclear weapons.

I now question this view. If we have learned anything from our experience in two decades of deadly confrontation with the Soviets, it is that uncertainty in the strategic balance produces not agreement but fear and nuclear escalation which makes agreement more difficult.

With the bomber gap of the 1950's and the feared missile gap of the 1960's, there were grave complications in our ability to deal with the Soviet Union on political matters. With today's nuclear deterrence parity, we can be optimistic about chances for a strategic weapons treaty.

I repeat: we should halt deployment of the Sentinel system and begin, as expeditiously as possible, negotiations with the Soviet Union on the reduction of offensive and defensive strategic weapons.

There is one further—one crucial—point. For many years we have been concerned with the problem of preserving a strategic balance with the Soviet Union, of planning against the emergence of China as a nuclear power, and of preventing the proliferation of nuclear weapons. But all too often we have looked at these problems in terms of weapons and hardware, instead of diplomacy and ideas.

There is one hard fact of life in this nuclear age: the determined aggressor, armed with nuclear weapons he may have built in secret, will be able to reap damage to any nation beyond our power to comprehend, even though the aggressor will likely be destroyed in the process.

The hope for the world to avoid this fate ultimately lies not in pursuit of more elaborate technology of destruction but in the pursuit of peace through the only means that can make peace real and lasting—and these are primarily political means.

If we upset the existing strategic balance with the Soviet Union, we will harm the few

prospects for meaningful political understanding and conciliation.

If we think of Mainland China only in terms of an irrational nuclear attack, we will stand to lose our chances in the coming years to encourage Peking to take an active peaceful part in the affairs of the world community.

And if we think of non-proliferation only in terms of nuclear weapons, and ignore the real conflicts and misunderstandings that may impel nations to acquire these weapons, we may find ourselves one day in a world made far more dangerous by the existence of many nuclear powers.

We must, in short, come to understand that real security is the compound of many elements—and not just the military weapons systems developed by the professional defense establishment. In the pursuit of real national security, we must not chase after shadows and illusions which will cloud our vision of the more difficult, but ultimately no less necessary, political settlements.

As President John Kennedy said at American University in June, 1963: "Let us examine our attitude toward peace itself. Too many think it unreal. But that is a dangerous, defeatist belief. It leads to the conclusion that war is inevitable, that mankind is doomed, and that we are ripped by forces we cannot control."

We need not accept that view. Our problems are man-made; therefore, they can be solved by men. And man can be as big as he wants."

I say we can yet be masters of our destiny. We can walk the difficult path it takes. But it will require courage, conviction and hard, rational thought.

I do not think that this is too high a price to pay for the survival of mankind. This is not too high a standard to require of men who hold in their hands the power of nuclear destruction. It is simply what we as creators and stewards of the most terrible power ever known to man owe to ourselves and to future generations.

I say we must pay this price. We must find this way to peace.

THE HONORABLE HUBERT H. HUMPHREY:  
WILLIAM C. FOSTER DINNER, WASHINGTON,  
D.C., APRIL 3, 1969

It is a great privilege, and indeed a great personal pleasure, to participate in this dinner honoring William C. Foster, our first full-time disarmament diplomat—our first director of the first Federal agency concerned solely with arms control and disarmament.

Having had more than a passing interest in the legislation which made these "firsts" possible—the creation of the U.S. Arms Control and Disarmament Agency—I have thought many times of our good fortune in President Kennedy's selection of Bill Foster as the Agency's first director.

Our late President selected a man who understood the complexities and frustrations of attempting to control the accumulation by many nations of ever-more destructive weapons.

But this was understanding born of an inner toughness, a quiet courage, which characterized Bill Foster's conduct at Geneva and in the high councils of this government.

Make no mistake: it helps little to approach the issues of arms control with a bleeding heart. Neither anger nor anguish provide answers. The subject is too important for sentimentality—too difficult for sloppy thinking.

Clear vision is essential—but so is a hard head.

This issue of armaments—and how to control and curtail them—goes to the foundation of international behavior:

Of how the leaders of nations look at the world;

Of how men seek to defend themselves and

their vital interests in an international environment which has never been secure.

The problem of controlling armaments is nothing less than the problem of achieving world order—and all that obstructs the establishment of a universal system for the peaceful settlement of conflict.

We know there are many kinds and levels of arms control problems. We know there is more than one arms race going on in this world.

But we know, too, that there is one arms race which overhangs and overshadows all the others: the strategic nuclear arms race between the Soviet Union and the United States.

We are, and we have been since the Soviet Union's initial rejection of the Baruch Plan, reluctant participants in this arms race.

But we have done what we had to do: we have stayed ahead in the race we tried very hard to avoid. We have stayed ahead not only for our own security and defense, but also because of our responsibilities and obligations to other free peoples.

But "staying ahead" in the nuclear race is a highly relative concept in the late sixties. The fundamental political fact is that both sides now possess the means to inflict "unacceptable damage" on the others.

We have kept our nuclear deterrent highly credible.

But we have kept it under lock and key—unusable except by decision of the President of the United States.

We have surrounded it with elaborate devices to guard against accident or misunderstanding: the hot line between the White House and the Kremlin, for example, is always open.

And despite the dangers and the terrors of this arrangement—or perhaps because of them—the policy of deterrence has worked. It is a stark fact that there has been no nuclear war. No man, woman or child has been a victim of nuclear arms since 1945.

But in our search for a more stable international environment, the United States has done more than maintain a credible deterrent force of strategic weapons.

We have negotiated patiently and seriously—in Geneva and New York, in Moscow and Washington—for ways to curtail production of nuclear weapons materials, to limit the means of delivery of nuclear bombs, to end nuclear testing, to prevent another upward spiral in the accumulation of nuclear weapons.

We have insisted only that the world be able to verify somehow that agreements made will be agreements kept.

In all of this there have been many false starts, much disappointment, and nerve-racking frustration. And who knows this better than Bill Foster?

It stands to the great credit of the American government—and to the skill of our tireless negotiators—that patience with perseverance has prevailed. We have kept at the job of trying to limit and reduce arms whenever we had someone else to talk to—a rather basic prerequisite for productive negotiations.

But patience and hard work have reaped their rewards. We have not been standing still. In fact, it is only the immensity of the problem as a whole—and the awesome nature of strategic nuclear weaponry—that obscures a series of dramatic achievements.

In the past eight years:

Total disarmament has been achieved in Antarctica;

Testing of nuclear weapons has been banned in three environments;

The rise of atmospheric contamination has been halted;

Outer space has been ruled out for nuclear weapons;

Latin America has been quarantined against atomic arms;

A curb has been placed on the spread of nuclear weapons and nuclear weapons technology through the non-proliferation treaty;

Work has started on securing a second environment—the seabed—from encroachment by weapons of mass destruction; and

We have offered to move toward regional arms control in Europe;

We are seeking to negotiate a program of Regional Arms Control in the Middle East;

In order to insure and verify the integrity of Arms Control Agreements, we have developed an elaborate and effective system of detection, inspection and surveillance;

So if an enormous job remains to be done, we are not starting from scratch. Due in large measure to the man we honor this evening, impressive strides have been made.

We now stand at a critical moment—a rare opportunity to break the upward spiral of strategic weaponry which has dominated U.S.-Soviet relations since the dawn of the atomic age.

We have had reason to believe for many months that the Soviet leaders are willing to begin bilateral negotiations over the control of offensive and defensive strategic weapons. Only the tragic Soviet intervention in Czechoslovakia kept these talks from beginning last fall.

I have no illusions about the difficult nature of these negotiations. When responsible leaders of great nations approach their vital security interests, they do so with great caution. I know our leaders will not agree to anything that endangers our national security. And I make the same assumption about the Soviet leaders.

But I also assume that the Soviet leaders would not lightly enter into these talks with us. If that assumption is wrong, of course, all bets are off.

But we must believe, until their actions demonstrate otherwise, that the Soviets understand the compelling reasons for ending the nuclear arms spiral—a process which is not only expensive and dangerous, but one which has become meaningless in terms of securing for either side a decisive military advantage.

We must pray that the Soviet leaders see the futility and folly of pursuing further a course which cannot possibly add either to their security or to ours, but which will instead lead all mankind closer to the brink of nuclear disaster.

It is, therefore, vitally important that we understand the urgency of beginning these bilateral talks as rapidly as possible.

I do not agree that these negotiations should await progress in settling more general political problems. The imperative of our present circumstances—that of preventing the next round in the nuclear arms race before it is irreversibly launched—cannot await the solution of political disputes many years in the making, and that will be many years, if not generations, in solving.

It is especially important that prior to the negotiations we exercise great restraint in word and action on matters relating to strategic weapons.

It is primarily for this reason that I have opposed the decision to proceed with a modified deployment of the anti-ballistic missile system. I remain unconvinced that the security of our second-strike forces required such action at this time.

More than this, however, there remain severe questions about the efficacy of the Safeguard system in comparison to other steps which might be taken to protect our ICBMs or to strengthen our Polaris fleet—steps which would avoid moving to the next level of nuclear weapons technology.

My concern for restraint in word and action prior to U.S.-Soviet negotiations also causes me to regret very much those statements imputing to the Soviets a commitment to achieve a first-strike capability in strategic nuclear weapons.

In a world where our Polaris fleet is con-

stantly on station, in a world where we have proceeded very far in the development of multiple independently targeted reentry vehicles, I do not believe the Soviets could seriously delude themselves into thinking a first-strike capability was possible.

These statements, moreover, necessarily arise from a series of assumptions of long-term Soviet behavior, assumptions which by their nature can be neither proven nor disproven at this time and which remain, to say the least, a matter of considerable debate among our intelligence community.

Secretary Clark Clifford, for example, reached quite different conclusions as to the Soviet strategic posture less than three months ago. And Secretary of State Rogers clearly raised doubts about the reliability of these forecasts of a Soviet first-strike capability when he stressed the negotiability of the Safeguard system in any future arms control talks.

These forecasts of Soviet strategic intent—statements which depart markedly from earlier U.S. pronouncements—can only raise doubts in the Soviet mind about our strategic objectives. And we know from the past that doubt or uncertainty on either side about the strategic goals of the other has been a principal stimulus to the nuclear arms spiral.

A far more prudent course, in my opinion, would be one which avoided raising spectres of massive Soviet strategic commitments until we have determined through direct talks their actual willingness or unwillingness to decelerate the arms race. Then we will not have to speculate on such critical matters. We will know.

I trust we are wise enough to understand that within the Soviet government, as within our own, are found widely varying opinions and beliefs on the issue of strategic weapons. We must, it seems to me, be exceedingly careful not to erode through ill-considered statements or decisions the influence of those Soviet leaders who may be advocating a more rational policy of controlling the strategic arms race—those men who now seem to favor bilateral talks with the United States. For we can never doubt the Soviet Union's capacity to propel the arms race to new and more dangerous heights if saner and more rational heads do not prevail—just as the Soviets cannot doubt our ability to do likewise.

That is why our efforts must be directed toward beginning the negotiations as promptly as possible and in an atmosphere as conducive as possible to meaningful progress.

Let me also observe at this juncture: I would hope that our government would enter into these bilateral talks with a truly comprehensive proposal, one that raised all major issues for negotiation and which did not unilaterally restrict the flexibility and freedom of our negotiators.

Some people cannot conceive of the possibility that the two nuclear giants could ever reach an enforceable agreement to halt the arms race. These people may be right.

But even great powers with different values and different political and social systems share at least some areas of common interest. Manifestly the first area is a shared interest in survival.

Perhaps this does not respond to the highest ambitions of our hearts and minds. Perhaps it is no great compliment to the human race that it took nuclear weapons to teach us that lesson. But survival is an excellent place to start. It establishes the fact that the great powers today stand, in the most fundamental sense, on common ground. And from this, much that is sane and good can flow.

No doubt bilateral arms control talks with the Soviet Union will be difficult. No doubt they will take some time. More likely than

not, they will have their ups and downs. But given the terrible risks to which the U.S., the Soviet Union and much of the world's populations will be exposed if the arms race proceeds unimpeded, we have the obligation—in the most profound sense of the word—to try.

Whatever we do has an element of risk—Isn't it time to take some risk for peace?

In all of this there is expectation—possibly premature but pregnant with hope for a world where the cold war is but a memory—where arms races are behind us—where peaceful engagement and reconciliation are the order of the day, East and West.

I think I know as well as any man just how hard it will be to get from here to there.

I know how many powerful traditions must be confined to history's junkyard—and how much new history must be made.

I know, too, that with all the will and all the energy we can summon, with the clearest vision and the most creative imagination, we cannot reform relations which others do not want to reform, or which they fear to reform.

But let history record that America was not the country which denied the people of this planet a chance for survival.

Let this nation boldly take the lead in working for arms control and disarmament—nuclear and conventional, global and regional—for peaceful settlement of those disputes which do arise among nations—for an atmosphere in which governments can at last devote maximum energies and resources to the needs and aspirations of their own peoples.

Let future generations read and know, that in a period of danger, uncertainty and peril—we had that extra measure of courage and character which challenged us to try.

This is the opportunity which now awaits us. I pray that we do not let it slip away. I pray that we are willing to take the risks for peace which can gradually transform the fragile balance of terror into a covenant of trust among nations.

For only as we succeed in replacing terror with trust, fear with faith, and suspicion with confidence can we expect to fashion the foundations of world order that are necessary for survival in the nuclear age.

#### "SAFEGUARD": A QUESTION OF PRIORITIES

(The following guest editorial is by Hubert H. Humphrey, former Vice President of the United States and titular leader of the Democratic party.)

President Nixon's decision to proceed with limited deployment of an anti-ballistic missile system is cause for sadness and concern rather than for sharp criticism: sadness that we sacrificed a rare opportunity for a bold U.S. initiative to slow down the spiraling arms race and concern over our apparent inability to run the same risks in the cause of peace that we are willing to assume in preparing for war.

At a time when the Vietnam fighting is intensifying, when the Paris negotiations appear to be stalled, and when tensions are rising in the Middle East, the world is waiting for some courageous act by a major power to demonstrate that a more stable and peaceful world is still within our grasp.

In my view, an explicit decision by the United States to suspend deployment of an ABM system at this time would have dramatized boldly our desire to negotiate an end to the strategic weapons race—*now*. To those who say this decision would involve military risks by failing to protect our intercontinental ballistic missile sites, I say the military risks in this instance are small and certainly smaller than the extremely grave risks we incur by permitting the strategic arms race to proceed unimpeded.

Two questions cut to the heart of the matter. Does a limited deployment of the

"Safeguard" (ex-Sentinel) ABM system, as proposed by President Nixon, contribute to the military security of the United States? Is this decision a positive contribution in developing a more rational strategic arms policy for the United States and a more sensible ordering of our national priorities?

In answering these two questions, it is essential to understand that our survival in the nuclear age depends upon our ability to deter attack, that is, to prevent a nuclear war from ever beginning. By following this strategy of mutual deterrence, or, more precisely, of "mutual assured destruction," we have acquired the strategic forces to destroy any nation that would unleash a nuclear holocaust on us—just as we understand the fatal consequences to the United States if we should ever launch a nuclear first strike against the Soviet Union. It is in the context of this strategy of mutual assured destruction that the President's decision to proceed with limited deployment of the Safeguard ABM system must be evaluated.

To be specific: Has the recent growth of Russian strategic offensive weapons imperiled the United States' retaliatory (second-strike) forces to the degree where the Soviet Union might be tempted to initiate a nuclear attack? Do the intelligence projections of possible Russian offensive capabilities for the mid-1970s require us to deploy this new generation of weapons today in order to maintain an effective retaliatory capability during the coming decade? Can we afford not to enter into serious efforts to reverse the arms race first? *These are the crucial questions.*

As I said during the Presidential campaign, the United States possesses at the present time, and for the indefinite future, enough nuclear destructive power underground and in submarines at sea to obliterate any aggressor nation or nations. We are the most powerful country on earth. Our nuclear strategic second-strike force consists of 1,054 Minutemen and Titan ICBMs, 656 sea-launched ballistic missiles on Polaris submarines, and 646 intercontinental nuclear bombers. In presenting the Defense Department's budget for fiscal year 1969, Secretary McNamara estimated that as of October 1968 the U.S. could deliver approximately 4,200 nuclear warheads compared to the Soviet's capacity of 1,200.

The margin of security in preserving the credibility of our second-strike forces is considerable: Secretary McNamara estimated that 400 one-megaton warheads would kill about 74,000,000 Russians, and would destroy about 76 per cent of Soviet industry. With about 4,200 warheads ready to go, it is inconceivable that any Soviet or Chinese leader could doubt for a moment our capacity to deliver a crushing retaliatory blow.

The question is whether this margin of superiority will be eroded by ongoing Soviet strategic programs. Until the Nixon Administration switched its primary rationale for deploying the ABM, most analysts and policymakers were claiming that this was not the case. Secretary Clifford denied this Soviet capability as recently as January of this year. In his March 20 testimony, Secretary Laird raised the specter of the Soviet's being able to counteract our Polaris capability and deliver an effective first strike. One can't help but be struck by the coincidence of this being said, for the first time, at the very moment the Administration was being driven to find a new argument for ABM deployment.

If there is anything to this view, the President should lay it before the country with all the detail and gravity that a change of this magnitude commands. But if the view is not solidly grounded in new facts and estimates, raising this specter is the height of irresponsibility—a de-stabilizing factor of the first magnitude and, quite possibly, the poised trigger for a new round in the arms race

which might well dwarf any possible effect of ABM deployment.

Even if one bought the argument that our ICBMs were critically threatened by the improved Soviet offensive weapons, there remains the nagging question of Safeguard's reliability. Since it can never be tested as a total system, and given the significant body of scientific opinion which doubts the system's reliability, is it unreasonable to wonder whether this is the best way to protect our second-strike forces? We might—for less money, in less time, and with greater reliability—choose instead to disperse and harden existing ICBMs, or place greater reliance on our Polaris strength.

Since a time might come when our national security would require some form of ABM defense—if, for example, arms control talks with the Soviets floundered and the strategic weapons race spiraled to new heights—I have supported our continuing with research and development of ABM technology. The issue before it now is deployment not development.

To sum up: Given the actual requirements of the strategy of assured destruction and the condition of second-strike forces, not to mention the questionable reliability of the Safeguard system, I do not see how the President's decision to proceed with limited ABM deployment contributed to the security of this country in any measurable degree. To the contrary, I believe it involves certain costs which the United States can ill afford to bear at this time. There are the obvious monetary costs—a minimum of \$6 to \$7 billion—which inevitably limit the amount of federal funds available for urgent domestic needs. We simply cannot afford any longer to ignore the crises in our cities and rural areas whose solutions inevitably will require substantial federal help. But there are less obvious costs, as well. For example, the cost of losing this chance to inject a note of rationality in the strategic arms race, and the cost of sacrificing a highly favorable moment to engage the Congress and the American people in the difficult and controversial business of achieving a more sensible ordering of our national priorities.

The ABM issue is now before Congress, and a protracted and story debate seems assured. Regardless of the outcome of this debate, we must now focus on the *urgency*—and that word is not chosen lightly—of decelerating the strategic nuclear arms race through arms control negotiations before the U.S. and the U.S.S.R. climb to the next plateau of offensive and defensive strategic weaponry.

It has been suggested that these bilateral talks should be linked to more general settlements of outstanding political problems. I cannot agree with this position. The urgency of our present situation—that of preventing the next round in the nuclear arms race before it is irreversibly launched—cannot await the solution of political disputes that have been many years in the making and that will take many years, if not generations, to solve. Nor are these broader agreements necessary for success in talks to limit the arms race. We negotiated the limited test-ban treaty in the aftermath of the Cuban missile crisis and developed the nonproliferation treaty during the Vietnam conflict when our relations with the Soviet Union and other Communist states were severely strained.

Many persons, including myself, have argued that any substantial deployment of an ABM system would upset the present balance of strategic forces between the U.S. and the U.S.S.R., thereby imperiling the arms control talks and triggering another round in the strategic arms race. But given the limited nature of the Nixon Administration's proposed deployment and its relocation from population centers to ICBM sites, it seems likely, although by no means certain, that the strategic balance has not been altered signifi-

cantly—at least for the immediate future. Initial Soviet reaction to the President's decision would tend to support this assessment.

In the longer run, of course, the clear transformation of the system's initial anti-Chinese posture to one of defending our missile sites against both the Soviets and Chinese could complicate our relations with the U.S.S.R. This would depend on various factors, such as the rate, location, and quality of our future ABM deployment, as well as the results of bilateral arms control talks.

The urgency for arms control talks arises from the impending advances in offensive strategic weapons that threaten the strategic balance far more directly than a limited deployment of the Safeguard system, especially if the ABMs are kept away from population centers. Here the depth of President Nixon's recent commitment to the concept of U.S. "sufficiency" in strategic weapons, as opposed to his more bellicose campaign posture of U.S. "superiority" over the Soviet Union, will be put directly to the test.

The principal threat to the strategic arms balance and the notion of "sufficiency" is the development of MIRV (multiple independently targetable reentry vehicles)—a system which equips each ICBM with a number of separate warheads aimed at different targets. The deployment of MIRV-equipped Minuteman III missiles and Poseidon missiles on our Polaris submarines would multiply many times the number of deliverable warheads this country could unleash against the Soviet Union.

If, as President Nixon suggests, the Soviets understand the defensive characteristics of a limited Safeguard deployment around ICBM sites, they will be equally quick to get the message of MIRV—a manifold increase in our strategic offensive capacity. The Soviets can be expected to respond to such a dramatic expansion of U.S. nuclear forces with an equally concerted effort of their own—and the balance of terror will have been cranked up another notch.

There is a final and compelling reason for beginning arms control negotiations as quickly as possible. A freeze, and perhaps a subsequent reduction, of strategic offensive and defensive weapons is essential if the United States is to have the money that is so desperately needed on the domestic scene.

Unless we are successful now in slowing down the nuclear arms buildup, it can be predicted with certainty that our military planners will win approval of a number of long-delayed weapons programs costing, in the end, many hundreds of billions of dollars. The deployment of Safeguard and MIRV are only the most visible products of a development pipeline which contains, among other items, such exotic and expensive weapons systems as the Short Range Attack Missiles (SRAM), the Subsonic Cruise Armed Decoy (SCAD), the Manned Orbiting Laboratory (MOL), and a new manned strategic bomber.

I believe that the clear and present danger to the internal security of the United States—arising from the urban crisis, rural poverty, education deprivation, hunger, unemployment—make these projected levels of military spending totally unacceptable. It is time we got our priorities straightened around.

But the process of shifting significant sums of federal money from works of war to works of peace will not be easy. Every positive advance in nuclear arms control has been opposed by powerful members of Congress, the military and defense establishment, and certain segments of the defense industry. Any meaningful agreements reached with the Soviets concerning the freezing or reduction of our strategic weapons almost certainly will be attacked by these forces.

In my view, the battle over national priorities could have been productively joined around the issue of ABM deployment. A presidential decision in favor of postpone-

ment, coupled with an announcement of this country's desire to proceed with bilateral arms control talks, would have been upheld in the Congress and supported enthusiastically by a large majority of the American people. But of greater importance than this: the United States would have made a truly historic contribution toward controlling the nuclear arms race, as well as a bold beginning in the difficult task of setting the right priorities in our national life.

#### THE MOLLENHOFF REPORT ON THE HARTIGAN CASE

Mr. ALLOTT. Mr. President, I have expressed my concern to my colleagues here in the Senate relative to the peculiar circumstances surrounding a former Assistant Postmaster General for Transportation, Mr. William J. Hartigan.

No reporter has followed up this matter more diligently than Clark Mollenhoff, of the Des Moines, Iowa, Register. Mr. Mollenhoff's expertise in the law as well as his wide knowledge of the Freedom of Information Act enabled him to obtain a reversal of policy by the Civil Service Commission with respect to divulging certain details about postal employees. As I told Mr. Mollenhoff when we discussed the matter, Congress had intended, when it passed the Freedom of Information Act, that personnel information be kept secret only for good and sufficient reasons.

I was delighted that Mr. Mollenhoff received the cooperation of the White House in his efforts; and I want to commend both Clark Mollenhoff and the White House communications director, Herbert G. Klein, for the work they accomplished in this regard. Accordingly, I would like to ask unanimous consent that two of Mr. Mollenhoff's recent reports on the Hartigan case be printed in the RECORD.

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

[From the Des Moines (Iowa) Register, Apr. 23, 1969]

#### URGES PROBE OF IOWA FIRM, MAIL OFFICIAL—AWARDED CONTRACTS, JOINED COMPANY (By Clark Mollenhoff)

WASHINGTON, D.C.—Senator Gordon Allott (Rep., Colo.) Tuesday asked for a General Accounting Office (GAO) investigation of the policies of former Assistant Postmaster General William J. Hartigan in connection with contracts awarded to an Iowa air-taxi firm.

Last week, Allott declared that Hartigan, a key Kennedy political organizer, has become a vice-president of the Iowa air-taxi corporation that received a large number of contracts while Hartigan was assistant postmaster general.

In a letter to Comptroller General Elmer B. Staats, Allott said he had "received additional information which causes me no little concern" over the policies followed by Hartigan as assistant postmaster general in charge of transportation.

#### SURFACE TO AIR

"Such an investigation by GAO should attempt to determine whether Mr. Hartigan manipulated the regulations of the post office so as to enable the rapid and wholesale conversion of surface mail transport routes to air, and the extent to which he might personally have benefited from such action," Allott stated.

"In addition, it should be determined whether any particular carrier benefited from

this conversion to a degree they now dominate the industry."

Hartigan has been "a consultant" for the Sedalia, Marshall, Boonville Stage Line, Inc., of Des Moines, since Mar. 6, 1968—about two weeks after he left his job as assistant postmaster general.

His contract called for \$20,000 a year to be paid each month, officials of Sedalia, Marshall, Boonville told The Register.

Hartigan told The Register that he did have the official responsibility, and did approve more than 20 air-taxi mail contracts with the Des Moines firm in the six-month period prior to leaving the Post Office Department.

#### LOW BIDDER

However, Hartigan said that "all of the contracts were on bids, and Sedalia, Marshall, Boonville was the low bidder."

Hartigan said that he had avoided "any arrangement" with Sedalia, Marshall, Boonville prior to leaving the Post Office Department, but that he had "general offers" from that firm and others while still on the post office payroll.

The laws that prohibit making contracts with persons or firms dealing with a department make it difficult to make any arrangements before leaving government, Hartigan said.

"Once I got out of government, I didn't waste any time contacting some of the people who had offered me jobs," Hartigan said. "I have a wife and seven children, and I can't do too much sitting around between jobs."

#### NEVER SOLICITED

Hartigan declared that since he left the government he has "never solicited any contracts at the Post Office Department on behalf of Sedalia, Marshall, Boonville or any of my other clients."

The "conflict of interest law" prohibits a former employe or officer of a federal government agency from going before the agency "in connection with any proceeding, application request for a ruling or other determination contract claim, controversy, charge, accusation, arrest or other particular matter" as agent or attorney for any client.

Hartigan said he has been at the Post Office Department on many occasions "for social calls, and for obtaining explanations about government bulletins on transportation particularly on safety."

In recent weeks, Hartigan has been made a vice-president of Sedalia, Marshall, Boonville and may go to Des Moines to take on the full-time job with the Iowa firm.

#### FLOOR SPEECH

Allott's first criticism of Hartigan in a floor speech a week ago was based upon the information that Hartigan was becoming a vice-president of the Iowa firm.

At that time, Allott did not know that Hartigan had become a consultant for the Iowa firm at \$20,000-a-year only two weeks after leaving the government payroll.

The Colorado senator has questioned whether it was proper for Hartigan to become an officer of the Iowa firm even a year after having made more than 20 awards of air-taxi mail contracts to the Iowa firm.

Hartigan, a Boston man, was an airline employe who was active in the Senate campaigns of the late John F. Kennedy in Massachusetts, and in the 1960 presidential campaign.

#### TED'S CAMPAIGN

He was rewarded with a White House appointment in 1961, and later moved to the Post Office Department. In 1962 he resigned as assistant postmaster general to work on the political campaign of Edward M. Kennedy in Massachusetts.

After the campaign was over, President Kennedy again appointed Hartigan as an assistant postmaster general in charge of

transportation. He kept that job until February, 1968.

[From the Des Moines (Iowa) Register, Apr. 25, 1969]

#### LIFT SECRECY LID IN POSTAL AIDE'S CASE (By Clark Mollenhoff)

WASHINGTON, D.C.—The Civil Service Commission Thursday admitted it was "a mistake" to instruct federal agencies that it is a "violation of the law" to make public the government employment record of government employes.

The change of position by the legal office of the Civil Service Commission came within 24 hours of the time that The Register revealed that the commission had used the Freedom of Information Act to suppress release of essentially all personnel information.

#### RAPID RISE

David A. Nelson, general counsel for the Post Office Department, told The Register that he was notified early Thursday that the Civil Service Commission had made "a mistake" in telling Post Office officials that it would be "illegal" for them to make the step-by-step promotional record of government employes available to newspapers or the public.

The inquiries by The Register involved details of the rapid rise of G. Allan Brown from a \$13,000-a-year job to a \$27,400-a-year job while working for his brother-in-law, William Hartigan, former assistant postmaster general in charge of transportation.

Nelson told The Register that the detailed government record of Brown and any other friends and relatives of Hartigan will be made available to the press and the public now that the "erroneous" opinion has been reversed.

The dispute over the access to the record of Brown, now director of program budgeting and administration in the transportation division, was an off-shot from an investigation that Senator Gordon Allott (Rep., Colo.) has demanded of Hartigan's role in the award of more than 20 mail contracts, totaling more than \$1 million, to a Des Moines air-taxi firm, Sedalia, Marshall, Boonville Stage Lines, Inc.

#### ACCEPTED POST

A few weeks after Hartigan left his job as assistant postmaster general in charge of transportation he took a \$20,000-a-year job as a "consultant" for the Iowa firm, and in recent weeks it has been announced that he has accepted a post as vice-president of the firm.

Allott and Representative H. R. Gross (Rep.-Ia.) have raised questions about the propriety of Hartigan taking the job with the firm, and they also have raised questions of possible conflicts of interest.

In a letter to the General Accounting Office (GAO), Allott has asked for an investigation with special attention to the role of Hartigan and "his relatives and friends" on contracts involving the Iowa firm.

Access to the personnel promotion records of Brown and others was an essential step in the over-all investigation.

#### NO FAVORITISM

Hartigan and officials of the Iowa firm say there was "no favoritism" and that the mail contracts were awarded "on bids."

In the course of the investigation it has become clear that many persons who were given unusual treatment in job assignments and promotions under Hartigan have remained in the transportation division and that Hartigan has moved out into the Washington world as a "consultant" on mail transportation contracts.

"It is a convenient arrangement, to say the least," Gross said Thursday. The Iowa congressman said it was "outrageous" that the Civil Service Commission would even try to withhold the records on when Brown was hired and promoted under Hartigan.

"It was an outrageous distortion of the Freedom of Information Act into an information suppression act," Gross said. "I am pleased that the Nixon administration has forced the change in the civil service instructions, and I am hopeful that there will be more changes in the still too restrictive regulations of the Civil Service Commission with regard to personnel matters.

#### CONDUCT HEARINGS

Representative John Moss (Dem., Calif.), one of the authors of the Freedom of Information Act, called the Civil Service Commission's initial interpretation "ludicrous."

"If it isn't straightened out completely, we will conduct hearings on this matter," Moss said.

Senator Allott called the Civil Service Commission interpretation of the law "absurd and unreasonable."

"When Congress passed that law it intended that personnel information be kept secret only for good and sufficient reasons," Allott said. "In this case, I fail to see any such reasons. I was delighted to learn that the Nixon administration has taken the proper view of this question, and has assisted in the disclosure of proper information. This is certainly the will of Congress."

Herbert G. Klein, White House communications director, and James Henderson, director of public information for the Post Office Department, had commented critically Wednesday on the Civil Service Commission ruling as "unreasonable."

Henderson said Thursday that he still is unhappy about the restrictions on personnel information despite the fact that there was "an apology" for the initial "mistake" in ruling that it would be a "law violation" to give reporters, the step-by-step promotion record.

Even now the civil service continues in operation a regulation which bars release of any information about a government employee's age, his education record, or employment record prior to becoming a government employe.

Karl Ruediger, assistant general counsel for the Civil Service Commission, said Thursday that present regulations still include release of such information as "a clearly unwarranted invasion of personal privacy" under the Freedom of Information Act.

#### BEEN DISTORTED

An investigation of the history of the Freedom of Information Act and the interpretations of it show how a law designed "to protect the right of the public to information" has, in the words of congressional critics, "been distorted" into a tool for a cover-up of information.

The intent of the law was so clear that an attorney general's memorandum in June, 1967, said it was "an affirmative direction to all agencies to make information available to the public."

There were nine areas of "exemption" including "national defense and foreign policy" and "personnel files . . . the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

#### PESTICIDE STUDY

Mr. MAGNUSON. Mr. President, the senior Senator from Michigan (Mr. HART) recently placed in the RECORD a significant and disturbing report commissioned by the National Cancer Institute on the possible carcinogenic effects of certain pesticides. The Senator from Michigan has written a letter to the president of the National Academy of Sciences on this matter. Inadvertently the letter was omitted from the RECORD. I ask unanimous consent that it be printed in the RECORD.

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

APRIL 25, 1969.

Dr. FREDERICK SEITZ,  
President, National Academy of Sciences,  
Washington, D.C.

DEAR DR. SEITZ: Yesterday I received a copy of an extremely disturbing interim report entitled "Studies of Pesticides and other Agricultural and Industrial Chemicals" which was commissioned by the National Cancer Institute. This report, based on five years of research, indicates that eleven pesticides in common usage today cause "significant numbers" of tumors when administered orally to mice in the maximum doses tolerable.

In a specific test of DDT, the researchers discovered that when a group of mice was fed a mixture containing 140 parts/million of DDT over a period of 81 weeks, 63% developed tumors. With a control group of mice, only 16% developed tumors, indicating that the mice exposed to DDT were approximately four times more likely to develop tumors than mice not so exposed. In describing the DDT-induced tumors, the report states: "It seems more reasonable to conclude that the great majority had malignant potentiality."

In extrapolating from the experiments, the report contains the following alarming comments:

"At the present time, there is no way to predict whether man may be more or less susceptible than the mice to the induction of tumors by the compounds reported here. \* \* \*

"Another problem in interpretation lies in the fact that laboratory experiences are designed to test a single chemical and to prevent exposures to other chemicals as much as possible. The environment of man, on the other hand, contains a complex mixture of chemicals. The way in which these interact to either enhance or inhibit carcinogenicity is a complex, difficult problem which has received insufficient investigation."

The report recommends that "a group of experts" be assembled "in the near future" to determine "whether any of the compounds should be labeled as carcinogenic."

Two weeks ago Dr. Herbert Ley, Commissioner of the Food and Drug Administration, concerned by the high levels of DDT (ranging up to 190 parts/million) found in the fish fat of certain seized shipments of Coho salmon, wrote to the Academy seeking advice on the potential hazards of pesticide contamination of sports and commercial fisheries. He asked the Academy to appoint an ad hoc Committee of distinguished scientists to review the problem and present its recommendations.

As Chairman of the Senate Commerce Committee's Subcommittee on Energy, Natural Resources, and the Environment, which in exercising its jurisdiction over fish and wildlife will soon commence hearings on the effects of pesticides on our nation's fisheries, I support this proposed study and urge that it be given high priority by the Academy. At the same time, however, I hope that the Academy will broaden its inquiry to pay greater attention to the impact of pesticides on mankind. In doing so, however, not only should the Academy consider whether certain compounds should be labeled as carcinogenic, as the Cancer Institute Report recommends, but it should also determine whether certain long-lived chemicals raise such serious carcinogenic or mutagenic dangers that they should be outlawed for use in the United States. For besides this Cancer Institute Report on carcinogenicity, there exists, as I am sure you are aware, a substantial amount of literature suggesting that these same chemicals may cause genetic mutations.

It is shocking to learn that a chemical like DDT, a common pesticide used around the house, in the garden, and on farms across

the country, may be a dangerous carcinogen or mutagen. Yet if that long-lived compound is becoming increasingly concentrated as we progress upward in the food chain, the animal at the end of that chain—man—may face a serious medical and genetic crisis in the near future. Seven years have passed since the late Rachel Carson raised the alarm about the dangers posed by DDT and other pesticides and insecticides in her book *Silent Spring* and in hearings before our Committee. But the evidence indicates that we are continuing to pollute our environment with these chemicals at an alarming rate. We may well be facing a silent crisis.

The Academy has a unique opportunity to perform a great public service by creating a distinguished Committee to review the accumulated literature on this subject and to issue a comprehensive report containing recommendations for affirmative action. I hope that you will agree that this is a matter of utmost public importance and a project which the Academy should immediately undertake.

Sincerely,

PHILIP A. HART,  
Chairman, Subcommittee on Energy,  
Natural Resources, and the Environment.

#### DDT

Mr. TYDINGS. Mr. President, in the last few months there has been growing concern over the long term impact on the environment of man's increasing use of pesticides.

Many of these pesticides are persistent, that is they do not break down structurally after application. They remain in the natural system, passed on progressively through the food chain until practically all forms of life and considerable land and water are affected. Residue of these pesticides has been detected around the globe, in man and other animals.

There is no doubt that pesticides have brought benefits to mankind. At the same time, however, there is no doubt that man has applied them indiscriminately, in too great a quantity, and without a sufficient understanding of their impact on the environment.

I think it is time for us to review in depth our society's use of pesticides.

Perhaps the best known pesticide is DDT. It has been under considerable attack recently. Sweden has prohibited its use. After Lake Michigan coho salmon were contaminated by excess dosages of DDT and then seized by the FDA, the Michigan Agricultural Commission banned its use in that State.

Yesterday's Washington Post contained articles both pro and con on DDT, written by two distinguished scientists, Dr. Thomas H. Jukes and Dr. Charles F. Wurster. While I am inclined to agree with Dr. Wurster, who believes that DDT should be restricted, all of us concerned with the quality of the environment will profit from reading both articles. I ask unanimous consent that they be printed in the RECORD.

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

#### ITS USE SAVES UNTOLD LIVES

(NOTE.—A biochemist, Dr. Jukes is professor of medical physics and associate director of the Space Sciences Laboratory of the University of California at Berkeley. He points out that he does not have, and never has had, any

financial interest in the manufacture of DDT and that he worked for more than 20 years for a firm (American Cyanamid Co.) that makes a competitive pesticide (malathion).)

(By Thomas H. Jukes)

The pesticide DDT is under vigorous attack. We are told that it is a "biocide," a poison that threatens many forms of life. A generation has grown up that knows little of what the world was like before DDT came into use, and of the changes made by DDT. This story must be told again, because disease and hunger always lurk in the shadows. There is not room here, however, for more than a brief mention of the conquest of major sicknesses by DDT.

DDT first became famous for its effect on a terrible disease, typhus fever, carried by body lice and spread by rats. In the book "Rats, Lice and History," typhus fever is given credit for being the deciding factor in all major wars before World War II. The Allied armies of liberation found that typhus was widespread among the survivors in the Nazi extermination camps. Dusting of prisoners with DDT promptly stopped the increase of typhus and undoubtedly stopped a catastrophic epidemic from spreading through postwar Europe.

Malaria is rightly called the "monarch of diseases." In tropical countries, it has been almost universal. Sir Macfarlane Burnet said that it is the main agent of infantile mortality there and that much of the backwardness of peasants in the tropics has been ascribed to malaria. For a large section of the world, malaria is the way of life—a short and sickly life.

During the liberation of Italy in 1944, the Allies applied DDT to buildings in the Tiber delta. As a result, primary malaria disappeared from the region, and in 1945 it was reported that the health of the population was better than it had been for 2000 years.

From these beginnings, the use of DDT was adopted in malarious regions throughout the world because it is a residual insecticide with effects on mosquitoes lasting for months. It breaks the life cycle of the malaria parasite, which alternates between warm-blooded animals and mosquitoes. Sickness has decreased and large, previously uninhabitable areas have been opened up to human habitation through the use of DDT.

In discussing a few of the many aspects of DDT, I shall try not to use technicalities, but some reference to chemical and biological topics is unavoidable.

The use of pesticides depends on the principle of *selective toxicity*. All chemicals, including DDT, are poisonous, depending on the dosage. DDT is far more poisonous to insects than to warm-blooded animals. Insects would eat up the food supply of mankind if they had the chance, and the only practical way to prevent this is to use chemicals that are poisonous to insects but relatively harmless to man.

As a safeguard, pesticides are required to pass toxicity tests, and the amounts permissible in foods are set far below the toxic level. The Food and Drug Administration monitors the pesticide content of foods by taking samples for analysis. Sometimes a batch of food is condemned for being "over the line"; an example was the batch of Coho salmon from Lake Michigan that was recently seized.

These contained up to 19 parts per million of DDT. Ten grams of DDT, present in about half a ton of the salmon, would be an undesirable but not fatal single dose for one person. Men have had an intake of 18 mg of DDT per day for up to 19 years without detectable ill effects. This would correspond to eating two pounds of the salmon every day. Steps must be taken to stop the contamination, because it is undesirable and illegal. However, there is no immediate danger to public health.

DDT has been used to treat human beings far more than any other pesticide. It was applied as a dust to thousands of soldiers and civilians in the final year of World War II in typhus control. There was no injury to health, but it was obviously necessary to test the toxicology of DDT in controlled experiments.

Many such experiments were carried out with human volunteers who swallowed or exposed themselves to large doses, and information was also obtained from accidents. A single dose of about 700 milligrams for an adult is the borderline at which symptoms start to occur. About 20,000 milligrams (two-thirds of an ounce) has been eaten without a fatal result.

#### THE EFFECT ON INDIA

Of greater importance is the effect of prolonged daily dosage of small amounts. Here the information is far more extensive than for any other pesticide that is now widely used because, in several experiments, people were studied who had been exposed to DDT for up to 20 years.

The longest period of uninterrupted exposure was in the Montrose Chemical Co.'s plant in Los Angeles, where DDT has been produced exclusively and continuously since 1947. The turnover of employees is below average. Sixty-three men had from five to 19 years of relatively heavy exposure to DDT and 35 of them were given intensive medical examinations by a team of researchers from the U.S. Public Health Service.

There were no cases of either cancer or blood abnormality among the 35 men who were examined or in the records of the other 28 men. The medical scientists concluded that heavy exposure of men to DDT for nine to 19 years produced no clinical findings that were significantly different from what might be expected from a similar unexposed group. In plain language, DDT had no effect, in spite of the fact that 20 of the men in the study were absorbing 17.5 to 18 milligrams per day, year after year, and had stored DDT in their body fat. The intake was more than 400 times that of the average person who gets traces of DDT in his food.

The greatest "experiment" of all with DDT took place in India. It started in 1953, with American cooperation, and was stepped up in 1958. It depended on the fact that DDT is a residual (or, as some say, "hard") insecticide, which stays on buildings after spraying.

At the start, there were 75 million cases of malaria in India, and life expectancy for Indians was 32 years. By 1962, 147,593,270 pounds of DDT had been used, and life expectancy had jumped to 47 years. The deputy director of the Malaria Institute of India commented that "a new era in economic development and social progress has been initiated with its beneficial transformation of the life of the people. . . . In the Terai region, land under cultivation and food grain production has increased and this region, once abandoned by its inhabitants because of the high incidence of malaria, has become a beautiful and prosperous area."

By 1967, Prof. Garnham estimated that there were fewer than 100,000 cases of malaria in India. Sir Macfarlane Burnet, in 1953, predicted appalling consequences of such a sudden conversion to a more vigorous and rapidly increasing population, including famine, emigration and intense internal and social repercussions. Many of these predictions have been fulfilled, but who would wish to limit populations by stopping the control of disease?

#### BIOLOGICALLY MEANINGLESS

How much is "zero"? Scientists recognize that zero exists only in theory.

Ever since man first appeared, the bodies of human beings have contained most or all of the so-called poisonous elements, including some that are radioactive. Shrimps con-

tain more "natural" arsenic than would be permitted as a contaminant under pure food laws.

Judgments on how much DDT can be tolerated in foods are forced on us by the fantastically delicate testing methods that are now in use. One of these, vapor phase chromatography, can detect chlorinated hydrocarbons, including DDT, in fractions of a part per billion. Such minute traces are biologically meaningless.

One pound of DDT, if spread uniformly over the United States, would deposit one billion molecules on every square foot of surface. The best methods of analysis could detect the amount of DDT deposited on 1000 square feet by this tiny "fallout," and so I am not surprised or alarmed by claims that penguins in the Antarctic contain 1/20th part per million of DDT in their body fat. It just means that vapor phase chromatography is incredibly sensitive.

Incidentally, 38 penguin tissue samples gave a negative result in this investigation, and there are nonpesticide compounds, the chlorinated triphenyls, that test similarly to DDT and have been spread widely over the world. I am sure that the same penguins contained arsenic and gold from the sea water, molecules of sulphur compounds from New York City smog and radioactive carbon produced by cosmic rays. I am also sure that DDT is present in my fatty tissue, and I am not worried. I prefer this to malaria parasites or encephalitis viruses entering my blood from mosquito bites.

#### BIRDS AND ANIMALS

Public interest in wild birds and animals has grown widely in recent years, because we see the wilderness and its creatures vanishing as highways and subdivisions take over the landscape. We want to save our vanishing outdoor scene; and many conservation organizations have set up a great hue and cry against pesticides as a menace to wild life. I do not believe that the facts support such a concept.

Prof. R. L. Rudd said that the spread of suburbs, industrial pollution, the drainage of marshlands, the building of superhighways and the increase in numbers of people all have a disrupting effect on the wildlife population compared with which pesticides are of minor significance. Rachel Carson and her followers ignored this balanced viewpoint in favor of an emotional attack on pesticides, which are a convenient lightning rod to attract the indignation of many people who are alarmed by the onrush of technology.

Miss Carson attempted to discredit those who disagreed with her by saying that they were in the pay of the chemical industry. The same method of debate is used by some of her supporters. In January, 1969, a director of the Izaak Walton League was quoted on DDT as saying, "We are dealing with people concerned purely with the profit motive." One could point out that the publishers of "Silent Spring" made a handsome profit, but I prefer to discuss the effects of pesticides rather than to argue about the free enterprise system.

Many accounts of the effect of DDT on wild birds contain much "unfinished business" and indefinite findings. DDT undoubtedly has killed birds—for example, robins that got in the way of the nozzle when elm trees were being sprayed to control Dutch elm disease. Some bird-lovers stated their conviction that any robin that died for miles around was a victim of DDT.

It has become obvious that robins are not in danger as a species, despite the claim in "Silent Spring" that the robin seemed "on the verge of extinction." In 1963, the great bird expert Tory Peterson said, "What is North America's No. 1 bird? Is it the house sparrow? The starling now outnumbers it. The American robin is a more likely can-

didate than either. Found from coast to coast, it inhabits cities and forests alike."

It is said that DDT has caused a decline in the numbers of eagles and hawks, and sensational terms such as "extirpation" and "population crash" have been used in this connection. The spread of towns and cities is hard on hawks, and especially on eagles. So are hunters. Alaska, a few years ago, paid a bounty of 50 cents per claw for killing bald eagles. In 1962, the Fish and Wildlife Service reported that 91 per cent of eagles found dead will killed by violence, usually gunfire.

A survey of the numbers of migrating hawks has been carried on continuously at Hawk Mountain, Pa., since 1934, except for World War II. The count in 1968 was an all-time high of 29,765, 30 per cent higher than the previous record year, 1939. Ospreys are on the increase. Peregrine falcons have decreased in recent years, but are by no means extinct. The bald eagle count in 1968, which included 17 immature birds, was the same as the pre-World War II average, 55.

By far the commonest species (18,507) was the broad-winged hawk, which has a habit of eating caterpillars on fruit and shade trees, and hence should accumulate some pesticide residues. Its numbers in 1968 (18,507) were more than three times as great as the average count in the period 1935-42.

Eagles and hawks seem to be holding their own better than one would expect in view of the number of hunters and the increase in the human population.

#### BIRDS HAVEN'T HEARD

It has been claimed that DDT reduces the hatchability of birds' eggs by disturbing calcium metabolism. One version is that the disturbance causes thin eggshells, so that the eggs break before they are ready to hatch. Another account, in the London Observer April 14, quoted an international conference in Stockholm as stating that DDT causes "thickening of the shells of birds' eggs. If the shells become too thick, the chicks are unable to hatch." Most of the stories, however, seem to come from the "thin-eggshell" school of thought.

Some birds haven't got either of the two messages. In one experiment, quail receiving 200 parts per million of DDT in their diet produced eggs that hatched at a normal rate, 80 per cent, as compared with 84 per cent for those without DDT. However, the young quail were so severely poisoned by the mothers' diet that only 32 percent survived for two weeks and only 13 per cent for six weeks. In contrast, 83 per cent of the control birds survived for six weeks. Similar results have been reported with chickens. Obviously, the toxic effect was on the young rather than on the formation of the eggshell by the mother. In both experiments, the amounts of DDT fed were far higher than would be encountered under field conditions.

It is interesting to compare the numbers of birds seen per observer in the Audubon Society Christmas bird counts for 1941 and 1960, before and after the widespread use of DDT. The greatest increases are in grackles, redwing blackbirds, cowbirds, starlings and robins—up 11-fold to 131-fold. This may be a result of beneficial effects of DDT on wild birds. Insecticides kill certain lice that infest birds, especially baby birds.

I think, however, that by far the greatest effect of DDT on birds is to kill mosquitoes that carry serious diseases of wild birds, including malaria, Newcastle disease, fowl pox and encephalitis. This may explain the population explosion of redwing blackbirds. They dwell in swamps that are sprayed to kill mosquitoes. Obviously, such an effect upsets the "balance of nature."

#### THE THIRD WORLD

Why am I really for DDT? Why do I argue with my bird-loving friends? I was brought up to watch birds. Certainly the chemical industry can make lots of pesticides that are

less "residual" (and more profitable) than DDT. But I am for DDT.

First, DDT is safe, and has been studied more than any other pesticide for its effects on human beings. Without pesticides, there wouldn't be enough food to go around. Next, the campaign against DDT is emotional and unscientific, and I object to this. Most important of all, DDT is needed by the millions of "Third World" people because it is a cheap, safe residual pesticide.

Prof. George Nelson sent me a picture of an African with "river blindness," caused by onchocerciasis, which, he says, afflicts between 30 million and 40 million people in Africa. In some villages, the adults are all blind, and are led around by children who face the prospect of blindness.

The disease is caused by a microscopic parasitic worm carried by a black fly that breeds in swiftly flowing streams. It was accidentally found—when a donkey carrying DDT fell in a river—that the fly larvae in streams are readily killed by DDT, and as a result of this discovery, the black fly was eliminated from a large area in Kenya. This should break the cycle of infection, which depends on the parasite shuttling between people and flies. Is there hope for the children of the victims of river blindness?

An article published in 1967 predicted that the campaign against pesticides can cause deaths and sufferings greater than those of World War II. I agree with this prediction.

#### IT'S POLLUTING ALL THE WORLD

(NOTE.—A Ph.D. in organic chemistry, Dr. Wurster is an assistant professor of biological sciences at the State University of New York at Stony Brook. As chairman of the scientists' advisory committee of the Environmental Defense Fund, he has played an active role in efforts to restrict the use of DDT.)

(By Charles F. Wurster)

A quarter-century ago, man launched a biological experiment of truly colossal proportions, inadvertently using most of the world's animals as the experimental organisms. That experiment was the large-scale introduction of the insecticide DDT into the world environment.

Not much was known in those days about either insect control techniques or about DDT. But World War II was on, DDT killed bugs and didn't kill people, and so the great experiment was begun.

By saving millions of human lives in combatting typhus and malaria, DDT played a vital role in World War II. The experiment thus had a glamorous beginning, and after the war, the use of DDT skyrocketed as it became the panacea for all insect problems.

During the past 20 years, however, we have learned much more about the control of insect populations, and also about the environmental effects of DDT. The great experiment no longer looks so clever. Clearly, some aspects of the experiment have gone sour and, in fact, are taking on the dimensions of a disaster.

The residues of DDT (which include DDT and some of its breakdown products, especially DDE) seem to be almost everywhere—in soils never treated with insecticides, in birds and seals that never leave the Antarctic (although DDT has never been used on that continent), in most other animals and probably all of the world's human beings, and in the air, even in remote parts of the world. DDT residues even come down in the rain and snow. Probably more widely distributed than any other manmade chemicals, they have become the world's most serious pollution problem.

The root of this problem lies with the DDT molecule itself, for it combines four properties that are responsible for its behavior in the environment:

1. Toxicity to almost all animal life rather than simply the insect pest.

2. Persistence, so that it remains in its original toxic form for at least a decade and perhaps much longer.

3. Mobility, so that it doesn't remain where applied, but is carried about the earth by currents of water and air.

4. Solubility properties that cause it to be accumulated by living organisms, instead of getting "lost" in the oceans, in soils or in other inorganic parts of the environment.

It is hardly surprising, then, that contamination of animal life with this material is so incredibly widespread and that harmful biological effects are occurring. DDT is an uncontrollable compound once released into the environment, and it is senseless to speak of "controlling" its use or using it "discriminately."

It is further misleading to draw analogies between DDT and such other materials as salt, which is a much less toxic and entirely normal component of our environment, or aspirin, which is also less toxic and is readily degradable. The DDT problem is unique; only compounds with its combination of properties, such as several other chlorinated hydrocarbon insecticides, can behave similarly, and none of these has been used (fortunately) as extensively as DDT.

Since the beginning of its use, DDT has repeatedly caused wildlife disasters. At first, only the most obvious were detected. Soon after the war, the use of DDT in an attempt to control the bark beetle that spreads Dutch elm disease (a fungus) was begun, and the practice has been widespread since then. In 1946, biologists warned that the indicated dosages would be lethal to birds. They were right. Soil organisms such as earthworms, as well as flying insects, become contaminated and are eaten by birds, which receive a lethal dose and die with tremors, the typical symptoms of DDT poisoning.

Up to 90 per cent of all the birds in a community have been killed this way; well over 100 species have been involved in these mortalities. The process has been so thoroughly studied and documented by so many scientists in so many parts of the country that it is no longer of scientific interest. Yet this dismal sequence has been repeated again and again during the past 20 years as hundreds, perhaps thousands, of municipalities in the Eastern United States have killed millions of birds.

The ironic part of the story is that DDT is relatively ineffective, when compared with the process of sanitation, in preventing the spread of Dutch elm disease. The town that depends on DDT loses its elms as well as its birds.

Since the 1950s, large areas of North American forests have been sprayed with DDT for spruce budworm control. In New Brunswick, Canada, where excellent salmon streams include the Miramichi River, DDT applications caused severe and widespread losses of salmon, trout and other fish.

In 1954, ½ pound of DDT per acre was applied to the Miramichi watershed, and not a single salmon fry was seen that year. These extensive fish mortalities were followed in later years by fewer adults taken in fisheries and returning as spawners.

Large fish kills from DDT have also occurred in Maine, Delaware, New Jersey, California and many other areas too numerous to mention. Other aquatic life, including crabs, crayfish, shrimp, frogs, toads and reptiles, is also highly susceptible to the toxic action of DDT. They, too, sometimes become involved in mass mortalities, but more often they just quietly disappear from areas where they were once common, leaving only the inevitable debate over what happened to them.

#### BIOLOGICAL CONCENTRATION

During the last five years, however, scientists have become aware of much less obvious, more subtle and insidious and far more dangerous effects of DDT. Because of

its solubility properties, DDT residues are absorbed by living organisms from their environment. The chemicals thereby enter food chains at various levels and are then passed up the food chain, becoming more concentrated each step of the way.

The carnivores at the top of this food pyramid therefore show the greatest degree of contamination, with lower members of the food chain containing less and the non-living environment the least. This mechanism, called biological concentration, can cause carnivores, especially fish and birds, to carry residues of DDT at concentrations more than a million times greater than that of their environment.

The result of biological concentration is that large fish and birds can become heavily contaminated, often from an environment that seems relatively clean. Some measurements of environmental quality, such as water, air and soil analyses, may therefore be very misleading. A water analysis that shows the minute concentration of 0.000003 part per million of DDT looks harmless indeed, but represents false security.

Large birds and fish feeding in such a system may accumulate enough DDT to diminish their reproductive capacities. One must analyze living organisms, rather than water, to monitor water quality. Yet the apologetics for DDT quote such tiny numbers in their attempts to ridicule those who are concerned about the DDT problem.

Ornithologists have known for some time that the populations of certain birds of prey, including such well-known species as the bald eagle, osprey and peregrine falcon, have shown steep declines during the last 15 years. With some species, these declines appear worldwide in scope. The peregrine, for example, has become extinct as a nesting species east of the Rockies and has declined to a tiny fraction of its former numbers in the Western United States and Europe. Only very recently, however, have scientists learned the cause of these precipitous declines.

#### EFFECT ON LIVER

We now know that DDT is a hepatic enzyme inducer. This means that DDT causes the liver to increase greatly its concentration of certain enzymes. These induced enzymes modify steroid sex hormones, i.e., estrogen, progesterone and testosterone, thereby changing their biological action. In birds, estrogen influences calcium metabolism.

Since female birds of prey accumulate DDT residues from their contaminated food, induced liver enzymes destroy the birds' own estrogen supplies, thus causing them to lay inadequately calcified, thin-shelled eggs. Such eggs usually break in the nest or lose too much water through the thin shell, resulting in dehydration and death of the embryo.

Populations therefore collapse from low reproductive success. Extinction of a species can occur from such sublethal effects without the killing of a single individual.

Since the late 1940s when DDT was first introduced on a large scale into the world environment, carnivorous birds of many species on at least two continents (Europe and North America) have been laying thin-shelled eggs and population numbers have been collapsing. Included are not only hawks, eagles and other birds of prey, but many sea birds as well. There is no sanctuary from this insidious chain of events. Unless the use of DDT is stopped, we face the extinction of a long list of carnivorous birds over wide areas of the world.

Meanwhile, we are told of the good health of our avian populations, as indicated by increasing numbers of pheasants, quail, mourning doves, turkeys and other game species. But these are all herbivores. Short food chains are less subject to biological concentration; herbivores do not become

heavily contaminated and their mention is irrelevant to the DDT problem.

Likewise, some birds of prey that feed on herbivores, i.e., red-tailed hawks, white-tailed kites and golden eagles, are also not involved for the same reason. Birds at the ends of long food chains are the ones in danger.

DDT residues can also cause the collapse of reproduction in fish. Residues are accumulated by adult fish from their environment and their food and are passed in increased concentration into the yolk of their eggs. The embryo develops, apparently normally, and the fry hatch. Final yolk absorption occurs after hatching, and at this point the fry are killed by poisoning with DDT.

Biological concentration results in higher DDT concentrations in the larger fish, which include most game and edible species. Thus when the watersheds of Lake George were treated with DDT, all lake trout fry were killed and there was no successful reproduction for several years. This effect has occurred in other lakes, and now the Coho salmon fishery in Lake Michigan is suffering a similar fate. Last year nearly a million salmon fry, representing 11 per cent of the entire crop, were killed by DDT in Michigan hatcheries.

#### ACCUMULATING IN OCEANS

Analyses of large carnivorous fish and birds of the oceans now tell us that residues of DDT are accumulating in the ocean basins and contaminating oceanic food chains. In many cases, the degree of contamination is already as high as it is in many waters draining heavily treated agricultural land. From its properties, we must expect DDT eventually to reach increasing levels of accumulation and food-chain contamination in the oceans, and apparently this is happening.

The implication is clear. The failure of trout and salmon to produce viable fry in Lake George and Lake Michigan may soon be repeated among some of the world's major marine fisheries, if it is not already occurring. Some commercial species have indeed shown sharp and unexplained declines during recent years. The prospect is hardly reassuring for those who look to the sea for the increased food supply required by an increasing number of human mouths.

There is also a bright side to the DDT story. We don't need it any more. Great progress has been made toward an understanding of insect populations and how to control them. Many biological control techniques are now known, and a long list of nonpersistent insecticides, such as sevelin, malathion and abate, is available. Modern concepts of integrated control, i.e., the blending of both biological and chemical procedures to manipulate insect populations effectively and economically, have reduced DDT to a crude and disruptive ecological poison by comparison.

The propagandists with vested interests try to tell us that the food and fiber for a starving world depend on the continued use of DDT, but those days are far behind. Fortunately, we can choose effective and ecologically sane alternative methods of controlling insect pests. It is time to end the great experiment with DDT.

#### RETIREMENT OF JOHN WALKER FROM NATIONAL GALLERY OF ART

Mr. PELL. Mr. President, it is with mixed emotion that I take this occasion to invite the attention of the Senate to the departure of John Walker from active directorship of the National Gallery of Art.

Affiliated as Chief Curator, with the then forming Gallery from 1939 and its Director since 1956, John Walker has performed a service for our country

which can never be repaid and in many ways will never be fully understood. The National Gallery of Art is a truly great institution, with a collection of visual art which many believe to be unequalled in the world. The vision and taste of John Walker is evident throughout the Gallery. The many notable acquisitions which have been made under his directorship insure that our Nation will remain to have an unequalled repository of visual inspiration.

But John Walker's efforts not only resulted in what we can see when we enter the National Gallery; he has also endeavored to provide the Nation with a scholarship on art; for through the efforts of the National Gallery, educational material is available throughout the land to school children and others seeking to broaden their horizons.

As director he has also schooled many professionals who are assuming curatorial posts in institutions throughout the country and therefore his effect will be widespread.

On a personal note, I shall miss John Walker; his counsel and advice have been of great value to me. However, I am pleased to note that he will still be with us in the post of Director emeritus and I am sure will have a continuing influence in the development of the National Gallery.

Mr. President, the Washington Post of Friday, May 2, contains an article about John Walker, and in today's Post contains an editorial about him. I ask unanimous consent that they be printed at this point in the Record.

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

HIS JOB WELL DONE

(By Paul Richard)

John Walker, the elegant and amiable art historian who helped design the National Gallery of Art 30 years ago and who has served as its director since 1956, will retire July 1.

He will be succeeded by J. Carter Brown, the Gallery's 34-year-old deputy director who came to Washington to serve as Walker's assistant in 1961.

Paul Mellon, the Gallery's president, announced the change of command at a staff meeting yesterday afternoon. Walker's resignation was accepted by the Gallery's trustees.

The 63-year-old Walker becomes the Gallery's director emeritus after his retirement. Smiling broadly, he told the assembled salesgirls, guards and curators that he was delighted with his new title, with the young man chosen to succeed him, and with the opportunity to write in the months ahead.

Walker's retirement was not unexpected. It has been clear for years that Brown—whose record is brilliant and whose social and academic credentials are impeccable—was being groomed as Walker's successor. When Brown became deputy director a year ago rumors of Walker's retirement began to be heard with increasing frequency.

Walker feels he is retiring at an auspicious moment. The Gallery, he believes, has never been in better shape.

The Gallery's collection consisted of only a few score paintings when Walker became the museum's chief curator in 1939. The museum on the Mall, with its interior gardens, skylit galleries and marble stairs, did not open until 1941.

The building was designed to fulfill the Gallery's needs for at least a century. But under its first two directors (Walker and

his predecessor, David Finley), the staff and collections grew so quickly that the Gallery is already overcrowded.

In addition to officially approving Walker's retirement yesterday, the trustees approved a preliminary scheme for an addition to the Gallery which will be built just to the east of the existing building on the Mall.

Designed by architect I. M. Pei, the new building will contain a library and photographic archive, offices for the Gallery staff, exhibition space for contemporary art, and a new institute for advanced study in the history of art.

Walker said yesterday that he regarded the foundation of the new institute—rather than the purchase of Leonardo's portrait of Ginevra de' Benci—as the culmination of his career.

That career did not begin particularly auspiciously. His family was wealthy, but Walker suffered a childhood attack of polio and remembers being "enormously melancholic and unhappy" as a young man.

Later he attended Harvard, where things improved. He helped organize a gallery that showed such far out artists as Alexander Calder and Buckminster Fuller, and studied art history. After leaving Cambridge he moved to Italy where he worked under Bernard Berenson, the renowned scholar of the Italian Renaissance. Walker credits Berenson with training his mind and changing his life.

While abroad, Walker met his wife, Lady Margaret Gwendolyn Mary Drummond, daughter of the late Earl of Perth, who served as British ambassador to Rome during the 1930s.

Walker has published half a dozen books, but only one of them, "Bellini and Titian at Ferrara," is a work of scholarship. The others, for the most part, are devoted to popularizing the collections of the National Gallery.

As his publications show, Walker has spent the past 30 years developing the Gallery. As a scholar his reputation is not so large. As a museum man it towers. First as chief curator and later as director he helped transform a small collection of old paintings into a museum that ranks with the finest in the world.

The Gallery is generally considered a conservative institution. It is close-mouthed about its internal operations and it is not known to gamble with contemporary art. But its conservative front is something of a cover. It has expanded its collections aggressively and with unprecedented speed.

Walker said yesterday—in response to a reporter's predictable question—that his greatest disappointment was the loss of the Gulbenkian collection.

Gulbenkian, a vastly wealthy Armenian-born oilman known as "Mr. Five Per Cent" for his share of Middle East oil production, had assembled a splendid collection of old masters which were shown here at the Gallery in the early 1950s. Walker expected the Gallery to get the collection, but the deal fell through.

Walker was luckier with other collectors. Labels beneath the paintings in the Gallery, bearing such names as Mellon, Kress, Chester Dale, and Rosenwald, testify to his success.

#### THE NATIONAL GALLERY'S JOHN WALKER

John Walker, retiring as director of the National Gallery of Art, played a central role in turning the Gallery from a Washington showplace "finest lawn in town," an old guidebook boasts) to one of the world's half-dozen greatest museums. Harvard- and Berenson-bred, he could well have stayed in the genteel alcoves of art scholarship. Instead he chose to develop another set of talents—those of the organizer, collector and popularizer. The result is not a shelf of scholarly works but a marvelous and flourishing institution which last year alone en-

abled more than a million and a half people to experience for themselves the pleasures and puzzles of exposure to fine art. In a day when museums are exploring new ties with their communities, it is easy to overlook that John Walker's National Gallery has been richly involved with its community—of Washingtonians, tourists, students in 3000 school systems associated with its extension program—for years.

This gracious and elegant man has always understood that much more than money and air conditioning and picture postcards—although he is not one to deprecate these—go into a modern museum. His special goal has been to make the Gallery a center of scholarship which, in turn, would find expression in the caliber of the country's art collections and museum men and collective sensibility. So it is that he delightfully points to the study institute to be built alongside the Gallery. It provides an institutional testimonial to the personal contribution made by John Walker.

Mr. PELL. Mr. President, I said it was with mixed emotions that I spoke today, for while I regret the retirement of John Walker, I can only look with pleasure on the elevation to the post of Director of the National Gallery of Art of an old friend and fellow Rhode Islander, J. Carter Brown.

I need not call to the attention of the Senate the qualifications which make his choice as Director of the Gallery the pre-eminent one. He is uniquely qualified for this position, both by education and by his ability to resolve problems and handle people. I know that under his directorship the Gallery will not only continue its present high standards, but will move into the newer realms of visual experience. I congratulate Carter Brown and wish him the best of luck on his being named Director, and assure him of my support as the National Gallery continues its quest of excellence.

Mr. President, I ask unanimous consent that an article published in the Washington Post of Friday, May 2, be printed in the RECORD.

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

#### TRAINED TO LEAD (By Meryle Secrest)

The man who is taking over the operation of National Gallery of Art has money, breeding brains and drive.

J. Carter Brown, 34, who takes office as director July 1, may be young for the job, but he has been preparing for it for a long time. He began his apprenticeship when he joined the staff under John Walker in 1961.

But his training and background are an essential part of the picture. Born to a wealthy and socially prominent Rhode Island family, he went to the right schools, was exposed to the right influences and went after the right goals with brilliance and determination from an early age.

His biography, with its references to Groton and Harvard, Phi Beta Kappa, scholarships, languages, travel and connections (he studied with Bernard Berenson in Florence) reads like a model for a future museum director.

Brown is a tall, slender man with thick blond, curly hair carefully restrained, light blue eyes usually accentuated by a slight tan (he loves to sail) and a sartorially elegant style.

Yesterday, he was wearing a narrow black-and-white pinstripe suit with side vents in the jacket. His white shirt cuff showed just a fraction of inch below the jacket sleeve.

Around town he is considered a highly eligible bachelor who once dated Lynda Johnson Robb, an excellent raconteur and the author of a brilliant color film now shown regularly at the Gallery: "The American Vision."

What came through yesterday in his public statements showed a willingness to take charge which could make him an energetic, forceful and forward-thinking director.

He was asked whether the interests and direction of the Gallery were likely to change in the next decade.

"I think we will want to exhibit much more contemporary art," he said. "The difficulty here is that we were never given adequate facilities for temporary exhibitions. There has been a problem of lighting, and out-of-date facilities. But there is something philosophical about the design of the present building that has mitigated against showing much contemporary art."

Brown discussed the National Gallery's new Center for Advanced Study in the Visual Arts, which is being designed by architect I. M. Pei to include office space, gallery space, and also as a meeting place for art scholars and intellectuals from around the world.

The building is a multi-million dollar gift of the Mellon family and is expected to be completed by 1973.

"I think there are two major gaps in our collection and 20th century art is one of them. By that I mean things that look to me now like Old Masters.

"The other gap I want to fill are graphics; particularly drawings. My hope is that we will be able to liberate galleries in the present building to become a great national museum on the graphic arts.

"In addition I want to deepen our commitment to scholarship by bringing great minds in art and art research from all over the world.

"I also want to broaden our education programs. I think people are getting more leisure time. We are in an age when society is lurching into a new era and the first order of values are always materialistic.

"I am not as pessimistic as some people because I think the younger generation is exhibiting this kind of awareness, of the importance of the individual's involvement with his environment. College registrations show a switch from science and business into the arts. When I went to Harvard Business School I was the only one enrolled who was interested in a non-profit organization. Now the percentage is growing.

"What people are searching for with all of this technology, and I include drugs, are really roots. But if you are educated to see it you can "turn on" in front of a painting much more effectively than you can from drugs, and with less damage."

He expects his pleasant life—he is frequently seen at receptions and dinner parties—to change. He is an experienced sailor: he skipped a 40-foot yawl in the 1962 Newport-Bermuda race and reached the finals in the U.S. Men's National Championships.

"I was thinking of buying a boat this spring until I heard about this possibility. Now I expect my evenings and weekends to be pretty well taken up.

"But I feel an institution can go only so far with one individual. You have to give the staff considerable freedom to do their own thing. I see my role as more that of an orchestra conductor with artists of solo quality."

#### SDS PROVING ITSELF DESTRUCTIVE: WELL-REASONED EFFORTS MUST CONTINUE TO SOLVE CAMPUS PROBLEMS

Mr. RANDOLPH. Mr. President, I am one of those millions of Americans who are saddened by what we see on our college and university campuses today. I

share with my colleagues in Congress, with my constituents in West Virginia, and with citizens generally a concern about the violence and lawbreaking which continue to plague our institutions of higher education.

Based on actual events on many campuses, I continue to believe that Students for a Democratic Society is in reality proving itself to be "Students for a Destructive Society."

By their actions ye shall know them.

Mr. President, there recently have been several perceptive and illuminating articles in the press dealing with the turmoil on our campuses. I ask unanimous consent that the articles be printed in the RECORD.

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

[From the Keyser (W. Va.) Mineral Daily News-Tribune]

**JUDGE HAYMOND LAMENTS VIOLENCE AT ALMA MATER**

CHARLESTON, W. Va.—State Supreme Court President Frank Haymond sounded a note of urgency to law abiding citizens to turn the tide of "lawlessness and violence" in a Law Day speech here today.

Haymond, 82, and dean of the five-member Supreme Court, said:

"The trend toward civil disobedience and the lack of respect for law and authority and listless and ineffective law enforcement, as evidenced by the existing social disorders . . . constitutes a substantial threat to our continued existence as a nation of free men in a calm and peaceful social order."

Haymond said "that threat must not be, and it cannot be, permitted to develop or to grow in strength."

The judge berated college students for their "outrageous and clearly unlawful and violent conduct."

More than half a century ago, Haymond noted he attended Harvard University, one of several institutions of higher education under student attack.

"As a student I entered University Hall, the administration building, not with clubs and other weapons in my hand as did the recent unruly group, but with my hat in my hand and because I had respect for the authorities whom I went to consult concerning my studies.

"In those days we were too busily engaged in our affairs to think of closing the administration building, ousting the faculty, or protesting the addition of a ROTC unit if such a thing had existed in that era.

"Perhaps I was born too soon or have become old-fashioned, but if such is the case I am not unhappy about either," Haymond said.

Haymond's résumé in the West Virginia Bluebook said the judge was graduated with distinction from Harvard College with an AB degree in 1910, and received his law degree from Harvard Law School in 1912.

"The formal observance of Law Day throughout this nation should operate as a call of duty for all of us to preserve for ourselves and to transmit unimpaired to our posterity the blessings of liberty under law, which rightfully belong and which must be made secure to every American," Haymond said at an assemblage of lawyers sponsored by the Kanawha County Bar Association to celebrate the annual event.

[From the Washington Post]

**BACKBONE AND FLEXIBILITY**

President Nixon is everlastingly right in calling upon administrators, faculties and trustees to meet student dissent with flexi-

bility, student violence with backbone. The two are not indistinguishable. Dissent or protest is a constitutionally protected right in America—constitutionally protected because it has been recognized since the beginning of the American Republic as the dynamic element in the democratic process, indispensable device for the achievement of change and progress. The aim of protest is persuasion. The aim of violence is to take by force what cannot be won by reason.

We must, the President said, listen to the voice of students seeking change. "We must listen, and certainly where that voice expresses views that ought to be implemented, we should implement them . . . But when we find situations in numbers of colleges and universities which reach the point where students in the name of dissent and in the name of change terrorize other students and faculty members, when they rifle files, when they engage in violence, when they carry guns and knives in the classrooms, then I say it is time for faculties, boards of trustees and school administrators to have the backbone to stand up against this kind of situation."

The problem is twofold. Flexibility is no less vital than firmness. Institutions tend to resist change; and those who possess prerogatives are often reluctant to relinquish them or to adopt new patterns of procedure. As Secretary of Health, Education and Welfare Robert Finch asserted recently in testimony before a House Education subcommittee, there is a great deal awry in the structure and substance of higher education in the United States today. Students are quite right to rise in protest.

Students in many situations have come to feel, however, that they gain no attention when their demands are presented in an orderly fashion; they contend, sometimes at least, that entrenched power responds only to force—that those who possess power are at once deaf and adamant. The first responsibility of college authorities must be to make sure there is no justification for that complaint. The channels for peaceful protest ought to be kept quite clear. And the voices of protest ought to be heard and heeded. As the President put it, "young people, students, are correct in asking that they have a voice: a voice in determining what the courses should be, a voice in determining what the rules should be." He added, of course, that voice should not be controlling.

When rules which students have shared in shaping are broken, when boundaries of civility which are the generally accepted modes of conduct in intellectual communities are crossed, university authorities must resist with resolution. There ought to be no paltering with coercion, no yielding to violence. Faculties, which have a tendency to turn soft and to expiate their own sense of guilt by surrender, need to face up to the imperative need for firmness and for discipline.

The appropriate form of discipline for violation of university rules is expulsion or suspension. Students ought to know that such discipline is going to be administered toughly and resolutely. If they are no longer babies, let them quit whimpering when they encounter the expectable consequences of misconduct. If they do not like the way things are administered at Harvard or at Cornell, let them see if they can gain admittance to Beloit or Bucknell or Bates.

There is one additional aspect of this problem on which we wish the President had had something to say. Discipline is a university responsibility. Government should not interfere in it—at either the state or Federal level. Legislatures in at least 18 states have recently passed laws, or have bills under consideration, to put down campus rebellions by expelling students, cutting off their scholarship grants or putting them in jail. These

measures are a menace to the independence of the universities and to the hope of a rational resolution of disputes between students and academic authorities. It would promote the restoration of reason if the President would speak out against them plainly and forcefully.

[From the New York Times, May 3, 1969]

**FIVE IN SDS YIELD TO COURT**

(By Murray Schumach)

Five leaders of the Columbia chapter of Student for a Democratic Society, believed to have been active in the seizure of two Columbia buildings from Wednesday until about noon on Thursday, surrendered yesterday on contempt-of-court charges.

They were released in the custody of their lawyers, pending a hearing May 19. The lawyers also agreed to make available other S.D.S. members before the hearing.

As the five leaders entered State Supreme Court early yesterday afternoon, 60 sympathizers or fellow-members stood and saluted them with raised fists, but they made no disturbance.

An hour before their surrender the five told a small rally on the Columbia campus that while the S.D.S. might not be able to be active on the campus any more this semester, it would "continue the revolution" next fall.

There was enthusiastic applause from a few dozen supporters around the campus sundial, but the 150 other listeners showed little enthusiasm and there was some heckling from a few in the audience.

Though a small rally of the S.D.S. became a lively topic on the campus, by far most students seemed to be going about their business or relaxing by throwing plastic discs or footballs.

**MOTHERS AND CHILDREN, TOO**

Scores of young couples sat in the sun and mothers from the neighborhood sat with their children in the area, as usual.

The five members of Students for a Democratic Society who surrendered were Juan Gonzalez, Thomas D. Hurwitz, Lewis Cole, Henry M. Gehman and Robert H. Roth. The first three are no longer students.

William M. Kunstler, one of the attorneys for the defendants, arranged for their surrender. He said he assumed they would be charged with criminal contempt, with a maximum sentence of a \$250 fine or 30 days in jail. Specifically, he said, they were accused of "willful disobedience of the mandate of the court."

Though the surrender came on the heels of the occupation of Fayerweather and Mathematics Halls, the charge dated back to the occupation of Philosophy Hall on April 17, by S.D.S. members and supporters.

When Philosophy Hall was occupied, Columbia obtained a restraining order banning obstructive or disruptive demonstrations on the campus. On Wednesday night the university obtained a show-cause order requiring the occupants of the building to appear in State Supreme Court on Thursday morning.

**SHERIFF GETS ORDER**

None of the S.D.S. members showed up before Justice Charles Marks, and he then ordered Sheriff H. William Kehl to arrest any persons who could be identified as having occupied the two buildings.

The radicals fled the two buildings on Thursday shortly before noon, within minutes after warrants for their arrest were signed in the court.

At the rally before they went to court, the S.D.S. leaders conceded they had made some mistakes, but insisted they would profit by their experience and be back stronger than ever in September.

"This will not stop the movement," said Mr. Gonzalez. "Out of this struggle has

emerged a new leadership that will lead the S.D.S. and the black students next fall."

[From the New York Times, May 3, 1969]

#### FACULTIES' FAILURES

To the Editor:

Abject capitulation to student violence at Cornell climaxes a series of surrenders which may destroy the university in America as a place of free inquiry and respect for morality and law. Unbridled attacks on faculties, destruction of property and wanton breaking into private files would be crimes punishable under law in any other context. [Editorial April 26.]

Yet, mature members of the university condone these criminal acts and avoid disciplinary action. Is an attack on a dean less an assault and battery when committed by students? Are destruction of property and defamation of character less criminal when perpetrated by undergraduates? Breaking into confidential files is common thievery, but such action is excused by members of the faculty.

Culpability for this campus turmoil rests squarely with the faculties. The irony is that scholars who urge free inquiry and pride themselves as pragmatists have failed in this time of crisis. Torn between academic loyalty and empathy for student rebellion, they offer no viable alternative to violence, preferring to vacillate in a morass of indecision while democratic institutions are destroyed, attitudes polarized, and violence, feeding upon violence, spreads from campus to campus.

The faculties have failed themselves, their students—who sense weakness and exploit it—and society. Because the dissidents number relatively few, the present chaos might have been avoided had the faculty galvanized the majority of middle-ground students into a positive program, recognizing the right of dissent, but not the right to destroy.

Common cause among faculty and students would have prevented deterioration into either/or alternatives—either capitulate or call in the police. Confronted by a united faculty and students, the militants would have had to desist or face rejection by their peers. That scholars chose to vacillate may well mean the tragic demise of the university as the one place in society where sanity and reasons might have prevailed.

CHARLES S. STEINBERG,

Chairman, Committee on Higher Education, Public Education Association.

APRIL 23, 1969.

[From the Washington Daily News, May 3, 1969]

#### IN THE OFFING

Evidence indicates leaders of student disorders are being financed from Cuba and Algeria.

Red Chinese use both countries as centers from which to foment revolution.

Evidence is in hands of Senate Investigations sub-committee headed by Sen. John McClellan, D-Ark. He has had staff men at work for weeks in many parts of the country and is ready for hearings—probably opening Friday—to put evidence on the record.

McClellan investigators worked closely with intelligence chiefs of police departments in cities where Students for a Democratic Society (SDS) have been active. Twenty of them met secretly here this week with Sen. McClellan and his staff to poll information on student disorders.

Sub-committee hearings will disclose evidence of a "troika" of Marxist-oriented militants who send orders to comrades in college trouble spots. Sub-committee investigators believe most SDS activists are directed by:

Michael Klonsky, national secretary from New York who is the son of an old-style Communist Party organizer; Bernadine Dohn, international organizing secretary who de-

scribes herself as a "revolutionary Communist," and Fred Gordon, national education secretary of SDS who operates out of Chicago.

Sub-committee will attempt to disclose organizational operations of SDS, Black Panthers, and other militant groups. Its running into trouble, however, because New Left groups keep no membership lists, no records of operating plans.

Some of the testimony will come from government security agents who have infiltrated SDS. (After violence last week at George Washington University, a student disclosed he had been working undercover for the FBI for four months.)

#### THREE CAMPUS PROBES POSSIBLE

There may be three other investigations of campus violence.

Sen. Everett M. Dirksen, R-Ill., wants Senate Internal Security sub-committee, chaired by Sen. James Eastland, D-Miss., to explore Communist connections of student rioters, determine whether Subversive Activities Control Act has been violated.

House Internal Security (formerly Un-American Activities) Committee plans to investigate.

House Education sub-committee headed by Rep. Edith Green, D-Ore., has been looking into student unrest in connection with proposals to cut off Federal aid to students and colleges involved in disorders. She'll hold hearings.

#### UNITED STATES READY TO ACT ON RIOTS

Decision for Federal action on college crisis was made when President Nixon and FBI Chief J. Edgar Hoover met at Camp David last weekend.

Federal government can't take over law and order role from local officials, but it can call Federal grand juries to indict under 1968 Civil Rights Act which forbids crossing state lines to incite riots.

Justice Department is expected to summon grand juries in hot spots in all parts of the country. Department has evidence of trips taken by SDS leaders, amounts spent. Agents have followed some of them and learned purpose of trips thru infiltration.

Justice is ready with evidence against some 60 SDS leaders, but will move first against a dozen of them, hoping indictment of ringleaders will curtail their operations.

#### COLLEGE RIOTS COSTLY

There have been demonstrations on 200 college campuses, Attorney General John H. Mitchell says. Property damage has amounted to \$2.2 million. Half the damage was suffered at Berkeley Campus of University of California, where there have been four cases of arson and two bombings in past eight months.

Altogether there have been 2,300 arrests—less than four-tenths of one per cent of total college enrollment.

[From the Washington Post, May 2, 1969]

#### HARVARD BLACK MILITANTS: A SAD, SELF-DEFEATING STORY

(By Joseph Alsop)

CAMBRIDGE, MASS.—A hundred scruffy young men and women shouting obscenities and insults at an unprotected, 58-year-old woman scholar of extreme distinction and famous disinterestedness—that is a fairly typical spectacle of the "student revolution."

This splendid display of "meaningfulness" and "relevance" was put on the other day at Radcliffe, for the benefit of Radcliffe's president, the eminent microbiologist, Dr. Mary Bunting. Yet if the universities themselves will only hold firm to the end, it will do no grave, permanent harm if Harvard's and Radcliffe's few score whites of the students for a Democratic Society go to hell in their specially chosen hank.

At Harvard, the true underlying tragedy lies, rather, among the black militants. These

young people, sought out by Harvard and Radcliffe, should be standardbearers leading their people out of the wilderness of exclusion and injustice.

But only consider the sad and self-defeating story of the militants' success in intimidating the majority of the Harvard faculty! It was a story that began both well and hopefully, with the much-abused university administration's decision that serious black studies ought to be included in the Harvard curriculum.

To this end, a preparatory committee was formed. It was led by the able economist, Prof. Henry Rosovsky, plus the faculty's most prominent Negro member, the admirably careful student of modern African government, Assistant Prof. Martin Kilson.

The committee recommended what may be called an embryo black studies department, inter-disciplinary in character. It was to become a full department as enough scholars matured, and enough materials were gathered, for a solid, independent scholarly discipline. All welcomed this recommendation.

The difficulties had already become apparent, meanwhile even before the SDS opened its assault on Harvard. Three scholars were asked to come to Harvard to launch the embryo department. But despite Harvard's normal attractive powers, plus certain special inducements, all three of Harvard's first choices turned Harvard down flat.

Then came the SDS attack on Harvard, followed by an attack of the more extreme black militants. The militants demanded immediate creation of a full-fledged black studies department with student "participation." Among the faculty, too many were quivering with guilt, or wiggling with masochism, or twittering with terror. The habitual advocates of peace-at-any-price were also numerous, as you might expect.

So a large majority of the faculty prostrated themselves before the threats, and granted the demands. Prof. Rosovsky publicly resigned from the preparatory committee, on the ground that grave decisions taken under threat were usually very bad decisions. More significantly, Prof. Kilson backed Prof. Rosovsky to the hilt.

"I was sad," said the black scholar later, "that the faculty decided it would rather have peace than a decent academic program."

As to what will come now, Prof. Kilson has further said that it can hardly be better than an "ideological" version of "basket-weaving or home economics." And he has added the somewhat bitter "hope" that it may "do some good for the black kids who need that sort of thing," as well as "the white masochists who enjoy it."

The dreadful truth is that this forecast is just about certain to be correct. Think of those first three scholars who rejected Harvard's invitation, under much better conditions, mainly because they feared they were being invited to walk into a wasp's nest. Then remember that the new "participatory" committee includes three representatives of the militants' Association of African and Afro-American Students, plus three more intending concentrators in black studies, with only a majority of one of academically mature committee-members.

Any fool can foresee what the new department will be like—if it ever gets off the ground at all. One can also foresee its value. Those "white masochists" of Prof. Kilson's can always find other pleasures, to be sure. But what of the black students? The dire fact is that ideological basket-weaving is a very poor way to lead any excluded community out of the wilderness. That does not mean that there is not an urgent need for academically serious black studies—which Harvard now has little or no chance of offering, by vote of the faculty.

But that most emphatically means there is danger of black students neglecting the door-opening opportunities, by which excluded minorities have always been led into

the American mainstream. In the whole sorry mess, perhaps the worst story was the one concerning Harvard's almost unique, very promising black physics-major.

The physics-major came to one of the deans to ask for transfer to Virginia, "because I can't get any work done here." He was, of course, being threatened with violence by the ultras, simply because he wanted to stick to door-opening work.

[From the Washington Evening Star,  
May 2, 1969]

RUSTIN RAPS "SOFT" COLLEGES  
(By Brian Sullivan)

NEW YORK.—Bayard Rustin, long-time Negro civil rights leader, says colleges are taking a cheap way out by agreeing to Negro students' demands for black studies programs.

Instead, he says, colleges need to develop massive—but expensive—remedial projects to improve the scholastic level of Negro students and to enable them to make their academic way.

In a question-and-answer session with a reporter on Negro unrest on the campus, Rustin deplored violent protests and said it was humiliating to see college administrators and faculty submitting to Negroes with guns.

They wouldn't submit to "Ku Klux Klansmen coming on campus with guns," he said, and suggested this indicated the college officials didn't really consider Negroes equal to whites.

"They say, well, it's only Negroes behaving that way. They wouldn't tolerate this from white students," he said.

Rustin, who organized the March on Washington in 1963 and now is executive director of the A. Philip Randolph Institute, said Negroes had made substantial gains in educational opportunities.

"It is therefore all the more tragic that instead of taking advantage of the opportunity for learning, they are reducing the situation to a series of courses that cannot really prepare them for the kind of life they have to live."

The interview ranged over a spectrum of Rustin's views on campus problems, Negro militancy, and faculty reactions and concessions. The questions and answers:

Q. How do you view the efforts to establish separate black studies departments?

A. I am very much opposed to separation under any circumstances and I'm also opposed to black studies. And I believe it is a grievous mistake that there has not been the study of Negro culture history, but I'm opposed to it as black studies, because I believe there should be the integration of Negro contributions into the American historical forces, into the economic forces, and into other forces. For example, I don't think you should study the American Revolution without studying Crispus Attucks.

But in this country, to try to separate the black experience from the American experience, is ridiculous.

Q. Do you think that the college militants, black or white, have a valid protest?

A. I think there are valid reasons for protesting. I think administrations have been insensitive to the needs of college students. I think that in a society where we have war, racism and poverty, young people are justified in protesting.

Q. What kind of demonstration would you lead on a campus in a protest you consider justified?

A. I believe people have the right to withdraw. They have the right to go on strike, but not to interfere with other people. They have the right to refuse to get to classes, they have the right to carry on any form of non-violent protest.

Q. Do you think Negroes have made significant gains in the past few years, within the education system?

A. I think there has been a number of important gains. The U.S. government expects that by 1975 there will be 400,000 Negro college students. The fact is in 1969 there are over 400,000. We are way ahead of schedule—largely because of the education bill which President Johnson introduced and Congress passed. There are many, many campuses where only three or four years ago Negro students did not have an opportunity to attend. Now they have been offered scholarships, or special cases have been made to encourage Negro students to come on campus.

It is therefore all the more tragic that, instead of taking advantage of the opportunity for learning, they are reducing the situation to a series of courses that cannot really prepare them for the kind of life which they have to live when they get out of college. Now here again I'm all for studying in an integrated manner. Just as I'm for integrating whatever contributions Jews and Irish and Italians made into our whole history, I'm for integrating the contributions of blacks. However in the long run, what one has to come out of college with, is a degree which prepares one to do something significant in the society. We need doctors, we need lawyers, we need people with degrees in economics and sociology and a myriad number of things. People ought to use their time in college really to specialize and to be able to make a contribution.

Q. There were reports that black students at Cornell armed themselves from fear of an imminent attack by some white students. You mentioned psychological stress that the ghetto student is under when he is dropped into an Ivy League school. How are you going to resolve this?

A. That is a police matter or, better still, a matter for the university to take care of. If the university cannot take care of it, then it's a police matter. I think there's been brutality to Negroes for centuries. We have been able to mount a concern about brutality to Negroes precisely because people were fairly convinced that Negroes were not engaged in aggressive violence.

It's going to be increasingly difficult now when people see pictures of young Negroes carrying guns for us to get attention called to that degree of brutality which is still left in our society. People will get the notion that Negroes are engaged in aggressive violence, and therefore, that the brutality may be justified. So I think these people are doing us a grave disservice with these guns. And I simply do not believe that there are organized groups of white college students on campus, at this point, which are prepared to attack Negro students with violence and guns. If Negro students continue to carry guns, that may very well happen later.

Q. How are we going to resolve this, given the feelings of the black militants?

A. The college administrations will have to be honest with themselves, and first of all, believe that Negroes are equal to other people and treat them accordingly. If Negroes and any other students engage in this kind of behavior, something must be done to prevent it.

And I think the college administration needs to stop playing young Negroes cheap. Now everybody knows that the ghetto schools and high schools are basically inferior. Efforts to get more youngsters into college and through college is a good idea, but it must not be done in a cheap way. . . .

Let me put it another way. There is no Italian history of the United States. There's no Jewish history, there's no black history, there is American history and whatever role Jews, Italians and blacks have played in it ought to be written as it occurs and integrated into the whole picture. Therefore, you have American history. The problem is we have not yet had American history, because blacks have been excluded. You don't deal with that problem of American history by doing the opposite thing now.

Q. In summary, what's the root of the campus problems?

A. One of the problems is that young Negroes are facing the shock of integration. They have been partially integrated, but there is a distance in their minds between what they aspire to be and what the conditions they have lived under makes it now possible for them to be. The conflict between this aspiration and ability creates many internal confusions.

Therefore one is often tempted, instead of fighting that conflict through to revert to one's self, to look inward. . . . So that if I set up courses myself I'll set them up so I can pass them. And that, you see, is what I mean when I say there should be lots of money and energy spent in helping the young Negro over that psychological barrier. There's only one way to do that. That is to give him enough tutoring, enough remedial work so that when he does finish college, he will finish on a par with all other students.

CATHOLIC BISHOPS URGE EXTENSION OF NATIONAL LABOR RELATIONS ACT TO FARMWORKERS

Mr. WILLIAMS of New Jersey. Mr. President, as the chief sponsor of S. 8, a bill to extend the National Labor Relations Act to farmworkers, I was heartened to learn that the Catholic Bishops of the United States, at their recent meeting in Houston, had adopted a resolution urging enactment of such legislation.

I ask unanimous consent to have printed in the RECORD the text of a telegram received from Msgr. Francis T. Hurley, associate general secretary, U.S. Catholic Conference, advising of this resolution.

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

HOUSTON, TEX.,  
April 18, 1969.

Hon. HARRISON WILLIAMS,  
Senate Office Building,  
Washington, D.C.:

The following telegram was sent today to the Vice President of the United States and the Speaker of the House of representatives quote the farmworkers strike now enters its fourth year. Justice and promised legislation are delayed. Boycott not way for speedy solution but now considered by the workers as their only strategy to awaken conscience of the Nation. Catholic Bishops of the United States convene in Houston urge present Congress to extend NLRA to agricultural workers. Right to organize must be realistically vindicated. The end of current chaos requires action on your part. The restoration of good will and order will redound to the benefit of growers and the public at large unquote. I forward this to you because of your great concern over the farmworkers strike.

Msgr. FRANCIS T. HURLEY,  
Associate General Secretary, U.S. Catholic Conference.

IMPROVED RESTRICTIONS NEEDED ON ARTIFICIAL SWEETENERS

Mr. NELSON. Mr. President, I am urging the Food and Drug Administration to restrict cyclamate-sweetened products on a prescription-only basis to the public.

The FDA recently proposed regulations on labeling and ingredient content for cyclamate, a widely used substitute for sugar. As they stand now, the proposed regulations fall short of providing full protection for the American public.

Tens of millions of children and adults across the Nation are unwittingly being exposed to potentially serious health hazards by the unnecessary consumption of cyclamate-sweetened soft drinks, cereals, desserts and "sugar" coated pills.

Increasing scientific evidence indicates that cyclamates can cause chromosome breakdown, the birth of undersized offspring in animals, interference with effectiveness of certain antibiotics, persistent diarrhea, liver disease, skin irritation and eruption, difficulty with blood clotting and high blood pressure.

Despite these dangers, unknowing mothers are serving glass after glass of cyclamate-sweetened Kool-Aid and soft drinks to their children. Concerned mothers are finding it increasingly difficult to find flavored beverages without cyclamates.

According to the proposed FDA guidelines for cyclamate consumption, the cyclamate content of some soft drinks is so that a 50-pound child would exceed the recommended total daily limit of 1,150 milligrams by drinking a single bottle.

The Soviet Union has already banned the use of cyclamate-based foods and France has restricted its use to a prescription basis. Food processors in other countries have voluntarily eliminated the use of cyclamate in their products.

Cyclamate was originally developed as a sugar substitute for diabetics and others forced to restrict their intake of ordinary sweets, only about one person in 10 in the population.

But now cyclamates are being used by an estimated 125 million Americans who have no real need for a nonnutritive artificial sweetener and probably are unaware that they are consuming the chemical.

Although cyclamates are promoted as aids to weight reducing, at least one researcher has found that they actually stimulate the appetite and lead to weight gain and not loss.

The FDA's proposed regulations require that the amount of cyclamates in milligrams be printed on the product label along with a statement that adults should not ingest more than 3,500 milligrams per day and children not more than 1,200 milligrams per day. Bottled soft drinks can contain between 380 and 1,440 milligrams.

The agency also set a limit of 25 parts per million in cyclamates for cyclohexylamine.

From research thus completed, cyclohexylamine has been proven to be the most dangerous component of cyclamates. It has been linked to chromosome breakage and the disruption of bodily processes.

The agency's proposal to restrict cyclohexylamine to 25 parts per million in cyclamates is virtually meaningless. The amount of this toxic chemical in the original cyclamate has little relation to the quantity that finally ends up in the body.

For some time, researchers believed that cyclamates passed through the body unchanged. Now through studies done by the Wisconsin Alumni Research Foundation, it has been discovered that

cyclohexylamine often turns up in the blood and urine of cyclamate users, proving that the sweetener breaks down during consumption.

Additional research has shown that cyclohexylamine is created when cyclamates are combined with other foods and chemicals and by the digestive action in many humans.

Due to both of these processes, the total amount of cyclohexylamine in the human body could be substantially more than the initial amount in the cyclamate.

The FDA should modify its proposed regulation concerning cyclohexylamine to take this situation into account.

I am also concerned about the FDA's proposal to eliminate the special dietary statement presently on the labels of cyclamate products. The current label bears the phrase that cyclamate products should be used "only by persons who must restrict the intake of ordinary sweets."

Even though this present statement leaves much to be desired in terms of an effective health warning, it would be a step backward to remove this advice to consumers at this time.

The FDA should launch comprehensive consumer research studies to find better means of educating and informing the public about recommendations for the use of certain drugs and food products. It is growing increasingly evident that simple labeling statements usually go unnoticed by most people and are not the answer to effective consumer information.

Additional research is also vitally needed to determine the effect of cyclamates on pregnant women, teenagers and the chronically ill.

I ask unanimous consent that the text and tables of a recent article on cyclamates and soft drinks which appeared in the Washington Post be printed in the RECORD.

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

LABELING IS PROPOSED ON SOFT DRINK  
CONTENT  
(By Morton Mintz)

The labeling requirements proposed recently by the Food and Drug Administration for soft drinks and other products artificially sweetened by a cyclamate are based on recommendations of the World Health Organization and the Food and Agricultural Organization.

The two United Nations organizations said the daily intakes should not exceed 23 milligrams per pound of body weight.

The FDA proposal would require manufacturers not only to list the cyclamate content in milligrams, but also to say that in a single day an adult should not ingest more than 35,000 milligrams and a child not more than 12,000. The level for an adult assumes a weight of 154 pounds and the level for a child 54 pounds (although an intake of more than 500 mg. is cautioned against regardless of body weight).

The first of the two accompanying tables relates the recommended maximum intake of 23 mgs. per pound of body weight to specific weights.

The second table lists figures released by the FDA on the cyclamate content of many popular soft drinks. According to the National Academy of Sciences-National Re-

search Council—which deems totally unrestricted use of cyclamates "unwarranted" but a daily intake by an adult of up to 5,000 mg. probably without hazard—soft drinks account for 70 per cent of the use of cyclamates.

TABLE II.—DRINK, SIZE, AND CONTENT

Trade name	Fluid ounces	Declared cyclamate content (milligrams)
<b>COLA TYPES</b>		
Tab.....	10	450
Diet Pepsi.....	10	600
Diet Rite.....	10	380
Grand Union.....	12	720
Trim.....	10	330
Dr. Pepper.....	12	260
<b>CITRUS TYPES</b>		
Fresca.....	10	600
Wink.....	10	380
Like.....	10	300
Cragmont Orange.....	10	1,160
Grand Union Orange.....	12	1,160
Grand Union Lemon.....	12	900
<b>MISCELLANEOUS TYPES</b>		
Cragmont Grape.....	12	1,160
Cragmont Root Beer.....	14	1,160
Cragmont Gingers Ale.....	12	860
Grand Union Grape.....	12	900
Trim Burgundy.....	32	1,440
Suburban Club Golden Ginger.....	16	1,220
Suburban Club Almont Smash.....	16	1,220
<b>DRY BEVERAGE BASES</b>		
Trade name	Weight (grams)	Declared cyclamate content (milligrams)
Kool Aid Lemon Lime.....	4.8	1,690
Kool Aid Grape.....	4.8	1,620
Cragmont Grape.....	8.5	2,980
Cragmont Strawberry.....	8.5	2,980
Pillsbury Lime (Loud-Mouth Lime).....	4.7	1,320
Pillsbury Grape (Goofy Grape).....	5.7	1,830
Pillsbury Lemon (Baron von Lemon).....	7.1	930
<i>Body weight, recommended intake limit of cyclamate</i>		
[In milligrams]		
Body weight in pounds:		
40.....		920
45.....		1,035
50.....		1,150
55.....		1,265
60.....		1,380
65.....		1,495
70.....		1,610
75.....		1,725
80.....		1,840
85.....		1,955
90.....		2,070
95.....		2,185
100.....		2,300
105.....		2,415
110.....		2,530
115.....		2,645
120.....		2,760
125.....		2,875
130.....		2,990
135.....		3,105
140.....		3,220
145.....		3,335
150.....		3,450
155.....		3,565
160.....		3,680
165.....		3,795
170.....		3,910
175.....		4,025
180.....		4,140
185.....		4,255
190.....		4,370

*Body weight, recommended intake limit of cyclamate—Continued*

[In milligrams]	
Body weight in pounds:	
195	4,485
200	4,600
205	4,715
210	4,830
215	4,945

**CHARLES B. ELBRICK, AMBASSADOR TO BRAZIL**

Mr. COOPER. Mr. President, I was pleased when the Senate, on May 1, confirmed President Nixon's appointment of a veteran diplomat from Kentucky to be Ambassador to Brazil. The new Ambassador is Mr. Charles B. Elbrick who has had a distinguished career of 38 years in the Foreign Service.

Mr. Elbrick is at present serving as our Ambassador to Yugoslavia, a post to which President Johnson appointed him in 1964. He also has served as Ambassador to Portugal.

During the administration of President Eisenhower, Mr. Elbrick was a deputy assistant and assistant Secretary of State for European affairs. He also has been assistant chief of the State Department's Eastern European Affairs Division, counselor of the Embassy at Panama, counselor to the North Atlantic Council delegation in London and counselor of the American Embassy in Paris.

A native of Louisville, Mr. Elbrick is a graduate of Male High School in that city, and of Williams College. The people of Kentucky are proud of Ambassador Elbrick, because he is a distinguished citizen of the State, but even more because his experience and wisdom, and dedication have enabled him to render outstanding service to our country.

**TRIBUTE TO A. PHILIP RANDOLPH**

Mr. WILLIAMS of New Jersey. Mr. President, on May 6, 1969, richly deserved tribute will be paid to A. Philip Randolph, who on April 15, 1969, celebrated his 80th birthday. In as full and active a life as he has led, it is impossible to recall all of his efforts for the betterment of man, particularly the workingman. He is remembered for his long and courageous fight to organize and then obtain recognition for the Brotherhood of Sleeping Car Porters. His call for a march on Washington in 1941 led to the issuance of the first Executive order prohibiting employment discrimination by Government contractors. He has been a most ardent supporter of the efforts to achieve the basic rights for migrant farmworkers. And, at the age of 80, he is still young enough to be fighting for the rights of unorganized hospital attendants in South Carolina.

An editorial published in the Trenton Times and an article by Whitney Young, published in the same newspaper, reflect the debt we owe to Mr. Randolph. Because of the importance of his life's work to all of us, I ask unanimous consent that the editorial and the article be printed in the RECORD.

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

[From the Trenton Times, Apr. 16, 1969]

**RANDOLPH AT 80**

A. Philip Randolph, 80 yesterday, is rounding out a courageous and constructive life. Mr. Randolph, who retired last year as president of the Brotherhood of Sleeping Car Porters, was the chief founder of that organization in 1925. A Negro, he organized the Negro labor union at a time when the organization of a union even by white men was a dangerous and desperate business.

A civil rights activist whose primary aim was to unite all the scattered segments of the working class—the Negro included—he made tremendous contributions to the rights cause. For one thing, he organized Negroes for a March on Washington in the early days of World War II to protest discrimination in government and in the defense plants; the march was called off after the threat of it had literally forced President Roosevelt to sign an executive order banning discrimination in the war industries and setting up the Fair Employment Practices Committee.

A socialist and gadfly, Mr. Randolph produced radical writings and made soapbox speeches in an earlier era that prompted the Justice Department to call him "the most dangerous Negro in America."

Neither the Justice Department nor anyone else would call him that today. Most will join, at least in spirit, in the tribute planned for him on May 6, at which, it is hoped, \$250,000 will be raised to carry out his life's work through the A. Philip Randolph Institute.

[From the Trenton Times, Apr. 14, 1969]

**REVERED FIGURE—A TRIBUTE TO RANDOLPH**

(By Whitney M. Young, Jr.)

It's hard to believe, but one of the most revered figures in the civil rights movement, A. Philip Randolph, will be 80 years old, tomorrow. Still vigorous, Phil Randolph has become a legend in his own time.

It's easy to be militant today—everyone is. But Phil Randolph was militant back in the early part of this century, when lynching was still a favorite Southern pastime, and Northern racism was rampant.

In those bitter days, Randolph edited a radical news magazine, *The Messenger*, and spoke at meetings all over the country. I remember, as a young man in Louisville, Kentucky, listening spellbound to Randolph's rolling tones and splendid oratory.

**MANY HIGH POINTS**

Eighty years fighting for the full rights of black people and the oppressed everywhere have left many memories, many high points. I recall marching with Phil Randolph in the 1963 March on Washington, and other events in which he took part or in which he was a guiding figure, but I think two of his greatest accomplishments were the organization of his union and his role in getting a fair employment practice proclamation in 1941.

A. Philip Randolph is probably best known as the longtime head of the Brotherhood of Sleeping Car Porters, organized in 1925. Have you any idea of what it meant to organize any workers, but especially black workers in those days?

It is easy now to forget that unions didn't get full bargaining rights until the 1930's and that people used to work six and even seven day-weeks for a dollar a day. Those were the days when goon squads roughed up and even killed union organizers. And if things were bad for white workers, you can imagine what they must have been for black workers who had the courage to stand up for their rights.

But the Brotherhood defied the opposition of management, and it negotiated wage increases and better working conditions even before it was formally recognized in 1937. The union also helped black workers in other fields, for here was a black-run labor orga-

nization that stood up for the rights of the Negro worker. Phil Randolph became the Negro's voice within the labor movement, constantly prodding it to support equality. He formed the American Negro Labor Council to eliminate discrimination from labor's ranks and he continues this fight to the present day.

Most people, though, will remember Phil Randolph for calling, in January, 1941, for a March on Washington. The nation was starting to come out of a Great Depression that lasted for a decade. Defense factories were booming, and workers in them were getting high wages. But blacks were left out. Out of 30,000 defense workers in the New York area, less than 200 were black.

Phil Randolph and other leaders tried to get the President to do something about this, but Jim Crow was still riding high in those days. The nation was preparing for a war to preserve democracy, but it denied the most elementary democratic rights to black citizens.

So Phil Randolph, in the days when "Black Power" had yet to captivate the press told black citizens, "you have power," but "our problem is to hitch it up for action on the broadest, most daring, and most gigantic scale."

Official Washington flew into a panic. Mrs. Roosevelt, Cabinet secretaries, and other top people put pressure on Randolph to call off the March. But civil rights agencies like the Urban League and the NAACP closed ranks behind him and the March was scheduled for July 1.

F. D. R. SIGNED

On June 25, President Roosevelt gave in and signed an executive order prohibiting discrimination in defense industries and setting up a fair employment practices commission that became the model for later federal job action.

It is all too easy to become swept up by the latest fashions and the latest angry voices, and to forget the accomplishments of brave men like A. Philip Randolph. It is fitting that on April 15, the whole nation should say "Thank you and Happy Birthday Phil Randolph."

**WIDESPREAD PUBLIC INVESTMENT BUILDS A STRONG ECONOMY**

Mr. RANDOLPH. Mr. President, one of the principal strengths of the American economic system is the broad base on which it is built. Ownership is not limited, and Americans have the opportunity to invest their money in enterprises that are helping to develop a stronger, more secure Nation.

The importance of individual investment as well as its benefits has been stressed in a national promotion known as "Invest in America Week," April 27 to May 3.

This observance pointed out what happens when citizens invest their money in real estate, savings institutions, insurance and securities. Not only does such investment benefit the individual, but it is a vital force in the national economy. It goes into business, industry and government to develop jobs, increase production and expand services. It is an affirmation of faith in the future of America.

In more than 800 American cities, old areas are being replaced by new construction of all types. Each new building is a dramatization of how investment capital can be put to work.

Yes, the ability for widespread citizen participation in the growth of America

is essential to that growth. And this general participation is possible only in the United States.

#### PESTICIDE PERIL—IV

Mr. NELSON. Mr. President, in Sunday's Washington Post the pros and cons of the mounting pesticide issue were presented in articles by Dr. Thomas H. Jukes, a biochemist at the Space Sciences Laboratory of the University of California at Berkeley and Dr. Charles F. Wurster, an organic chemist at the State University of New York at Stony Brook.

The many points Dr. Jukes raises in his extensive article, "DDT: Boon to Man," are answered forcefully and directly by Dr. Wurster in his comprehensive report, "DDT: Bane to Our Environment."

Dr. Jukes says that the use of pesticides depends on the principle of selective toxicity. This is the main area of concern with regard to the use of DDT. Most pesticides, especially DDT and the chlorinated hydrocarbons, cannot distinguish between man's friends and man's enemies. They are almost as lethal to the beneficial insects and creatures as they are to destructive ones.

Dr. Jukes also cites "many" experiments carried out regarding the effects of DDT on human volunteers. From the information that has been available to my office, only a few studies—including one at a prison and another at a chemical plant—have been reported. One of the greatest difficulties in evaluating the effects of pesticides on human health has been the lack of any comprehensive research.

Another point raised by Dr. Jukes is the small quantity of DDT found in the fat of many fish and wildlife about which he says he is "not surprised or alarmed." As Dr. Wurster points out in his article, one of the most dangerous characteristics of DDT is biological concentration or magnification, which results in an increasing concentration of the pesticide progressively along the food chains until it reaches a serious and often lethal level.

A well-researched example of this dangerous phenomenon was documented in Clear Lake, Calif. In order to control a troublesome flying insect that hatches in the lake, the water was treated with the insecticide DDD—similar to DDT, yielding a concentration of 0.02 parts per million. Plankton, which include microscopic water-borne plants and animals, in the lake accumulated the DDD residues at five parts per million. Fish eating the plankton concentrated the pesticide in their fat to levels from several hundred to up to 2,000 parts per million. Grebes, diving birds similar to loons, fed on the fish and died. The highest concentration of DDD found in the tissues of the grebes was 1,600 parts per million.

Finally, Dr. Jukes raises the old claim that "the campaign against DDT is emotional and unscientific." I believe that this statement is completely refuted by the fact that distinguished scientists such as Dr. Wurster of the State University of New York, Dr. Robert Risenbrough of the University of California and Dr. Joseph Hickey of the University

of Wisconsin, among many other biochemists, biologists, zoologists, ecologists, and environmental scientists, are supporting efforts to bring toxic, persistent pesticides under reasonable sanctions in the United States.

It also should be remembered that two Presidential scientific advisory committees have urged improved controls of the uses of pesticides in the United States.

In my judgment, the most important recommendation of the Wiesner Committee in 1963 was the one urging cutbacks in the use of such persistent pesticides as DDT. The panel recommended:

The accretion of residues in the environment (should) be controlled by orderly reduction in the use of persistent pesticides. As a first step, the various agencies of the Federal Government might restrict wide-scale use of persistent insecticides, except for necessary control of disease vectors. The Federal agencies should exert their leadership to induce the States to take similar actions. Elimination of the use of persistent toxic insecticides should be the goal. (*Emphasis added.*)

The report of the Environmental Pollution Panel of the President's Science Advisory Committee in 1965 also dealt with this subject. It recommended:

Research should be encouraged toward the development of pesticides with greater specificity, additional modes of action, and more rapid degradability than many of those in current use.

Pesticide effectiveness should be increased and total environmental contamination decreased by further research leading to the more efficient application of pesticides to the target organisms.

I ask unanimous consent that both the article by Dr. Jukes and the article by Dr. Wurster be printed in the RECORD.

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

#### PRO DDT: ITS USE SAVES UNTOLD LIVES

(By Thomas H. Jukes)

(NOTE.—A biochemist, Dr. Jukes is professor of medical physics and associate director of the Space Sciences Laboratory of the University of California at Berkeley. He points out that he does not have, and never has had, any financial interest in the manufacture of DDT and that he worked for more than 20 years for a firm (American Cyanamid Co.) that makes a competitive pesticide (malathion).)

The pesticide DDT is under vigorous attack. We are told that it is a "biocide," a poison that threatens many forms of life. A generation has grown up that knows little of what the world was like before DDT came into use, and of the changes made by DDT. This story must be told again, because disease and hunger always lurk in the shadows. There is not room here, however, for more than a brief mention of the conquest of major sicknesses by DDT.

DDT first became famous for its effect on a terrible disease, typhus fever, carried by body lice and spread by rats. In the book "Rats, Lice and History," typhus fever is given credit for being the deciding factor in all major wars before World War II. The Allied armies of liberation found that typhus was widespread among the survivors in the Nazi extermination camps. Dusting of prisoners with DDT promptly stopped the increase of typhus and undoubtedly stopped a catastrophic epidemic from spreading through postwar Europe.

Malaria is rightly called the "monarch of diseases." In tropical countries, it has been almost universal. Sir Macfarlane Burnet said that it is the main agent of infantile mortality there and that much of the backwardness of peasants in the tropics has been ascribed to malaria. For a large section of the world, malaria is the way of life—a short and sickly life.

During the liberation of Italy in 1944, the Allies applied DDT to buildings in the Tiber delta. As a result, primary malaria disappeared from the region, and in 1945 it was reported that the health of the population was better than it had been for 2000 years.

From these beginnings, the use of DDT was adopted in malarious regions throughout the world because it is a residual insecticide with effects on mosquitoes lasting for months. It breaks the life cycle of the malaria parasite, which alternates between warm-blooded animals and mosquitoes. Sickness has decreased and large, previously uninhabitable areas have been opened up to human habitation through the use of DDT.

In discussing a few of the many aspects of DDT, I shall not try to use technicalities, but some reference to chemical and biological topics is unavoidable.

The use of pesticides depends on the principle of selective toxicity. All chemicals, including DDT, are poisonous, depending on the dosage. DDT is far more poisonous to insects than to warm-blooded animals. Insects would eat up the food supply of mankind if they had the chance, and the only practical way to prevent this is to use chemicals that are poisonous to insects but relatively harmless to man.

As a safeguard, pesticides are required to pass toxicity tests, and the amounts permissible in foods are set far below the toxic levels. The Food and Drug Administration monitors the pesticide content of foods by taking samples for analysis. Sometimes a batch of food is condemned for being "over the line"; an example was the batch of Coho salmon from Lake Michigan that was recently seized.

These contained up to 19 parts per million of DDT. Ten grams of DDT, present in about half a ton of the salmon, would be an undesirable but not fatal single dose for one person. Men have had an intake of 18 mg of DDT per day for up to 19 years without detectable ill effects. This would correspond to eating two pounds of the salmon every day. Steps must be taken to stop the contamination, because it is undesirable and illegal. However, there is no immediate danger to public health.

DDT has been used to treat human beings far more than any other pesticide. It was applied as a dust to thousands of soldiers and civilians in the final year of World War II in typhus control. There was no injury to health, but it was obviously necessary to test the toxicology of DDT in controlled experiments.

Many such experiments were carried out with human volunteers who swallowed or exposed themselves to large doses, and information was also obtained from accidents. A single dose of about 700 milligrams for an adult is the borderline at which symptoms start to occur. About 20,000 milligrams (two-thirds of an ounce) has been eaten without a fatal result.

#### THE EFFECT ON INDIA

Of greater importance is the effect of prolonged daily dosage of small amounts. Here the information is far more extensive than for any other pesticide that is now widely used because, in several experiments, people were studied who had been exposed to DDT for up to 20 years.

The longest period of uninterrupted exposure was in the Montrose Chemical Co.'s plant in Los Angeles, where DDT has been produced exclusively and continuously since

1947. The turnover of employees is below average. Sixty-three men had from five to 19 years of relatively heavy exposure to DDT and 35 of them were given intensive medical examinations by a team of researchers from the U.S. Public Health Service.

There were no cases of either cancer or blood abnormality among the 35 men who were examined or in the records of the other 28 men. The medical scientists concluded that heavy exposure of men to DDT for nine to 19 years produced no clinical findings that were significantly different from what might be expected from a similar unexposed group. In plain language, DDT had no effect, in spite of the fact that 20 of the men in the study were absorbing 17.5 to 18 milligrams per day, year after year, and had stored DDT in their body fat. The intake was more than 400 times that of the average person who gets traces of DDT in his food.

The greatest "experiment" of all with DDT took place in India. It started in 1953, with American cooperation, and was stepped up in 1958. It depended on the fact that DDT is a residual (or, as some say, "hard") insecticide, which stays on buildings after spraying.

At the start, there were 75 million cases of malaria in India, and life expectancy for Indians was 32 years. By 1962, 147,593,270 pounds of DDT had been used, and life expectancy had jumped to 47 years. The deputy director of the Malaria Institute of India commented that "a new era in economic development and social progress has been initiated with its beneficial transformation of the life of the people . . . In the Terai region, land under cultivation and food grain production has increased and this region, once abandoned by its inhabitants because of the high incidence of malaria, has become a beautiful and prosperous area."

By 1967, Prof. Garnham estimated that there were fewer than 100,000 cases of malaria in India. Sir Macfarlane Burnet, in 1953, predicted appalling consequences of such a sudden conversion to a more vigorous and rapidly increasing population, including famine, emigration and intense internal and social repercussions. Many of these predictions have been fulfilled, but who would wish to limit populations by stopping the control of disease?

#### BIOLOGICALLY MEANINGLESS

How much is "zero"? Scientists recognize that zero exists only in theory.

Ever since man first appeared, the bodies of human beings have contained most or all of the so-called poisonous elements, including some that are radioactive. Shrimps contain far more "natural" arsenic than would be permitted as a contaminant under pure food laws.

Judgments on how much DDT can be tolerated in foods are forced on us by the fantastically delicate testing methods that are now in use. One of these, vapor phase chromatography, can detect chlorinated hydrocarbons, including DDT, in fractions of a part per billion. Such minute traces are biologically meaningless.

One pound of DDT, if spread uniformly over the United States, would deposit one billion molecules on every square foot of surface. The best methods of analysis could detect the amount of DDT deposited on 1000 square feet by this tiny "fallout," and so I am not surprised or alarmed by claims that penguins in the Antarctic contain 1/20th part per million of DDT in their body fat. It just means that vapor phase chromatography is incredibly sensitive.

Incidentally, 38 penguin tissue samples gave a negative result in this investigation, and there are nonpesticide compounds, the chlorinated triphenyls, that test similarly to DDT and have been spread widely over the world. I am sure that the same penguins contained arsenic and gold from the sea water, molecules of sulphur compounds from

New York City smog and radioactive carbon produced by cosmic rays. I am also sure that DDT is present in my fatty tissue, and I am not worried. I prefer this to malaria parasites or encephalitis viruses entering my blood from mosquito bites.

#### BIRDS AND ANIMALS

Public interest in wild birds and animals has grown widely in recent years, because we see the wilderness and its creatures vanishing as highways and subdivisions take over the landscape. We want to save our vanishing outdoor scene, and many conservation organizations have set up a great hue and cry against pesticides as a menace to wild life. I do not believe that the facts support such a concept.

Prof. R. L. Rudd said that the spread of suburbs, industrial pollution, the drainage of marshlands, the building of superhighways and the increase in numbers of people all have a disrupting effect on the wildlife population compared with which pesticides are of minor significance. Rachel Carson and her followers ignored this balanced viewpoint in favor of an emotional attack on pesticides, which are a convenient lightning rod to attract the indignation of many people who are alarmed by the onrush of technology.

Miss Carson attempted to discredit those who disagreed with her by saying that they were in the pay of the chemical industry. The same method of debate is used by some of her supporters. In January, 1969, a director of the Izaak Walton League was quoted on DDT as saying, "We are dealing with people concerned purely with the profit motive." One could point out that the publishers of "Silent Spring" made a handsome profit, but I prefer to discuss the effects of pesticides rather than to argue about the free enterprise system.

Many accounts of the effect of DDT on wild birds contain much "unfinished business" and indefinite findings. DDT undoubtedly has killed birds—for example, robins that got in the way of the nozzle when elm trees were being sprayed to control Dutch elm disease. Some bird-lovers stated their conviction that any robin that died for miles around was a victim of DDT.

It has become obvious that robins are not in danger as a species, despite the claim in "Silent Spring" that the robin seemed "on the verge of extinction." In 1963, the great bird expert Roger Tory Peterson said, "What is North America's No. 1 bird? Is it the house sparrow . . . ? The starling . . . now outnumbers it. The American robin is a more likely candidate than either. Found from coast to coast, it inhabits cities and forests alike."

It is said that DDT has caused a decline in the numbers of eagles and hawks, and sensational terms such as "extirpation" and "population crash" have been used in this connection. The spread of towns and cities is hard on hawks, and especially on eagles. So are hunters. Alaska, a few years ago, paid a bounty of 50 cents per claw for killing bald eagles. In 1962, the Fish and Wildlife Service reported that 91 percent of eagles found dead were killed by violence, usually gunfire.

A survey of the numbers of migrating hawks has been carried on continuously at Hawk Mountain, Pa., since 1934, except for World War II. The count in 1968 was an all-time high of 29,765, 30 percent higher than the previous record year, 1939. Ospreys are on the increase. Peregrine falcons have decreased in recent years, but are by no means extinct. The bald eagle count in 1968, which included 17 immature birds, was the same as the pre-World War II average, 55.

By far the commonest species (18,507) was the broad-winged hawk, which has a habit of eating caterpillars on fruit and shade trees, and hence should accumulate some pesticide residues. Its numbers in 1968 (18,507) were more than three times as great as the average count in the period 1935-42.

Eagles and hawks seem to be holding their own better than one would expect in view of the number of hunters and the increase in the human population.

#### BIRDS HAVEN'T HEARD

It has been claimed that DDT reduces the hatchability of birds' eggs by disturbing calcium metabolism. One version is that the disturbance causes thin eggshells, so that the eggs break before they are ready to hatch. Another account, in the London Observer April 14, quoted an international conference in Stockholm as stating that DDT causes "thickening of the shells of birds' eggs. If the shells become too thick, the chicks are unable to hatch." Most of the stories, however, seem to come from the "thin-eggshell" school of thought.

Some birds haven't got either of the two messages. In one experiment, quail receiving 200 parts per million of DDT in their diet produced eggs that hatched at a normal rate, 80 percent, as compared with 84 per cent for those without DDT. However, the young quail were so severely poisoned by the mothers' diet that only 32 per cent survived for two weeks and only 13 per cent for six weeks. In contrast, 83 per cent of the control birds survived for six weeks. Similar results have been reported with chickens. Obviously, the toxic effect was on the young rather than on the formation of the eggshell by the mother. In both experiments, the amounts of DDT fed were far higher than would be encountered under field conditions.

It is interesting to compare the numbers of birds seen per observer in the Audubon Society Christmas bird counts for 1941 and 1960, before and after the widespread use of DDT. The greatest increases are in grackles, redwing blackbirds, cowbirds, starlings and robins—up 11-fold to 131-fold. This may be a result of beneficial effects of DDT on wild birds. Insecticides kill certain lice that infest birds, especially baby birds.

I think, however, that by far the greatest effect of DDT on birds is to kill mosquitoes that carry serious diseases of wild birds, including malaria, Newcastle disease, fowl pox and encephalitis. This may explain the population explosion of redwing blackbirds. They dwell in swamps that are sprayed to kill mosquitoes. Obviously, such an effect upsets the "balance of nature."

#### THE "THIRD WORLD"

Why am I really for DDT? Why do I argue with my bird-loving friends? I was brought up to watch birds. Certainly the chemical industry can make lots of pesticides that are less "residual" (and more profitable) than DDT. But I am for DDT.

First, DDT is safe, and has been studied more than any other pesticide for its effects on human beings. Without pesticides, there wouldn't be enough food to go around. Next, the campaign against DDT is emotional and unscientific, and I object to this. Most important of all, DDT is needed by the millions of "Third World" people because it is a cheap, safe residual pesticide.

Prof. George Nelson sent me a picture of an African with "river blindness," caused by onchocerciasis, which, he says, afflicts between 30 million and 40 million people in Africa. In some villages, the adults are all blind, and are led around by children who face the prospect of blindness.

The disease is caused by a microscopic parasitic worm carried by a black fly that breeds in swiftly flowing streams. It was accidentally found—when a donkey carrying DDT fell in a river—that the fly larvae in streams are readily killed by DDT, and, as a result of this discovery, the black fly was eliminated from a large area in Kenya. This should break the cycle of infection, which depends on the parasite shuttling between people and flies. Is there hope for the children of the victims of river blindness?

An article published in 1967 predicted that the campaign against pesticides can cause deaths and sufferings greater than those of World War II. I agree with this prediction.

CON DDT: IT'S POLLUTING ALL THE WORLD  
(By Charles F. Wurster)

(NOTE.—A Ph. D. in organic chemistry, Dr. Wurster is an assistant professor of biological sciences at the State University of New York at Stony Brook. As chairman of the scientists' advisory committee of the Environmental Defense Fund, he has played an active role in efforts to restrict the use of DDT.)

A quarter-century ago, man launched a biological experiment of truly colossal proportions, inadvertently using most of the world's animals as the experimental organisms. That experiment was the large-scale introduction of the insecticide DDT into the world environment.

Not much was known in those days about either insect control techniques or about DDT. But World War II was on, DDT killed bugs and didn't kill people, and so the great experiment was begun.

By saving millions of human lives in combatting typhus and malaria, DDT played a vital role in World War II. The experiment thus had a glamorous beginning, and after the war, use of DDT skyrocketed as it became the panacea for all insect problems.

During the past 20 years, however, we have learned much more about the control of insect populations, and also about the environmental effects of DDT. The great experiment no longer looks so clever. Clearly, some aspects of the experiment have gone sour and, in fact, are taking on the dimensions of a disaster.

The residues of DDT (which include DDT and some of its breakdown products, especially DDE) seem to be almost everywhere—in soils never treated with insecticides, in birds and seals that never leave the Antarctic (although DDT has never been used on that continent), in most other animals and probably all of the world's human beings, and in the air, even in remote parts of the world. DDT residues even come down in the rain and snow. Probably more widely distributed than any other man-made chemicals, they have become the world's most serious pollution problem.

The root of this problem lies with the DDT molecule itself, for it combines four properties that are responsible for its behavior in the environment:

1. Toxicity to almost all animal life rather than simply the insect pest.
2. Persistence, so that it remains in its original toxic form for at least a decade and perhaps much longer.
3. Mobility, so that it doesn't remain where applied, but is carried about the earth by currents of water and air.
4. Solubility properties that cause it to be accumulated by living organisms, instead of getting "lost" in the oceans, in soils or in other inorganic parts of the environment.

It is hardly surprising, then, that contamination of animal life with this material is so incredibly widespread and that harmful biological effects are occurring. DDT is an uncontrollable compound once released into the environment, and it is senseless to speak of "controlling" its use or using it "discriminately."

It is further misleading to draw analogies between DDT and such other materials as salt, which is a much less toxic and entirely normal component of our environment, or aspirin, which is also less toxic and is readily degradable. The DDT problem is unique; only compounds with its combination of properties, such as several other chlorinated hydrocarbon insecticides, can behave similarly, and none of these has been used (fortunately) as extensively as DDT.

Since the beginning of its use, DDT has repeatedly caused wildlife disasters. At first, only the most obvious were detected. Soon after the war, the use of DDT in an attempt to control the bark beetle that spreads Dutch elm disease (a fungus) was begun, and the practice has been widespread since then. In 1946, biologists warned that the indicated dosages would be lethal to birds. They were right. Soil organisms such as earthworms, as well as flying insects, become contaminated and are eaten by birds, which receive a lethal dose and die with tremors, the typical symptoms of DDT poisoning.

Up to 90 per cent of all the birds in a community have been killed this way; well over 100 species have been involved in these mortalities. The process has been so thoroughly studied and documented by so many scientists in so many parts of the country that it is no longer of scientific interest. Yet this dismal sequence has been repeated again and again during the past 20 years as hundreds, perhaps thousands, of municipalities in the Eastern United States have killed millions of birds.

The ironic part of the story is that DDT is relatively ineffective, when compared with the process of sanitation in preventing the spread of Dutch elm disease. The town that depends on DDT loses its elms as well as its birds.

Since the 1950s, large areas of North American forests have been sprayed with DDT for spruce budworm control. In New Brunswick, Canada, where excellent salmon streams include the Miramichi River, DDT applications caused severe and widespread losses of salmon, trout and other fish.

In 1954, ½ pound of DDT per acre was applied to the Miramichi watershed, and not a single salmon fry was seen that year. These extensive fish mortalities were followed in later years by fewer adults taken in fisheries and returning as spawners.

Large fish kills from DDT have also occurred in Maine, Delaware, New Jersey, California and many other areas too numerous to mention. Other aquatic life, including crabs, crayfish, shrimp, frogs, toads and reptiles, is also highly susceptible to the toxic action of DDT. They, too, sometimes become involved in mass mortalities, but more often they just quietly disappear from areas where they were once common, leaving only the inevitable debate over what happened to them.

#### BIOLOGICAL CONCENTRATION

During the last five years, however, scientists have become aware of much less obvious, more subtle and insidious and far more dangerous effects of DDT. Because of its solubility properties, DDT residues are absorbed by living organisms from their environment. The chemicals thereby enter food chains at various levels and are then passed up the food chain, becoming more concentrated each step of the way.

The carnivores at the top of this food pyramid therefore show the greatest degree of contamination, with lower members of the food chain containing less and the nonliving environment the least. This mechanism, called biological concentration, can cause carnivores, especially fish and birds, to carry residues of DDT at concentrations more than a million times greater than that of their environment.

The result of biological concentration is that large fish and birds can become heavily contaminated often from an environment that seems relatively clean. Some measurements of environmental quality, such as water, air and soil analyses, may therefore be very misleading. A water analysis that shows the minute concentration of 0.000003 part per million of DDT looks harmless indeed, but represents false security.

Large birds and fish feeding in such a system may accumulate enough DDT to

diminish their reproductive capacities. One must analyze living organisms, rather than water, to monitor water quality. Yet the apologists for DDT quote such tiny numbers in their attempts to ridicule those who are concerned about the DDT problem.

Ornithologists have known for some time that the populations of certain birds of prey, including such well-known species as the bald eagle, osprey and peregrine falcon, have shown steep declines during the last 15 years. With some species, these declines appear worldwide in scope. The peregrine, for example, has become extinct as a nesting species east of the Rockies and has declined to a tiny fraction of its former numbers in the Western United States and Europe. Only very recently, however, have scientists learned the cause of these precipitous declines.

#### EFFECT ON LIVER

We now know that DDT is a hepatic enzyme inducer. This means that DDT causes the liver to increase greatly its concentration of certain enzymes. These induced enzymes modify steroid sex hormones, i.e., estrogen, progesterone and testosterone, thereby changing their biological action. In birds, estrogen influences calcium metabolism.

Since female birds of prey accumulate DDT residues from their contaminated food, induced liver enzymes destroy the birds' own estrogen supplies, thus causing them to lay inadequately calcified, thin-shelled eggs. Such eggs usually break in the nest or lose too much water through the thin shell, resulting in dehydration and death of the embryo.

Populations therefore collapse from low reproductive success. Extinction of a species can occur from such sublethal effects without the killing of a single individual.

Since the late 1940s when DDT was first introduced on a large scale into the world environment, carnivorous birds of many species on at least two continents (Europe and North America) have been laying thin-shelled eggs and population numbers have been collapsing. Included are not only hawks, eagles and other birds of prey, but many sea birds as well. There is no sanctuary from this insidious chain of events. Unless the use of DDT is stopped, we face the extinction of a long list of carnivorous birds over wide areas of the world.

Meanwhile, we are told of the good health of our avian populations, as indicated by increasing numbers of pheasants, quail, mourning doves, turkeys and other game species. But these are all herbivores. Short food chains are less subject to biological concentration; herbivores do not become heavily contaminated and their mention is irrelevant to the DDT problem.

Likewise, some birds of prey that feed on herbivores, i.e., red-tailed hawks, white-tailed kites and golden eagles, are also not involved for the same reason. Birds at the ends of long food chains are the ones in danger.

DDT residues can also cause the collapse of reproduction in fish. Residues are accumulated by adult fish from their environment and their food and are passed in increased concentration into the yolk of their eggs. The embryo develops, apparently normally, and the fry hatch. Final yolk absorption occurs after hatching, and at this point the fry are killed by poisoning with DDT.

Biological concentration results in higher DDT concentrations in the larger fish, which include most game and edible species. Thus when the watersheds of Lake George were treated with DDT, all lake trout fry were killed and there was no successful reproduction for several years. This effect has occurred in other lakes, and now the Coho salmon fishery in Lake Michigan is suffering a similar fate. Last year nearly a million salmon fry, representing 11 per cent of the entire crop, were killed by DDT in Michigan hatcheries.

## ACCUMULATING IN OCEANS

Analysis of large carnivorous fish and birds of the oceans now tells us that residues of DDT are accumulating in the ocean basins and contaminating oceanic food chains. In many cases, the degree of contamination is already as high as it is in many waters draining heavily treated agricultural land. From its properties, we must expect DDT eventually to reach increasing levels of accumulation and food-chain contamination in the oceans, and apparently this is happening.

The implication is clear. The failure of trout and salmon to produce viable fry in Lake George and Lake Michigan may soon be repeated among some of the world's major marine fisheries, if it is not already occurring. Some commercial species have indeed shown sharp and unexplained declines during recent years. The prospect is hardly reassuring for those who look to the sea for the increased food supply required by an increasing number of human mouths.

There is also a bright side to the DDT story. We don't need it any more. Great progress has been made toward an understanding of insect populations and how to control them. Many biological control techniques are now known, and a long list of nonpersistent insecticides, such as sevin, malathion and abate, is available. Modern concepts of integrated control, i.e., the blending of both biological and chemical procedures to manipulate insect populations effectively and economically, have reduced DDT to a crude and disruptive ecological poison by comparison.

The propagandists with vested interests try to tell us that the food and fiber for a starving world depend on the continued use of DDT, but those days are far behind. Fortunately, we can choose effective and ecologically sane alternative methods of controlling insect pests. It is time to end the great experiment with DDT.

## DECISION BY PRESIDENT JOHNSON TO END BOMBING IN NORTH VIETNAM

Mr. FULBRIGHT. Mr. President, a second article by Mr. Henry Brandon in the Sunday Times, of London, involves the development of the decision of President Johnson to end the bombing in North Vietnam.

The account would, I believe, be of interest to the Members of the Senate and to the public, I ask unanimous consent that it be printed in the RECORD.

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

## WHEN THE BOMBING HAD TO STOP

All the world knew of the heavy American casualties in the Viet Cong's shock Tet offensive in February 1968. What nobody outside realized was the extent of the casualties suffered in Washington. Some of the most seasoned hawks were unnerved, and it fundamentally affected their view of the war.

Clark Clifford, Secretary of Defense; Dean Acheson, the perennial adviser to Presidents; and McGeorge Bundy, who still had the ear of President Johnson, all kept public silence, but all felt that no longer was the war worth the sacrifice it was demanding of the United States.

Dean Acheson, whom the President trusted as an old friend with a similar outlook on the war, had been given an optimistic briefing before leaving for a holiday in Antigua. Now after the offensive in which the Viet Cong reached the U.S. Embassy in Saigon, and all the major cities suffered heavily, he came to feel that the war was going to lose the election for Johnson and that the country was going to the dogs. Dean Acheson also

became convinced that the President was getting one-sided information. On his return from holiday he went to see Johnson and told him so.

Johnson immediately suggested that he talk to his advisers himself. Acheson demurred that this would not do: he would only get the same stuff the President was getting. He asked for authority to talk to anyone in the Administration. The President readily agreed.

Acheson (who had been Truman's Secretary of State) found his suspicions confirmed. The President was getting a one-sided picture, and at lunch alone with him in the White House Acheson said so. He also implored him to believe that it did not make sense to go on doing stubbornly what he had been doing, especially in view of General Westmoreland's latest request for massive troop reinforcements.

Westmoreland reminded him, he said, of an obstinate Civil War general who went on and on hoping for victory, however long it might take; but for Mr. Johnson time was running out. The war was ruining him and ruining the country, and couldn't be won in the foreseeable future. It seemed to Acheson that even a million men wouldn't make a difference. These were surprising views; Johnson confessed that he was deeply shaken.

Meanwhile, another old, reliable hawk flew off the perch. Clark Clifford, an intimate friend whom Johnson had just made Secretary of Defense to replace Mr. McNamara (who had become too dove-ish for him), had hardly been sworn in when he was asked by the President to preside over the examination of General Westmoreland's latest request.

All the principal Vietnam policymakers took part. Those supporting the request for further escalation, at least at first, were Secretary of State Dean Rusk, White House adviser Walt Rostow, and Generals Wheeler and Taylor. Those in opposition were Paul Nitze, Deputy Secretary of Defense, Paul Warnke, and Nick Katzenbach, who had succeeded George Ball as Under Secretary of State. This last little band had been in opposition for a long time, but lacked pulling power. In Clifford, however, they found a powerful and unexpected ally.

What made this policy review so important was that it became the education of Clark Clifford. It made him the most impassioned opponent of the war. Inevitably a war within a war developed, and personal bitterness grew. Clifford had reached very much the same conclusions as Acheson. Another massive reinforcement would only mean more fighting, more casualties, higher costs and a more deeply divided America.

President Johnson was even more upset by Clifford's defection than Acheson's. He personally shared the majority view, which he expressed in two emotional speeches delivered in mid-March, exhorting the nation to "win peace on the battlefield."

On March 25, with the hope of getting support for his viewpoint, Johnson summoned his "council of elder statesmen," men who had held high public office but were now outside the Government. They came to Washington once or twice a year, and up to then had given him solid support on the war. This time they stayed for two days of military, political and intelligence briefing.

On the second day they had lunch with the President. No members of the Government were present. Dean Acheson, who sat next to the President, offered to lead off, and Johnson agreed. Acheson warned that he might cause pandemonium with what he was going to say, but the President again encouraged him. Acheson then summed up his impressions of the discouraging briefings they had had, the heavy military losses, the damage to the Saigon Government's authority and the disarray in the pacification programme.

To his surprise his views were shared by more among those present than he had expected. The one who mattered most, because he too had been a strong supporter of the war; was McGeorge Bundy. He summed up for those supporting Acheson's view. (General Wheeler, the Chairman of the Joint Chiefs of Staff, later pointedly asked what sort of jerks had briefed the "wise men." Some of them thereafter worried about the briefers' future.)

At the lunch, Wheeler's presentation of his own views was unconvincing, as was his inability to define his objectives in the war. Later, when the President was asked what his objectives were, he was not very persuasive either. He simply repeated what he had enunciated in public speeches.

Acheson, who for some time had not believed in the efficacy of bombing, said it would serve neither to make the North Vietnamese give in, nor even to state what they would offer in exchange for a bombing halt; sooner or later, they would make their own concessions, without spelling them out in advance. He concluded that the American objective should be to maintain the government in Saigon at the lowest possible cost to the U.S., and that the U.S. should start withdrawing men, at least the "Coca-Cola pushers." This would not weaken the front lines.

This lunch upset the President: "Who poisoned the well?" he asked complainingly. But the poison now began to circulate in his own bloodstream, too. The man who resented "bitchers and moaners," who always believed that serious emergencies had to be met by men of guts (his preeminent example was Churchill), and that "good men will be strong in the face of aggression," was in a deep quandary.

He believed in Dean Rusk and Walt Rostow, both men of absolute loyalty to him. Rostow had helped him greatly; he was not only a tireless adviser, but he showed a tender, human, supportive feeling for him that was of great comfort. He often reminded the President that Lincoln, too, had suffered gnawing agony. On the other side were Clifford, Acheson and Bundy, all formidable men and once formidable supporters of the war, and now their views were ranged against his.

There were also in the background the warnings from the Secretary of the Treasury, Henry Fowler, that another massive troop increase could seriously weaken the dollar in the world markets. There was the verbal fire from the New Hampshire ambush, where Senator McCarthy, fighting a Presidential primary, was attacking President Johnson's war—an attack with a second prong in the form of Senator Robert Kennedy, who by then had also jumped into the fray.

## CLIFFORD GETS L. B. J.'S SPEECH CHANGED

Inside the administration Mr. Clifford continued to bear down on the President. He knew he was making the President's life miserable, but he stood his ground, firmly opposing both troop escalation and continuation of the bombing.

Anyone who has ever tried to argue with President Johnson knows what this entailed. It was like suddenly seeing a big bulldozer coming at you. One of his former senior advisers now says: "It was never a good idea to tell him directly what you thought. It was difficult to give him direct advice. You had to find methods of communicating with him. My preference was by memo." But Clifford held fast and withstood a lot of punishment, and an estrangement between him and Johnson set in.

The President was immovably opposed to a complete bombing halt, but when Clifford, as a halfway house, offered a partial bombing halt above the 20th Parallel, he seemed interested.

At a drafting lunch at the State Department on March 28, 1968—to discuss the speech the President was to deliver on March 31—Clifford convinced his opponents that the President would take a new tack. He wanted him to come away from the edge of the precipice where he continually stood. He wanted him to make clear that he was no longer thinking of escalation but how to winch down the war. And he wanted him to hold out to Hanoi the strong prospect of a mutual troop withdrawal.

Rusk did not oppose the partial bombing halt; he had in fact proposed something along these lines earlier in March, but on the assumption that the enemy would not accept it. Not even Harriman, who was a strong believer in negotiations, thought they would: the same idea, after all, had been transmitted to Hanoi once before via the Henry Kissinger channel, and without result.

Harry McPherson, the President's speech writer and legal counsellor, worked through the night to redraft the speech. When, next morning, the President queried a passage on page three of the draft, McPherson found to his great relief that the President was referring to a page in the new text. His stubbornness had given way, and he had accepted Clifford's new approach.

On Sunday, March 31, the President made his historic "abdication" broadcast, offering the unconditional bombing halt north of the 20th parallel if Hanoi would come to the conference table.

There is some reason to assume that the Hanoi leadership had come to much the same conclusion as Washington and at the same time. They had realized that they could not win a military victory. The fact that they accepted President Johnson's offer with such alacrity also leads the experts to think that they themselves may have been ready to make an offer. The Tet offensive, after all, did not accomplish what Hanoi had hoped for—the fall of the Saigon Government—and that must have led to a reevaluation in the Politburo.

After some acrimonious haggling over the conference site, Paris finally became the obvious compromise, but the talks throughout May and most of June only limped along. President Johnson became unhappy, and began to wonder whether he had made another mistake. Some of his aides suggested that he issue an ultimatum, and he came dangerously close to doing so. After several unproductive public sessions in Paris, Ambassador Averell Harriman and his deputy, Cyrus Vance, men endowed with great patience, finally decided that in order to find some common ground, they would have to go into private session.

Late in May and early in June approaches were made to initiate private meetings. The North Vietnamese in Paris neither accepted nor rejected the offer; they were clearly waiting for instructions from Hanoi. Finally, early in July, the yes was passed along. The first private meeting—they occurred at various levels between the two delegations—was between the two Press officers.

The North Vietnamese were cordial and correct, but it took time before actual negotiations developed. The central problem was to get them to agree to three basic conditions. President Johnson wanted specific assurances about a cessation of attacks against the cities, about a halt to infiltration across the Demilitarized Zone, and about productive talks which follow promptly and include the South Vietnamese Government.

Late in July Harriman and Vance proposed a complete bombing halt to President Johnson. Vance flew back to argue that the end of the shelling of the cities and a marked decrease in the fighting should be taken as an indication that the North Vietnamese were meeting the President's demands for reciprocal restraints. Vice-President Humphrey at

that point was quite obviously anxious to get the bombing stopped, but some of President Johnson's advisers and one or two of his private friends argued against it. He turned it down.

Late in September the North Vietnamese began saying that if the Americans stopped all bombing they could talk about these points. The crux of the problem was how to avoid the word "conditions." They were referred to only as "circumstances which would permit serious talks to go on."

Progress was finally made when the Russians joined a strange triangular diplomatic minuet. Harriman had said for a long time that the key to negotiations was the Russians' co-operation. He knew them well and they trusted him, believing him when he said that his aim was to advance the cause of peace.

But the Russians clearly had also decided that the time had come to help on Vietnam. The Russian Ambassador in Paris, Mr. Zorin, had been instructed to keep in touch with Harriman and to facilitate negotiations. There was a strange, highly sporadic aid. Sometimes they were unavailable for weeks, then suddenly they were available. Sometimes they even took the initiative.

The Russians wanted to avoid their own confrontation with the U.S., inevitable if the war simply continued, and to gain an important voice in South-East Asia.

Relations between Hanoi and Peking, meanwhile, had become strained. Soviet supplies were being delayed on the Chinese border and North Vietnamese delegations to Peking were not treated as friends and allies. However, when the North Vietnamese were asked about their relations with the Russians or the Chinese, they always replied that they were nationalists and the less they had to do with either of them the better. Once, during one of the private "tea breaks," Averell Harriman offered them caviar he had just received from Iran, but they refused. Kosygin, he was told, also brought some to Hanoi on a visit, but they didn't take it from him either.

By October 16, thanks to Harriman's skill in dealing with Communists and thanks to his shrewd way of being able to roll with the conversation, the curious diplomatic shadow-boxing had reached a point where the North Vietnamese indicated, through the Russians, what amounted to acceptance of the American conditions.

A bombing halt now looked a real possibility, and at this stage could have had a major effect on the Presidential election campaign. But new pressure from the South Vietnamese began to be felt. The White House relayed to Harriman a demand from President Thieu that peace talks had to follow within 24 hours of the halt. Ambassador Bunker, who had the difficult task of maintaining the morale of the Saigon Government, transmitted the request as essential to get South Vietnamese co-operation at the conference table.

The North Vietnamese resisted; they wanted more time to elapse, to obscure the fact that they had now agreed to conditional negotiations after insisting for years that they would never do so. In addition, they were put out by rumours of a "break-through" in Paris that emanated from the presidential palace in Saigon. These rumours implied that Hanoi had agreed to the American conditions for a complete bombing halt.

In what looked like an angry counter-move, they suddenly demanded a written agreement (which they said would not be for publication) that the bombing halt was "unconditional." But when Ambassador Harriman made it absolutely clear that President Johnson could not sign such a statement they withdrew the demand altogether.

There is little doubt that the North Vietnamese were in the end anxious to bring about an agreement, and that one of the

main reasons for their hurry was to influence the American elections. They did not want Nixon to win. They had read reports of his implied threat, during the Republican Convention in Miami, to use nuclear weapons in Vietnam and they didn't like it. They were now even willing to sit down with those "imperialist puppets," the Saigon Government.

When word was flashed from Paris on October 27 that the deal was clinched, President Johnson called back to Washington General Creighton Abrams, who had replaced General Westmoreland in Saigon. After a long tiring flight he arrived in the Cabinet Room in the White House at 2:30 a.m. on October 29. Nobody asked him, as would normally have happened, what sort of a flight he had had. All those assembled somehow felt that everybody was in the front line, that the Cabinet Room too was part of it.

The President immediately explained to Abrams that the North Vietnamese had accepted all his conditions; he would have to order the end of the bombing, but he did not want to issue the order "before he had looked him into the eye." Then he added: "We got them to Paris not by the cleverness of diplomacy, but by your go-go."

Abrams looked solid, composed, a man of calibre. "I don't know all the pressures on the Presidency," Abrams began firmly, "and I cannot assess all the dimensions, but I know we have to make a contribution to the new environment. I know that you are plunged into a cesspool of different motives at different times, but I believe that it is right to go ahead because to stop the bombing would get the talks off dead centre and I believe the war ought to be ended at the conference table." He looked the President straight in the eye and suddenly as one participant put it, it became clear why the President had replaced General Westmoreland with General Abrams.

#### DID THE DELAY KILL HUMPHREY'S HOPES?

The Paris logjam seemed broken. But again South Vietnam interfered later that day to Ambassador Bunker's great embarrassment. President Thieu reneged on his acceptance of his Paris agreement. His reason at first was that he could not get his delegation to Paris by November 2. By Wednesday there were several more excuses.

This infuriated Washington. What was the President to do? Should he now delay a deal because his ally was trying to obstruct it, or should he proceed without him? He decided that a commitment was a commitment, whether with an ally or foe, and so told Thieu that he would announce the end of the bombing that night (October 31) and it would actually stop the next morning. The President kept open a sentence in his speech in the hope that Saigon's agreement would come in time. On November 6, the agreed date for the start of the peace talks proper, Thieu's answer was still no.

It brought to a head the disagreement between Clark Clifford, on the one hand, and Rusk, Rostow and Bunker on the other, and turned it into a fierce and fundamental conflict. Clifford doubted that the South Vietnamese had any desire to negotiate, or any real willingness to assume responsibility for their own defence. They neither wanted the U.S. to withdraw her troops, which represented their best police force, nor to see a reduction in the enormous financial injection from US aid.

Clifford feared that the Saigon Government was trying to torpedo the negotiations. Without the President's consent he began something of a personal "crusade" against President Thieu which was resented by many in the Administration; it also, in effect, silenced his private telephone line to the President. Johnson became cold and distant with the man who had been one of his closest friends.

Clifford's passionate impatience was countered by his opponents with the argu-

ment that the Saigon Government had made great progress, elected its own constitutional assembly, and built up its army as a serious fighting force. To succumb to Clifford's arguments, they declared, could endanger all that the U.S. had achieved at such great cost.

The President could have had a bombing halt without Saigon's concurrence on about October 15, but Johnson was determined then to avoid any charge of "playing politics" with the halt. He had told Richard Nixon what his terms were, and he was going to stand by his words. On Wednesday, October 30, he informed Nixon and George Wallace (as a Presidential candidate), that the agreement to begin talks had run into a snag in Saigon.

Should the President have delayed the bombing halt until after the elections? He did not want to risk breaking a solid agreement that included firm dates, reached with Hanoi after such trying negotiations. Five days after the elections Clifford said publicly that "the President had the responsibility to proceed with the agreement, because getting on with the talks, which could end the war, far transcended in importance whatever political result might be."

Nobody will ever be able to prove that the delay cost Hubert Humphrey and the Democratic Party the elections. But if the Nixon men are correct in assuming that much of Humphrey's last-minute upsurge among voters was due to the announcement of the halt six days before election day, then it is possible to speculate that an earlier announcement might have lifted Humphrey to a narrow victory.

Lurking behind the delays by President Thieu, American intelligence sources established, was an attempt by some Nixon backers—worthy of the imagination of Ian Fleming—to get Thieu to stall so that the announcement of the bombing halt would be delayed until after the elections. Allegedly Mrs. Anna Chennault, the Chinese widow of the famous founder of the Flying Tigers—who is well connected in Formosa and in Saigon and is an ardent Republican—provided the "good offices." No evidence was found that Mr. Nixon himself had inkling of this bizarre conspiracy.

But just as Hanoi and Mrs. Chennault did not get their own way, nor entirely did Washington: it had been adamant that talks should follow the halt "promptly," but the eventual agreement with Hanoi allowed for a two-day delay.

President Thieu did not altogether give up. He next tried to delay the negotiations until President Nixon was installed in the White House. Finally he sent his envoy, General Ky, to Paris on December 2, but negotiations of substance began only on January 8. The fact that the Government of Saigon and the representatives of the National Liberation Front were now facing each other across the conference table was living proof that the conflict on the battlefield had been played to a bloody draw.

In a curious way ideology and rationalism, rare bedfellows, made common cause in dragging the U.S. into the morass of Vietnam. The ideology, born in the cold war, gave it the initial momentum. It led President Truman and President Eisenhower to provide aid and also the rhetoric needed to obtain Congressional and public support for it.

The rhetoric was primarily based on the fear that after having lost China to Communism the U.S. would lose the rest of Asia to Communism. Later the fears of another "Munich," another Korea, and the fear of the Democrats being accused of "softness" on Communism helped to reinforce the rhetoric and the reasoning.

The rationalism was added later, and was born of the Cuban missile crisis. The brilliant success in averting thermonuclear war by the application of the coolest of cool rational-

ism—the "graduated response"—became one of the new wisdoms of the nuclear age.

It was the product of calm, steady, almost nerveless thinking, and of the coolest possible assessment of the enemy's intentions. John F. Kennedy, his brother, Robert, McGeorge Bundy, Robert McNamara, were the architects of this flexible strategy, and the true believers in the intellectual process and its rational products. Robert Kennedy's history of the Cuban missile crisis is the textbook to the graduated response, and convincingly proves its validity.

It succeeded in Cuba against the Soviet Union. Logic suggested that it ought also to be effective—or more so, since it had to deal with actual conflict—against a small country such as Vietnam. The graduated response, therefore, became a major influence on American military strategy in the Johnson phase of the war.

For President Kennedy, Vietnam remained a sideshow. The risks of half-baked action were not high then; he was constantly buying more time, first with President Diem, then without him. Equally, the domestic political risks did not seem high at the time, and, therefore, he had no compelling need to disengage. Kennedy had mounted the tiger, but it was Johnson's lot to choose the difficult moment for jumping off.

When President Johnson took over he was at first trapped by his slogan "Let us continue"; it soon became "We are not going to be defeated." The theory of the need to "contain" Communism in Asia, as enunciated by President Truman, was basic to Johnson's thinking; and his determination "not to be the first American President who lost a war" was basic to his character.

President Eisenhower's theory of "massive retaliation" offered no solution in Vietnam. If North Vietnam were, as General Curtis LeMay, Chief of the Air Force, once suggested, "bombed into the stone age," China would move into Vietnam as she did into Korea. It was also morally an unacceptable strategy.

McNamara, therefore, in a dazzling intellectual display revamped the American military machine and provided it with the training, the equipment and the weapons to fight limited wars with the "graduated response."

The rationalists expected that they could frighten Hanoi to the conference table. The ideologists—of whom the principals were Dean Rusk and Walt Rostow—mistrusted the graduated response. They favoured quick escalation. They were committed to victory. They did not believe that a worthwhile settlement could be reached by talking.

Such true doves as George Ball, Paul Nitze, and perhaps also Llewellyn Thompson, the U.S. Ambassador to the Soviet Union, did not think that the American involvement in Vietnam made political or military sense. They favoured what amounted to unilateral withdrawal.

President Johnson for a long time was certain that bombing would bring results. He believed that by watching every target that the Air Force hit, he could make this a "sanitised" war. "If they hit people," he used to say, "I'll bust their asses." Limited war became his worst dilemma. It was against his nature against the nature of the military; in effect, it was against the nature of war itself. As one of Mr. Johnson's aides once put it: "It was like stimulating a woman close to ecstasy and then leaving her with only a chaste kiss on the cheek."

One of President Johnson's great handicaps was his own inability to rally the country, another that he had to conduct the first war that was being brought live and "in living colour" via television, into every American home. One of the President's great weaknesses was that he had in mind no clearly defined objectives. He thought he had, but, as one of his friends whom he often consulted, puts it, "They were all words. He is a man who verbalises everything and who

thought that words which he changed from time to time amounted to clear objectives. He did not really understand the full impact of the war on America, he thought he could disregard it. Nor did he understand the danger any President is exposed to, of being isolated from a broad range of information.

Johnson firmly believed that in the end the military situation just had to improve; and he was, anyway, constantly told that the U.S. was doing better, always a little better.

What really changed his mind in the days preceding his "abdication" speech of March 31, 1968, is one of the most intriguing, most puzzling missing links. In that great inner drama, the Polonius, the Claudius, the Horatio, the Laertes, the others were all there, all played their parts, but the Prince of Denmark is still missing. And no one is certain who or where or what he was.

There is no doubt among his closest aides that if Johnson had made the March 31 speech eleven days earlier, it would have been a speech of Churchillian blood-and-thunder. Instead he reached out for peace. Was it because of his abdication decision? Was it because of Clark Clifford's argument that it would do him politically a power of good if he stepped back into history with the bells of peace ringing? Was it because of Mrs. Johnson's influence? His closest friends and advisers don't know. Does he? And will he ever reveal the truth?

Perhaps when he comes to write about those days, he will justify the change of heart by trying to prove that there was no change at all. Clark Clifford is honest enough to admit that if he had become Secretary of Defence earlier, he would probably have acted as all the others did, but in 1968 circumstances made it easier to reach the conclusions he did and to make the ship of state change course.

#### THE FAILURE THAT HAUNTS McNAMARA

Robert McNamara forfeited the President's confidence and was eased out earlier than he expected because he had lost faith in the prosecution and the purpose of the war. He had always assumed that if you put your shoulder to the wheel you could accomplish almost anything. This was basic to his philosophy of life. But by the middle of 1966 he came to realise that the political and human costs were too high.

The failure of the graduated response came to haunt McNamara. He and others, like McGeorge Bundy, were convinced that if you approach people rationally, it will lead to a rational solution. But war has ceased to be a rational instrument. Once the enemy had proved not to be rational it became increasingly obvious that the U.S. did not know enough about his nature, about his inner strength and endurance. In addition, the rational expectations of air power were highly exaggerated.

There was another serious flaw in applying to Vietnam the theory that succeeded so well in Cuba. Not enough credit had been given to the distance between the Soviet Union and Cuba. It must have been evident to the Russians that they could not control the situation there—it may in fact have been one of the principal reasons for their decision to withdraw.

When the U.S. began to apply the graduated-response technique to Vietnam it did not pay enough attention to the distance of that Asian country from the American shores or to the fact that it was geographically so close to both Russia and China.

The war is still going on and men are being killed. It is still the enemy, not the Americans who control the level of American casualties. But peace talks are at last under way. The North Vietnamese have several advantages. They know that the United States is not willing to continue the war indefinitely. It is the cost, not so much the basic principle, that has come to disturb the American people.

Hanoi has almost unlimited manpower and can assume that sooner rather than later it will be able to control or at least influence South Vietnam. But it has lost a whole generation of young men, the North is ravaged by the war and progress has been delayed for many years. No nation can afford such conditions indefinitely. Hanoi, the American negotiators believe, is willing to agree to a neutral, independent South Vietnam with a democratically elected government in which all parties are represented (and which, no doubt, they believe will soon come under their influence as U.S. troops leave).

As in all wars that end in a stalemate, neither side finds it easy to compromise; both sides want to make certain that their sacrifices were not in vain.

#### CAN AN "HONOURABLE" SETTLEMENT LAST?

Those who played an important role in U.S. policymaking divide into roughly four groups in assessing the war in retrospect. There are those like Rusk and Rostow who are unhappy about the U.S. having acceded to negotiations. They are convinced that the opposition at home is containable and that there is no alternative to victory. They maintain that the U.S. was on her way towards it, and that events will confirm their profound skepticism about negotiations.

There are those who favour negotiations and a de-escalation of the war but who also believe that, as McGeorge Bundy put it, "When the history of these years—of this whole generation—comes to be written, it will be clear that in these two years a hard corner was turned in a way which will have the same meaning in its fashion for the future of South Asia and the Western Pacific that the defence of Korea had farther north, the defence of Berlin had for Europe and the Cuban missile crisis for all."

There are those, and Robert McNamara is probably one of them, who have come to doubt the wisdom of this involvement because of the enormous disparity between the costs and the gains and because of what the war has done to the fabric of American society and to the American outlook on the world.

And there are those, such as George Ball and Paul Nitze, who continue to feel that the war was a big mistake.

But it was not until the rationalists recognised that the war was unwinnable and that the political and social costs were too high that they abandoned those ideologically committed to the war. That decisively altered the balance of advice President Johnson had been getting.

There are some, especially in Congress, who are worried that without final victory the Air Force and American military prestige generally will have suffered. But the American nuclear deterrent remains inviolate. And the military can claim either that the restraints imposed on them made victory impossible or that they were on the road to victory but deprived of it by the decision to go to the conference table.

The U.S., thanks to a fine fighting army and overwhelming resources, turned defeat into a draw and stayed off the take-over of South Vietnam by Hanoi. It has clothed the Saigon regime with legitimacy, as that Government's acceptance of North Vietnam and the N.L.F. at the Paris talks testifies. But America has been forced to put its hopes of peaceful political change in Saigon at the mercy of N.L.F. participation.

The final denouement is still to come. Will it take the form of an apparently "honourable" settlement, or plainly be a sell-out? And how long can an "honourable" settlement endure once the U.S. forces are withdrawn? On this American public reaction will ultimately depend.

With China now the real menace in Russian eyes, the Kremlin (though it wants the Vietnamese war to end) will also want to ensure that American power remains nearby

as a counterpoise to Peking. But there is no doubt that one can say with Baudelaire that the war has brought home to Americans that the U.S. is no longer "conscience et reine d'elle-même"—she no longer is mistress of herself.

#### NUCLEAR DIPLOMACY

Mr. FULBRIGHT. Mr. President, I ask that an excellent editorial from the St. Louis Post-Dispatch, entitled "Mr. Nixon's Nuclear Diplomacy" be printed in the RECORD.

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

#### MR. NIXON'S NUCLEAR DIPLOMACY

The official rationalization for deploying an antiballistic missile system has gone through so many twists and turns that deep skepticism is abroad in the land. Now President Nixon has introduced still another quick shift which increases the confusion and multiplies the doubts.

When he first propounded plans for the Safeguard system, Mr. Nixon said its primary purpose was to protect the credibility of our deterrent nuclear force, by setting up a complex electronic defense for some of our land-based missiles. At his latest press conference a week ago he went beyond that. He said the purpose is to protect the credibility, not of our deterrent, but of our diplomacy. That is quite a different kettle of fish.

The President made this point several times, and reinforced it by citing the Cuba missile crisis of 1962. At that time, he said, the United States enjoyed a superiority in over-all nuclear capability of four or five to one over the Soviets; and only this superiority, he implied, induced Khrushchev to back down and remove his offensive missiles from Cuba. Without the ABM, Mr. Nixon argued, the United States will become a second-class nuclear power, and thus in any future diplomatic crisis would find itself in the position Russia occupied in Cuba. He wants the ABM because "I do not want to see an American president in the future, in the event of any crisis, have his diplomatic credibility be so impaired because the United States was in a second-class or inferior position."

This is dangerous doctrine which needs to be challenged on two counts.

There are strong reasons, first, for questioning the truth of Mr. Nixon's claim that the United States will fall behind the Soviets in over-all nuclear capability unless the ABM is deployed. Senator Gore has pointed out that when the Pentagon paints a picture of alarming American weakness it adds up the number of missiles each country is expected to possess in the mid-seventies. But with both countries developing multiple warheads the critical statistic is the number of deliverable warheads, not missiles. Drawing on the Pentagon's own information, Senator Gore argued (and he has not been refuted) that at present rates of development the United States by 1975 will have 8000 and the Soviet Union 5000 deliverable warheads. No more than 250 warheads would be required to destroy 50 large cities.

This does not look like nuclear inferiority to us. But whatever numbers game be played, the stronger reason for challenging the President's new thesis is that beyond a certain point nuclear "supremacy" and "inferiority" lose any meaning. Even if the Russians exceeded us in total warheads by a substantial margin, if our own nuclear capability were such as to enable us to deliver a devastating retaliatory blow after absorbing any attack, the Soviet arsenal of overkill would be irrelevant. Mr. Nixon himself has acknowledged this in the past by declaring that our strategic goal need not be superiority, but "sufficiency."

It is an illusion to suppose that nuclear power strengthens any nation's diplomacy; the decline in the diplomatic influence of both superpowers demonstrates that. It is a shallow misreading of history to contend that the Russians backed out of Cuba in 1962 only because they were outnumbered in nuclear missiles. Despite their inferiority, they still had the power to destroy us, as we had the power to destroy them. They backed down, not because their diplomacy lacked "credibility" owing to nuclear inferiority, but simply because their wiser leaders decided not to accept the risks of nuclear warfare in a situation where they were directly challenging American security 90 miles from American shores. And it must be added that they were given an extra motive to withdraw when Robert Kennedy secretly promised to remove the analogous American missiles from Turkey.

On the premise which Mr. Nixon propounds, that our diplomatic credibility can be sustained only by nuclear superiority, his logical course would be to propose a large increase in our total nuclear capability. But this is just what he is not doing. He carries no conviction, furthermore, when he contends that Safeguard is essential to "protect" a part of our land-based missiles, for it is simply impossible to believe that every one of our present 2400 strategic warheads, including those on mobile bases under the sea, could be knocked out in the absence of an ABM system.

Why this desperate push for an ABM which is challengeable on so many grounds? What is involved, in our view, is the first great struggle over the post-Vietnam budget. The ABM embodies the Pentagon's bid to soak up any funds that may become available when the Vietnam war ends. If this new weapons system can be kept in being, excuses can always be found to expand future expenditures for it to the exclusion of expenditures directed to the social crisis at home. And that is the strongest reason why Congress should reject funds for the ABM.

#### THE JOB CORPS

Mr. GRAVEL. Mr. President, the abrupt closure of Job Corps centers all around the country is an issue which has obviously elevated itself above and beyond partisanship, since it strikes at the heart of this Nation's commitments to the unemployed and underprivileged.

Although there are those who would suggest that Senate Resolution 183 is a partisan issue, I believe this cloud of rhetoric confuses the intention of the resolution with what is feared as the result of the resolution. The resolution calls for time to evaluate, nothing else. The resolution does not suggest or urge a reversal in policy. It is not a tendentious call to argument. It is a reasonable call to study, to evaluation.

I cosponsored the resolution in this light, and with a view toward reasonable evaluation. Surely we are not going to allow charges of partisanship to obscure the basic question which this resolution faces.

Mr. President, to suggest to the Senate the bipartisan support which the Job Corps is receiving from the State of Alaska, I ask unanimous consent that a letter I recently received from the Juneau League of Women Voters be printed in the RECORD. The letter adequately expresses a concern and interest in the loss of training opportunities among unemployed Americans.

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

THE LEAGUE OF WOMEN VOTERS OF  
THE GREATER JUNEAU BOROUGH,  
Juneau, Alaska, April 27, 1969.

HON. MIKE GRAVEL,  
U.S. Senate Building,  
Washington, D.C.

MY DEAR SENATOR GRAVEL: The League of Women Voters of the Greater Juneau Borough supports the present continuation of the Job Corps Centers.

We oppose the abrupt closure of the centers until adequate and expanded facilities are in operation to assure continuation of programs to train the hard core unemployed and under-employed of the United States.

We hope that you will do what ever you can to see that the centers continue until adequate measures can be taken to insure training. Since you are greatly concerned and interested in employment, we shall look forward to hearing from you on this matter.

Sincerely yours,

Mrs. MAURI PEITO,  
President.

#### UTILITY CONSUMERS COUNSEL ACT OF 1969

Mr. METCALF. Mr. President, the May 1 issue of the St. Louis Post-Dispatch contains a strong editorial in support of S. 607, the Utility Consumers' Counsel Act of 1969, on which hearings will resume next week before the Subcommittee on Intergovernmental Relations.

I ask unanimous consent that the editorial, entitled "Unprotected Consumers," be printed in the RECORD.

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

#### UNPROTECTED CONSUMERS

Senator Metcalf may have the likeliest idea yet concerning what to do about the prevailing importance of state utility regulatory commissions. The Montanan wants to create a federal Office of Consumers' Counsel which would represent consumers before federal and state agencies and courts.

Commissioner Carl E. Bagge of the Federal Power Commission, dissenting from his agency's majority favoring the Metcalf legislation, proposes that instead that state regulatory commissions should be strengthened by being given federal matching grants and manpower assistance. There may have been something to say for this approach before the spate of mergers and poolings which is taking place. But these current phenomena, which are fast making the one-state utility as dead as the dodo, give Mr. Bagge's suggestion an aura of specially unreal unreality.

The Federal Power Commission can regulate rates for electricity sold wholesale to distribution systems, but a state regulatory commission is the only agency that can regulate retail rates to consumers. Over a long history and with a very few exceptions the commissions have demonstrated conclusively that they cannot do the job. They do not have the expertise and often they do not have the will, being subservient to the companies they are charged with regulating . . .

So when a utility wants a rate increase it comes to the state regulatory commission loaded with facts and arguments prepared by an expert staff. The commission has no such staff to consider it and the consumer has no one at all to represent him and her in the proceedings. Senator Metcalf thinks this is a pretty shabby state of affairs and we think so too. His legislative proposal, on which hearings are being held, is mild compared with what may be considered necessary if

this gap in consumer protection continues to persist.

#### EFFECTS OF McCARTHYISM ON FOREIGN POLICY

Mr. FULBRIGHT. Mr. President, Prof. O. Edmund Clubb delivered a speech at a meeting of Asian scholars at Cambridge, Mass., on March 29 concerning the effects of McCarthyism on foreign policy, particularly our policy toward Asia. Professor Clubb, as a former State Department official concerned with Far East affairs, has an intimate knowledge of the present-day manifestations of the McCarthy era of fear and suspicion. I hope that his comments will be studied carefully by the policymakers in the new administration.

I ask unanimous consent that the text of his speech be printed in the RECORD.

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

#### McCARTHYISM AND OUR ASIA POLICY

(By O. Edmund Clubb)

Speaking in New York on March 20 of this year, Senator Jacob K. Javits referred to "the lingering pall of McCarthyism, which continues subtly to inhibit thought and debate in this country concerning China."<sup>1</sup> McCarthyism, by my thesis, played a significant role in molding both our China policy in particular and our Asia policy in general, and in keeping it in that form through the inhibition of the normal functioning of the government's policy-making apparatus. The term "McCarthyism" hardly needs extended definition,<sup>2</sup> but for the purposes of this discussion I would have you remember that it was characterized by demagogic attacks on personalities, with usually the insinuation that the target person was at least pro-Communist and at worst treasonable. The spirit of McCarthyism was evidenced when, in charging General of the Army George C. Marshall on June 14, 1951 with conspiracy, Senator Joseph R. McCarthy propounded the witchhunter's loaded question: "How can we account for our present situation unless we believe that men high in this government are concerted to deliver us to disaster?"<sup>3</sup>

McCarthyism was oriented naturally in large measure to the "China Question." After World War II ended, when civil war was beginning between the Nationalists and Communists in China, Patrick J. Hurley resigned as ambassador to China and advanced onto the American political stage with shotgun charges that "pro-Communists" and "pro-imperialists" in the State Department had undercut his policies, and after the termination of the Moscow Conference of Ministers in December 1945 he gave his charge global application:

"The weakness of the American foreign policy together with the Communist conspiracy within the State Department are responsible for the evils that are abroad in the world today."<sup>4</sup>

By equating differences of opinion and judgment with "pro-Communism" (or "pro-imperialism"), General Hurley showed dragon's teeth for the McCarthyites' subsequent destructive crusade against the so-called "Communist conspiracy" in the State Department.

In 1947, as the Cold War between the United States and its wartime Soviet ally took form, and the year that the Truman Doctrine was proclaimed, President Truman inaugurated the government's loyalty program. Note here the observation contained in the 1949 report of the Hoover Commission

on the organization of the Executive branch of the U.S. Government: as regards cooperation between the Executive and Legislative branches, "one particular obstacle which should be frankly faced is the traditionally suspicious attitude of the Congress toward foreign affairs and toward the segment of the executive branch concerned with it."<sup>5</sup>

That "traditionally suspicious attitude" had already been stirred up by events from 1945 onwards; the Administration's action in instituting new controls could only suggest that existing procedures had proved inadequate to meet some grave danger.

In 1949 the Chinese Communists overthrew the Nationalist regime. In January 1950 the Department of State issued a charge that the Soviet Union was establishing its domination over Manchuria, Outer Mongolia, Inner Mongolia, and Sinkiang. This naturally contributed to the popular malaise: "Shall a trumpet be blown in the city, and the people not be afraid?" On February 9, 1950, Senator McCarthy made his famous Wheeling speech in which, re-wording the Hurley allegations, he charged that 205 Communists were at work in the State Department "still working and shaping policy." In September 1950, Congress enacted, and promptly passed over President Truman's veto, the Internal Security Act (popularly known as the "McCarran Act").

The storm known as "McCarthyism" thereafter took on added force and assumed full shape. It was directed primarily at the State Department and Foreign Service personnel, but its scope duly widened, so that many other personalities and governmental organs became targets.<sup>6</sup> Other Americans joined the witchhunt, with Hurley playing a leading role. In 1951, testifying before a congressional hearing on the military situation in the Far East, Hurley made sweeping allegations:

"American diplomats surrendered the territorial integrity and political independence of China, surrendered the principles of the Atlantic Charter, and wrote the blueprint for Communist conquest of China in secret agreement at Yalta . . . Your diplomats and mine surrendered in secret every principle for which we said we were fighting."

It was during this period that the State Department's loyalty-security program moved into high gear. A sampling of the lines of inquiry pursued in individual cases indicates the types of behavior, or attitudes, newly deemed reprehensible and sufficient to bring the officer under suspicion as disloyal or a security risk. One officer who had reported voluminously on Chinese Communism over the years, was charged with various pro-Communist attitudes. When he pointed out that no such bias was shown in his reports, the Loyalty-Security Board suggested that he might have *thought* one way, and reported another. An officer assigned to the U.S. military observer group at Yanan (the Chinese Communist headquarters) during wartime, when the Nationalists and Communists were allied in the war against Japan and the United States was allied with the Soviet Union, was charged with having consorted with Communists there, and with being pro-Communist. Another officer, however, encountered considerable difficulty in his hearing because he was deemed so uninformed about communism that he was not fully aware of its dangers and thus did not comprehend the socialist undertones of post-war economic reforms in Japan. One officer on the dock was held to be "one of the leading proponents in the Department . . . of the separability of the Chinese Communists from Moscow." Another got into trouble because he took the position that any American involvement in Vietnam would turn out to be a tragic mistake.

Attitudes with respect to Chiang Kai-shek were employed as one touchstone: criticism of the personality or capabilities of that Chinese leader called for explanations. And

Footnotes at end of article.

if developments in China turned out to the detriment of the Nationalists as predicted, it was upon occasion suggested that the officer who had foreseen the denouement might have had "a conditioning influence on the results."<sup>8</sup>

With such actions, attitudes and associations now deemed culpable, and with this circumstance shortly becoming known throughout the China Service, the new standard of acceptable behavior automatically becomes the opposite. In other words, the theses condemned as heterodox were replaced by antitheses now fixed as orthodox. Was it assumed in the hearings of Foreign Service Officers that to speak ill of Chiang Kai-shek, think that Chinese Communism was complex rather than simple, opine that the Sino-Soviet relationship was not monolithic, or estimate that picking up of the lost French anti-Vietminh cause in Indo-China would be a grave error, were all signs of moral deviation and to be condemned? Then the new orthodoxy demanded that American officialdom, for safety's sake, should be pro-Nationalist, believe that Chinese Communism was Moscow's Marxism-Leninism and that the two Communist states were inseparable, and hold that where the French might have failed the United States could and should have victory. Summed up, a new creed, best described as a simplistic anti-Communism aliming at the military containment of China, began to govern in the field of American foreign policy. Republicans in attack, but also Democrats in self-defense, were caused to adopt essentially the same political position, now defined as the only right and moral one. Our policy-makers, of both political persuasions, thus became trapped and locked into a rigid, emotional, unreasoning policy position determined by the political passions of the American domestic scene, including the operations of McCarthyism; they were kept there by reference to the alarms spread by defense specialists of hypothetically possible dire eventualities that threatened. The whole position was buttressed by the public-relations activities of various calculating Asian leaders who, learning quickly from the successful tactics employed by Chiang Kai-shek for the winning and maintenance of a profitable American support, became professional "anti-Communists." Here note the critical factor: the first premises on which the policy was based being faulty, the results of the proposition were also necessarily corrupt.

The policy-making function itself became corrupted. The officers of the Foreign Service had reported the facts of complex situations as they saw them, and had ventured to interpret the significance of events. They had never borne the responsibility of determining policy; that was the function of the State Department, the Secretary of State, ultimately of the President. Now Foreign Service Officers were being struck down for their reporting and estimates. The situation as it developed was described by President Truman:

"In such an atmosphere, key government employees tend to become mentally paralyzed. They are afraid to express honest judgments, as it is their duty to do, because later, under a changed atmosphere and different circumstances, they may be charged with disloyalty by those who disagree with them. Our nation cannot afford or permit such a mental blackout."<sup>9</sup> (emphasis supplied)

If dissenting opinions and judgments were to be adduced in support of charges of disloyalty or security risk, how was the government to obtain objective views from its officers regarding the Soviet Union, China,

Southeast Asia—or any area where Communism might be present?

This situation was duly noted by five distinguished retired American diplomats, who in a letter of January 1954 to the *New York Times* expressed their distress:

"... a Foreign Service Officer who reports on persons and events to the very best of his ability, and who makes recommendations which at the time he conscientiously believes to be in the interest of the United States, may subsequently find his loyalty and integrity challenged and may even be forced out of the service and discredited forever as a private citizen after many years of distinguished service. A premium therefore has been put upon reporting and upon recommendations which are ambiguously stated or so cautiously set forth as to be deceiving.

"When any such tendency begins its insidious work, it is not long before accuracy and initiative have been sacrificed to acceptability and conformity. The ultimate result is a threat to national security."<sup>10</sup>

This analysis was supported by The Secretary of State's Public Committee on Personnel, comprising eight outstanding personalities (most of whom had served in high positions in the Department of State). It found for one thing that "The morale of that Service today stands in need of repair." Why? The Committee referred briefly in passing to various pertinent factors and then came to the crux of the matter by observing that there was another factor which had been at work, "one that until the recent past has been generally unknown to the experience of Government servants, namely, the Government's security program."<sup>11</sup>

The Committee observed that:

"The task of reviewing all personnel under the new Executive order has inevitably occasioned uncertainties, doubts, and fears which will be fully dissipated only when the process is completed during the coming summer."<sup>12</sup>

Summing up, however, the Committee gave a basic warning:

"If the security program is to achieve its true purpose of protecting the Government and the American way of life, it must be so administered that it does not impair the things it is designed to preserve. And among the things that must be protected for the Foreign Service is the tradition of frank and objective reporting that long has constituted one of the State Department's most enduring sources of strength."<sup>13</sup>

The summer passed, the seasons rolled by, and so did the years. May one confidently assume that, with these findings, there was a fundamental correction of the indicated maladjustments of the loyalty-security program, and a restoration of Foreign Service morale and performance to the status quo ante? He may not. The loyalty-security program had become an integral part of the governmental structure. That there was persistence of the malady was disclosed five years later by a Senate Foreign Relations Committee study of U.S. foreign policy. The executive committee charged with the investigation invited a selected group of retired Foreign Service Officers, not identified, to submit their views on American foreign policy.

The answers were far-ranging. But one of the strongest criticisms had reference to the impact of the loyalty-security program on the Foreign Service:

"Until recent years diplomatic and consular officers of all ranks in the field were encouraged to report objectively and to make recommendations in accordance with their best judgment... Now all that is changed. It is common knowledge in the Department of State and in the Foreign Service that Foreign Service officers have been reprimanded and even heavily penalized for making reports or recommendations unpalatable to certain persons in the Department and

that they have been ordered not to repeat the offense. Foreign Service officers have been known to state that under present conditions it is unwise to the point of foolishness to send in dispatches which, because of the inclusion of unwelcome facts or unwelcome recommendations, will be displeasing to officers of the Department."<sup>14</sup>

In the political hustings in the election years 1950 and 1952, one demagogic warcry was "Who lost China?", with the easy inference that China was "lost" to the United States by treason. As is well known, the Republicans won in 1952, and John Foster Dulles became the new Secretary of State.

Let us now look at the new Asia policy in the making. Even before the presidential election, Dulles had voiced three basic principles on which the policy of the United States and its allies should be founded, the first being:

"The dynamic prevails over the static; the active over the passive. We were from the beginning a vigorous confident people born with a sense of destiny and of mission..."<sup>15</sup>

In his first address to assembled State Department and Foreign Service personnel after his induction into his new post, Dulles demanded "positive loyalty" to the policies of the Administration. Not even a technical margin for dissent remained. Dulles made it entirely clear by his subsequent actions that he proposed to formulate the nation's foreign policy without reference to "area experts," who were placed in a state of what might be called psychic "preventive detention."

So it was Secretary of State John Foster Dulles who formulated in main the new foreign policy. It quickly became evident that he intended to build on the foundation of the Truman Doctrine of 1947. On January 27, in a broadcast statement, Dulles voiced peaceful intent:

"We will not try to meet the Soviet strategy of encirclement by ourselves starting a war. Take that for certain... We shall never choose a war as an instrument of our policy."

But he said something else at the same time which came closer to the national destiny-and-mission line:

"To all those suffering under Communist slavery, to the timid and intimidated peoples of the world, let us say this, you can count upon us."<sup>16</sup>

From this beginning, the Korean War was indeed brought to a close, but before the year 1953 had ended the United States had reached an agreement to extend additional aid to France for the "intensified prosecution" of the war against the Vietminh. When, contrary to the expectations of the American policy-makers, affairs began to go badly for the French in Indo-China, Dulles in early 1954 evolved his "massive retaliation" doctrine. In an address before the Overseas Press Club in New York, he gave his doctrine specific application:

"Under the conditions of today the imposition on Southeast Asia of the political system of Communist Russia and its Chinese Communist ally, by whatever means, would be a grave threat to the whole free community. The United States feels that that possibility should not be passively accepted, but should be met by united action. This might have serious risks, but these risks are far less than would face us a few years from now if we dare not to be resolute today."<sup>17</sup>

A Vietminh victory in Indo-China, Dulles said, would result in Communist domination of all Southeast Asia.<sup>18</sup> Thus, given the worsening situation on the battlefield, Washington proposed a "united" military intervention to save the French force at Dienbienphu. This would have been the first application of the "massive retaliation" concept; but the plan fell through when the British refused to be seduced by Dulles' overtures.<sup>19</sup>

The reorientation of the United States' Asia policy, centered on the concept of the

Footnotes at end of article.

military containment of China, was now pressed forward at a rapid pace by Dulles. In response to the French defeat in Indo-China, in September 1954 Dulles achieved the organization of SEATO.<sup>20</sup> General Douglas MacArthur in August 1950 had proposed that Formosa be converted into an American stronghold. On December 2, 1954, the United States entered upon a treaty of military alliance with the Nationalists on Formosa, and the United States thus became aligned in stance and policy with one Chinese faction against another in an unfinished civil war. It seemed to be the cream of the jest that, on that same December 2, Senator McCarthy was condemned by the U.S. Senate for conduct tending "to bring the Senate into dishonor and disrepute, to obstruct the constitutional processes of the Senate, and to impair its dignity."<sup>21</sup>

In March 1957, at a SEATO meeting in Canberra, Australia, Dulles informed those present that Communism was "a passing and not permanent phase" in Asia, and that either US recognition or UN membership for China would "encourage influences hostile to us and to our allies." In August 1958, doubtless by the authority of Dulles, the State Department made public a memorandum sent to its missions abroad setting forth the American stand on the Communist regime: Communism in China would pass, it said, and the United States, by withholding diplomatic recognition, sought to hasten that passing.<sup>22</sup> In September and October of that year, the United States Navy and Air Force once more stood by the side of Chiang Kai-shek's Nationalists to defend not only Formosa and the Pescadores but the offshore islands of Quemoy and Matsu from attack.

Senator Joseph R. McCarthy died in May 1957, Secretary of State John Foster Dulles in May 1959. By the latter date, our China policy had been fixed in an inflexible mold. It comprised (1) our alliance with the Nationalists; (2) non-recognition of the Peking regime; (3) an embargo on all trade with China; (4) narrow restrictions on the travel of Americans to China; and (5) adamant opposition to the seating of Peking's representatives in the United Nations. And our China policy had become the heart of our Asia policy, which consequently was found serving the general scheme for the "containment" of Chinese Communism.

By 1961, a Democratic Administration had succeeded the Eisenhower Administration in Washington. It inherited, and seemingly accepted without major reappraisal, the legacy of the Dulles era in the field of Asian relations. It was effectively in service of the Dullesian grand strategy that the United States intervened with military force in South Vietnam in 1961. In a speech on March 26, 1964, Secretary of Defense McNamara gave what was presumably the Administration's rationale for our growing involvement in Southeast Asia, a region which he said "has great strategic significance in the forward defense of the United States."<sup>23</sup> He found North Vietnam to be the "prime aggressor" against South Vietnam, but observed that Hanoi had been encouraged in its aggressive course by China. McNamara clearly regarded China as the greater enemy:

"For Peiping . . . Hanoi's victory would be only a first step toward eventual Chinese hegemony over the two Vietnams and Southeast Asia, and toward exploitation of the new strategy in other parts of the world . . . Success in Vietnam would be regarded by Peiping as vindication for China's views in the worldwide ideological struggle."

In February 1965, the United States carried the war into North Vietnam.

The official rationale continued after that date, as before, to point to China as the ultimate culprit. In October 1967, Vice President Humphrey said that the United States must contain China as it had contained the Soviet Union; and Secretary of State Rusk stated

that the security issue for the United States in Southeast Asia was—China. And Rusk painted a terrifying picture of that China: in 1980, he said, it would have a billion people, and be fully armed with nuclear weapons.

The United States now stands trapped in certain positions of major political disadvantage. We still maintain two divisions numbering over 50,000 troops in—South Korea. As is notorious, the United States has been unable to extricate itself, even after eight years of warfare, from the "commitment" we unilaterally assumed in Vietnam. For a full eighteen years, there has been no fundamental change in a China policy which has us aligned with the Chinese Nationalists in hostility against the Chinese Communists—waiting for the latter to "pass" from history's stage.<sup>24</sup>

We thus find ourselves immobilized in the position which we began to construct, by bipartisan effort, under the whiplash of McCarthyism, in 1950. The United States had constructed a semi-circle of military bases, garrisoned by American troops, reaching from South Korea to Thailand, for the containment of China. We have warred in Korea, the Formosa Strait, and in Vietnam, avowedly to the same end. Let us grant that the cause of our predicament is not to be found simply and exclusively in McCarthyism or the thinking of John Foster Dulles and Dean Rusk; many factors, and many men, have been involved in this development. But I submit that McCarthyism and the emotional, messianic patterns of thought induced by that demagogic phenomenon were at least major factors in bringing about the results we see before us.<sup>25</sup> And the national cost of "containment" of China? Quite apart from 33,600 American dead in the Korean War and nearly that many now dead in the Vietnam War, and direct military expenditures in both wars of over a hundred billion dollars, in the 20 years from July 1945 to June 1965 the United States extended a total of \$35,677 million in military and economic aid to countries surrounding China.<sup>26</sup> Now we contemplate construction of an ABM system—costing more billions. Have the results justified this cost? Was there no better policy possible?

Has there been opposition in government to the American China policy? Practically none has been visible. As regards the Vietnam War, avowedly fought to contain Chinese Communism, there has of course been evidence of rather more Congressional restlessness, but remarkably little of dissent within the Executive branch. There was interesting testimony to the existence of an intellectual malaise in a recent Reston column.<sup>27</sup>

He remarked that there were many high officials—and he named some of them—in the Administration who disagreed with President Johnson on the Vietnam policy, but that despite their opposition to the war they "didn't quite speak their minds to the President, but alone to the public . . ." They gave their loyalty to the President, said Reston, rather than to their country, and some "are now wondering in private life whether this was in the national interest," and are troubled. Well they might be. But note one aspect of the new situation now there are no charges by Congressional committees or by the press that the nation has been led into error by subordinate members of the Foreign Service.

The China policy of today, the Asia policy of today, are not by any stretch of the imagination to be viewed as the handiwork of career Asian experts; our China and Asia policies are the creation of men at the top of government alone. McNamara, in his aforementioned speech of March 1964, observed obliquely that "five United States Presidents have acted to preserve free world strategic interests in the area." Now a sixth has fallen heir to Dulles' divine mission, based as it is on faulty first premises, in-

corporating vast fantasy. He has also inherited a State Department and Foreign Service apparatus which has had its true functions gravely weakened. As the anonymous retired Foreign Service Officers warned a decade ago, in the quest for a total security with respect to individuals, the national security has been endangered.

For the introduction of McCarthyism into our foreign policy making processes meant in essence the supplanting of realism in the realm of foreign affairs by policies based upon ideology—based upon quasi-religious concepts of Good and Evil, with the fervent conviction that Good and Evil must war to the death. This situation was described recently by historian Henry Steele Commanger:

"The three great powers that glare ceaselessly upon each other now, and whose conflicts shake the globe, are all committed to ideological positions which they find difficult to compromise. The leaders of all three nations know—as religious fanatics of the seventeenth century knew—that they are the pure of heart, that their cause is just, that they stand at Armageddon and battle for the cause."<sup>28</sup>

Dr. Commanger turned his attention to the United States in particular, saying:

"It embraced an ideological approach to the great problems of international politics and sought to imprison in ideological straitjacket the turbulent tides of history."

We have failed to imprison history. But the effects of McCarthyism remain embodied in our Asia policy. It is essential that there be a fundamental, if agonizing, reappraisal.

## FOOTNOTES

<sup>1</sup> *New York Times*, Mar. 21, 1969.

<sup>2</sup> For an analysis of the working of McCarthyism in detail, see the 45th Anniversary number of *The Progressive*, Apr. 1954, devoted to "McCarthy: A Documented Record."

<sup>3</sup> For the McCarthy charge in extenso, see Joseph R. McCarthy, *America's Retreat from Victory, The Story of George Catlett Marshall*, N.Y., 1951.

<sup>4</sup> Quoted by Don Lohbeck, *Patrick J. Hurley*, Chicago 1956, 447.

<sup>5</sup> The Commission on Organization of the Executive Branch of the Government, *Foreign Affairs, A Report to the Congress*, (Washington) February 1949, 6. See the parallel account in the Ninth American Assembly's report on the subject of American representation abroad:

"Mention must . . . be made of the chronic susceptibility of the Department of State to a degree of public and Congressional mistrust. This may be partly a result of purely ephemeral factors, but it is to some extent inherent in the position of an agency lacking any organized domestic constituency or corresponding strong Congressional interest and often thought of as 'representing foreigners.'"

The American Assembly, Graduate School of Business, Columbia University, *The Representation of the United States Abroad*, N.Y. 1956, 202.

<sup>6</sup> See, for description of targets, Chapter 2, "Senator McCarthy at Work"; and for a treatment of methods, Chapter 3, "The Methods," in James Rorty & Moshe Decter, *McCarthy and the Communists*, Boston 1954, and Bert Andrews, *Washington Witch Hunt*, N.Y. 1948, particularly Part I, "The Hunters and the Hunted."

<sup>7</sup> Russell D. Buhite, "Patrick J. Hurley and the Yalta Far Eastern Agreement," *Pacific Historical Review*, Aug. 1968, 350. See this piece for a broad consideration of the motivations for Hurley's attacks.

<sup>8</sup> See *State Department Employee Loyalty Investigation, Hearings before a subcommittee of the Committee on Foreign Relations, United States Senate* (81st Congr. 2nd Sess.), Washington 1950, 2 Parts, Part I, 1280.

\* *Memots by Harry S. Truman*, N.Y. 1956, 2 vols., Vol. II, *Years of Trial and Hope 1946-1952*, 258. See in support of this estimate Eleanor Bontecou, *The Federal Loyalty-Security Program*, Ithaca 1953, 151. For the President's condemnation of the demagogic exploitation of the security program "in an attempt to frighten and mislead the American people," see *op. cit.*, 284-85.

<sup>19</sup> Letter to the editor from Ambassadors Norman Armour, Robert Woods Bliss, Joseph C. Grew and William Phillips, and sometime Chief of the Division of Foreign Service Personnel and Assistant Secretary of State G. Howland Shaw, *New York Times*, Jan. 17, 1954 as quoted in Rorty & Decker, *op. cit.*, 95. See also O. Edmund Clubb, "National Security and Our Foreign Service," *The Nation*, Dec. 25, 1954, 544-47.

<sup>21</sup> *Toward a Stronger Foreign Service, Report of the Secretary of State's Public Committee on Personnel June 1954*, Dept. of State Publication 5458, Department and Foreign Service Series 36, released June 1954, Division of Publications, Dept. of State, 3.

<sup>22</sup> *Ibid.*, 4.

<sup>23</sup> *Ibid.*, 5.

<sup>24</sup> *Study of United States Foreign Policy, Summary of Views of Retired Foreign Service Officers Prepared for the Committee on Foreign Relations, United States Senate, Pursuant to the provisions of S. Res. 31, 86th Congress, 1st Session, June 15, 1959*, Washington 1959, 41. A quotation from another correspondent gives a picture of the day-by-day operation of the Department's security system:

"The exaggeration beyond all reasonable limits of the attempt to achieve security in Government personnel is one of the greatest misfortunes of our times. The Department of State and the Foreign Service of the United States have been among the principal victims. . . . It must not be forgotten that the security program has become institutionalized. There is a large organized body of men in the Department of State—I have no knowledge of their present number but they were several hundreds a few years ago—whose sole business is to spy upon and report upon their colleagues and associates. It can hardly be supposed that these men, many of whom have little capacity for anything else, have ceased the practices which they were originally organized to perform. I know that desks were periodically searched, that private correspondence, even while going through the mails, was opened and read, that telephones were tapped, that servants were asked to spy upon their employers, that secretaries were asked to report on the men for whom they worked, and that Foreign Service Officers were asked to make a practice of spying upon and reporting anonymously upon their colleagues. I do not know whether it is true or not but it is very generally supposed that listening devices were installed far and wide in offices and presumably also in private homes. It must be emphasized that these activities were directed not against persons individually suspected of disloyalty but were directed at the generality of officers and employees in the Foreign Service and in the Department of State. It was widely believed, and I think correctly, that much of the information collected by these nefarious means was used for purposes that had no relation to the loyalty and security programs. . . . That such a system is susceptible of abuse and that outrageous abuses have actually occurred cannot be denied."—*Ibid.*, 51.

See also for a more general assessment of the loyalty-security program Truman, *op. cit.*, Chap. 19, 268-93.

<sup>15</sup> *Manchester Guardian Weekly*, Oct. 22, 1952.

<sup>16</sup> *New York Times*, Jan. 28, 1953.

<sup>17</sup> *Ibid.*, Mar. 30, 1954.

<sup>18</sup> President Eisenhower, in his press conference of April 7, re-worded the Dullesian

thought in the form of the "domino" principle, and warned of the "incalculable" consequences to the "free world" that would follow the "loss" of Indo-China.

<sup>19</sup> See in this general connection Melvin Gurtov, *The First Vietnam Crisis*, N.Y./London 1967, especially Chaps. 5, 6.

<sup>20</sup> He had endeavored to create such an organization earlier in the year, so that it would serve for the effort at "saving" Indo-China, but had been blocked by the reluctance of other states to participate while the Indo-China war was in course.

<sup>21</sup> Congressional Quarterly Service, *China and U.S. Far East Policy 1945-1966*, Washington 1967, 71.

<sup>22</sup> Cf. the contemporary comment of a retired Foreign Service Officer, "We cannot afford to continue to play the ostrich in dealing with China. We cannot afford the pretense that Formosa is China and that the Chinese Government with full control over 600 million people is a negligible quantity. . . . We should begin by recognizing that the Chinese regimes of the past are dead and gone as the Czarist regime in Russia, and having recognized that fact, we should act accordingly. Let us remember that for many years our relations with Soviet Russia were dominated by wishful thinking that the Communist regime would soon collapse and that even during the last few years that type of wishful thinking has colored public statements by the Secretary of State. How foolish that all seems now."—*Study of United States Foreign Policy, Summary of Views of Retired Foreign Service Officers, cit.*, 76.

<sup>23</sup> For text, see *New York Times*, Mar. 27, 1964.

<sup>24</sup> It is useful to note the psychological importance of the meanings given to terms used by Dulles and some officials of the successor Democratic Administrations in connection with their implementation of the "New Look" Asia policy. The "free world" signified those elements who accepted the American doctrine of "anti-Communism?" "united action" required the wedding of those elements together by military pacts, and by the time Dulles was done the United States had committed itself to its political purpose through 42 such pacts. Nor were "commitments" viewed as limited solely to those duly negotiated in treaty form and approved by the U.S. Senate; the executive interpreted as a "commitment" whatever of its own actions it might choose, for tactical reasons, to follow up. Phraseology itself, incorporating elements of the orthodox ideology, thus acted to limit rigidly the strategic options open to the thinking of the policymakers.

<sup>25</sup> See *Study of United States Foreign Policy, Summary of Views of Retired Foreign Service Officers, cit.*, 11 for the comment of one anonymous critic:

"It seems to me that a serious illusion which has beclouded our appraisal of the Russian, Chinese and other developments has been in persuading ourselves that because democratic institutions, as we have conceived and developed them, are suited to our way of life they must be equally advantageous to peoples of an entirely different background. As a result we have been as insistent on democratizing the world or, in other words of making it over in our own image, as the Russians have in making it over in conformity with their own. This is a parochial view which fails to take into account the great diversity of mores and cultures in the world. . . ."

<sup>26</sup> Congressional Quarterly Service, *China and the U.S. Far East Policy, 1945-1966, cit.*, 106.

<sup>27</sup> James Reston, "The Doubts and Regrets of the Johnson Dissenters," *New York Times*, Mar. 9, 1969.

<sup>28</sup> Henry Steele Commager, "1918-1968: Is the World Safer for Anything?" *Saturday Review*, Nov. 9, 1968, 23-24 ff.

## THE SENATOR FROM OHIO IS 80 YEARS YOUNG

Mr. PROXMIER, Mr. President, Sunday marked the 80th birthday of the remarkable senior Senator from Ohio (Mr. YOUNG).

Since the retirement of the Senator from Arizona, Mr. Hayden, STEVE YOUNG has had the distinction of being the oldest Member of the Senate. Most men, when they reach their 80th birthday, begin to show signs of going downhill. But in STEVE YOUNG's case, age has increased his wisdom and it seems to have actually added zip to his physical vitality.

If anything, Senator YOUNG has the vigor and the drive of a man half his age. He plays tennis regularly, jogs—a pet interest of this Senator—works out regularly in the Senate gymnasium, and all the while manages to devote himself fully to his duties in the Senate. His constituents are fortunate, indeed, to have such a dynamo going to bat for them.

For the Senator from Ohio, "Young" is more than a name; it is a way of life.

Mr. President, I ask unanimous consent that an article from the Pittsburgh Press of May 4, 1969, be printed in the RECORD at this point.

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

### OLD SENATOR YOUNG IS GOING STRONG

WASHINGTON (UPI)—Stephen M. Young turned 80 today, the oldest and perhaps the angriest man in the Senate.

"It's hard for me to believe that I'm the oldest man in the Senate," Sen. Young, a Democrat, observed in a recent interview.

"I flew back from three days in Las Vegas, played three sets of tennis and I came to work on time the next day. I feel fine," he said.

### EXPECTS TO RUN

So fine, in fact, that he expects to ask Ohio to return him for a third term in the Senate in 1970, although he said he won't make his final decision until late next fall. If elected he will be 87 when his term expires.

Meanwhile, he continues to "give 'em hell"—both constituents and anyone else with whom he disagrees.

His favorite targets are the military—"those feather brains in the Pentagon", the American Legion—"puffed up patriots", special interest groups and voters who insult him.

He replies to the insulters in a newsletter under the title "Orchid From a Constituent."

To a Cleveland resident who wrote that he looks in the obituary page every day hoping to find the senator's name, Sen. Young wrote: "I am feeling better than you would look if you were to take me on."

When an angry constituent wrote Sen. Young that the first lady's horse had been transported at public expense and wanted the same thing for himself, the senator replied "am wondering why you need a horse when there is already one jackass at your address."

He called another voter "lower than a snake's tail in a wagon rut."

### TEMPER TEMPERED

Actually, his staff said his sharp answers are the exception rather than the rule.

"He is very concerned because his mail is running so heavy this year on Vietnam, inflation and ABM," said Herbert Jolovitz, the senator's administrative assistant.

"He tries to answer the letters in the same serious vein in which they are written."

Although Sen. Young classifies himself as "a party man who disagrees occasionally," he

feels it is important to support President Nixon during these early months of his Administration.

"President Nixon is my president," Sen. Young said. "I want him to succeed. But he must end this blood-letting in Vietnam this year or he's going to be in deep trouble."

A member of the important Armed Services and Space committees, Sen. Young was first a hawk on the Vietnam war, but later switched to the dove position.

#### SOLUTION URGED

"Vietnam is of no importance to the defense of the United States," he said.

"This little agrarian country 10,000 miles distant from our nation is not worth the life of one American youngster," he added.

Sen. Young also opposes the Administration's "safeguard" antiballistic missile system proposal. "It's not a good idea," he said dismissing the subject.

A short, thin man who is proud that he still has a full head of hair ("it's thinning, but it's all mine"), Sen. Young works out regularly in the Senate gym to stay in shape.

His major infirmity is a circulatory problem in the legs which frequently makes walking difficult.

His age is likely to be a significant factor next year when his opponents may be former astronaut John Glenn or Rep. Robert Taft, Jr.

#### GRATEFUL TO TAFT

Both opposed him in 1964, but Mr. Glenn had to withdraw from the race for the Democratic nomination because of an injury.

"I owe my present weight—155 pounds—to Taft Junior," Sen. Young said.

"When he ran against me in the general election, I lost a lot of weight and I have tried to maintain it." He always refers to the younger Taft, member of an old and prestigious Republican family, as "Taft Junior," without using his first name.

Unexpectedly, Sen. Young defeated Rep. Taft by 17,000 votes in the Johnson landslide of 1964. Sen. Young, then a House member, surprised the experts when he defeated Sen. John W. Bricker, a Republican, in 1958 to move into the Senate.

It has been rumored that Gov. James A. Rhodes of Ohio will oppose him next year, "but I am assured that he isn't going to run," Sen. Young said.

#### FINANCES AIREB

He is proud that he was the first member of Congress to make full disclosure of his financial holdings.

"You will note that I am a stockholder in oil production corporations," he once wrote the Senate secretary.

"I am frequently recipient of letters, accompanying dividends, from the presidents of these companies asking me to write my congressman expressing opposition to any legislation to reduce the oil depletion allowance of 27½ per cent.

"I have not disposed of these holdings and shall not do so as it is well known I have voted at every opportunity offered me against the depletion allowance of 27½ per cent given to oil and gas production corporations.

"I consider such depletion allowances unfair to citizens generally and I will oppose it until it is either eliminated or greatly reduced."

With a grin, he adds "they've never had to hold a benefit fund-raiser to take care of Steve Young."

#### NATIONWIDE PROTEST ON JOB CORPS CAMPS CLOSINGS

Mr. NELSON. Mr. President, the decision to close 59 Job Corps camps without public discussion and without full hearings by Congress has provoked a tremendous amount of protest from all across the country.

On Wednesday of this week, the Senate will have an opportunity to express itself on a Senate resolution which would express the sense of the Senate that the closing should be deferred until Congress has an opportunity to consider the legislation which authorizes the Job Corps and which expires on June 30 this year.

I have received several hundred letters and telegrams protesting the summary manner in which Job Corps camps were ordered closed—some camps received only about 3 weeks notice.

The letters come from Governors and from Job Corps graduates, from police chiefs and business executives, union officials and women volunteers.

One was a five-page handwritten letter from a young girl who attended the Clinton, Iowa, Job Corps Center. Miss Dena Louise Chastain wrote:

The Clinton Job Corps Center, where I was, helped me in so many ways, and I want to go back so badly. At Clinton, they have rules just like a girl would have living at home—very strict rules which will help her to have a feeling of responsibility. At a center, a girl is able to meet different people—people of all races and of all characters—which help her to get along in society.

Gov. William L. Guy, of North Dakota, in a specific reference to the Dickinson, N. Dak., Job Corps Conservation Center, wrote:

It seems ill-advised to shut down physical facilities that contain vocational training equipment that has cost the taxpayers millions of dollars in order to open up new facilities near urban centers that will again cost millions of dollars. . . . This wholesale abandonment of existing facilities and equipment in favor of buying new facilities and equipment closer to urban areas is contrary to the Administration's professed desire to hold down government construction in the fight against inflation.

Somewhere along the line, our nation has become confused in its priorities and its sense of values. The secure seem to be most successful in obtaining the services of education, health, transportation, job opportunities, and all the blessings of a good life. The insecure and the disadvantaged seem to find little in our economic, social and political system that can cause them to be proud of being an American.

Thad B. Gaillard, president of the Great Lakes Mutual Life Insurance Co., Detroit, wrote:

Any action that would cripple these programs tends to be an invitation to disaster, particularly in our urban areas. . . . We urge you and your committee to give every support to contribution of the Job Corps program under full budget, secure in the knowledge that you have encouragement and support from thinking Americans.

Congresswoman PATSY T. MINK, of Honolulu, raised a point in her letter that warrants consideration. Hawaii's Koko Head Job Corps Center was ordered closed by the Labor Department. She wrote:

I believe that a terrible mistake has been made and that the Labor Department did not know our center was located in the city of Honolulu. Thus, the concomitant announcement mollifying the closure that we would get a mini-center for 300 boys made no sense at all. Why close a successful center in Honolulu and lose its million dollar capital improvements, and at the same breath open

another center several minutes away which will cost another million dollars to open?

The announced closures particularly distressed Police Chief Thomas J. Cahill, of San Francisco, whose department, he said, has worked "very closely with the Parks Job Corps Center. I feel that the elimination of some of these major centers will merely throw that number of young men back into the environment from which they have been lifted."

Another California official also expressed dismay with the decision.

Ted L. Smith, president, of the California Chief Probation Officers Association, said:

The impending closing of the Job Corps Centers threatens the criminal justice system throughout the United States with curtailment of an effective training program for deprived and delinquent children.

One of the great losses in the Job Corps shutdowns is the loss of an excellent working relationship recently developed with the apprenticeship programs of organized labor.

The Brotherhood of Painters, Decorators and Paperhangers of America has been working with the Job Corps in preparing disadvantaged youth for gainful employment in the painting and decorating industry.

S. Frank Raftery, president of the union, said in a letter:

It saddens and alarms me to see that we are again turning our backs on a major segment of our population. . . . We must not stand idly by and see our most precious resource, the youth of this country, wasted from lack of opportunity.

M. A. Hutcheson, president of the United Brotherhood of Carpenters and Joiners of America, wrote that the closing of Job Corps conservation centers would curtail the union's training program with corpsmen. He said:

Although none of our programs have run the full cycle, we have already placed 52 young men that we were able to qualify into our apprenticeship programs throughout the country and we expect to place all of the young men now in our programs. . . . If curtailment is essential for some of the conservation centers, it should be done on a selected basis after full investigation of the quality of training and job placement that has been accomplished at each center.

The hasty action by the administration put the International Union of Operating Engineers in a similar position. Hunter P. Wharton, union president, wrote:

Not only have we supported the Job Corps in principle, we have supported it in action. Since 1966, our International Union has provided training as heavy equipment operators for 65 to 70 corpsmen annually at Jacobs Creek, Tenn. In July of 1968, we extended this program to the Conservation Center at Anaconda, Mont., where we have a trainee census of about 50. We have placed almost all of the Jacobs Creek graduates in union jobs across the country, and anticipate placing some 100 more graduates from Jacobs Creek and Anaconda this summer. . . . I earnestly solicit your assistance in maintaining the conservation centers so that we, along with others, may continue to help these youngsters who want to help themselves.

Another union president, I. W. Abel of the United Steelworkers, pointed out in a telegram to Secretary of Labor George

May 5, 1969

Shultz the lack of foresight in closing the girls center at Northern Michigan University. Abel said:

The closing of the Job Corps Centers without proper hearings by the Congress is a needless rebuke to the national commitment to combat poverty . . . Certainly the immediacy of the order should be delayed until the present group of 100 girls can be graduated in June.

Sheriff Carter R. McCall, of Brevard, N.C., supported continuance of the Job Corps program and said:

I think if we can reach one out of every three of these young people, that they may have a productive life, as self-sustaining tax-paying citizens.

Mr. President, I ask unanimous consent that a representative sample of my mail on this subject be printed in the RECORD.

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

COMMUNITY ACTION LEXINGTON-  
FAYETTE COUNTY, INC.,  
Lexington, Ky., April 11, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, U.S. Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: I am writing to express my vigorous protest at not only the proposed closing of sixty-five Job Corps Centers, but also at the manner in which the Nixon Administration has handled the matter.

Having worked with the original Job Corps Task Force, and as an Assistant Director of the Lincoln Urban Job Corps Center for Men, I can speak from some experience. The young men who will be forced to leave on July 1 will NOT again respond to any kind of training program, any kind of promises or exhortations about "bold, new innovative programs" because this current action is ample evidence to them that this Administration does not intend to practice today what it preached yesterday.

Secondly, to close down centers suddenly will put a frightening number of young people between 16 and 21 literally on the streets of our major cities at the worst possible time of year—the long, hot summer. The appropriations for summer programs such as Neighborhood Youth Corps have been so emasculated by cutbacks that what little we are able to get is almost a farce in face of the needs. It need not be said that the addition of thousands of displaced Job Corpsmen to the ranks of the waiting lists for summer jobs will find us in a disastrous situation this summer.

The fact that neither Congress nor the Job Corps Administration was consulted or involved in reaching this decision is indicative of an attitude that is perhaps even more alarming than the direct action. I urge you and every member of your subcommittee to act as forcefully and swiftly as possible to negate the closing of the Job Corps Centers.

With every wish for success in your efforts,

Sincerely,  
MARGARET SHANNON,  
Director, Manpower and  
Education Office.

WASHINGTON, D.C., April 26, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR SIR: My name is Rosetta Stokes, a former Job Corpswoman. I graduated from the Huntington Job Corps Center for Women in Huntington, West Virginia in June of 1967.

I'm writing you and hoping that this letter might give you a better understanding of Job Corps. I would like to give you a summary of my life before and after entering the Job Corps program.

I was born in York, Pennsylvania and raised in a family of 11 children. I attended Jackson Elementary School, Hannah Penn Junior High School. While attending Hannah Penn in my 8th year my mother died. I then lost the initiative which my mother gave me and got a part time job and started neglecting my studies. I then attended William Penn Senior High School. Because of lack of credits I did not graduate. I'm not going to give a lot of excuses for not graduating. I then came to Washington, D.C. trying to find employment and believe it or not I couldn't get a job doing anything but babysitting. I then heard about the Job Corps on T.V. and they gave a number to call. I was screened by WICS (Women In Community Service) and then accepted to go to Huntington. While at Huntington I studied Typing, Filing, Record Keeping, Business Machines, LSD (Learning Skills & Development), Charm (grooming & homemaking) and Business Math. I found that it was easier to study and since I have been out of the Job Corps I realized why; because there were people who cared and saw that we ate the proper foods, had clean linens on our beds, decent clothing and we had individual attention in class (I was able to work at my own speed).

I also found that there were people who cared about my free time. They organized cultural trips and all around recreation programs for us.

After graduation I returned to Washington, D.C. and received a phone call from my WICS volunteer (my screener). She helped me find employment, which I still have. And she has helped me in adjusting to a better life.

You probably have received letters from people who are dissatisfied with Job Corps, but I want to say that you get from Job Corps what you put into it and I feel that my life has benefited from the program. I'll always be grateful for the training I received there. And I know it has helped me in the work I do today, and been the means to a better life for me and my future family.

I know I represent many others who don't have time or don't know how to write their Senators so I am writing for all of us when I ask you to fight for retention of Job Corps as it is today and other poverty programs.

I have also sent this letter to my Congressman, Senators and President. And I would like to thank you on behalf of the Job Corpsmen and former Job Corpsmen for the support you are giving the program.

Sincerely,  
ROSETTA STOKES,  
Job Corps Graduate, June '67.

POLICE DEPARTMENT, CITY AND  
COUNTY OF SAN FRANCISCO, HALL  
OF JUSTICE,  
San Francisco, Calif. April 18, 1969.

Senator GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR SENATOR NELSON: It has come to my attention that there is a strong proposal to cut the Job Corps budget and to close a number of the Job Corps Centers.

We have worked very closely with the Parks Job Corps Center, and I feel many of the young men who have been trained at the Center have had the opportunity to develop skills which enable them to engage in useful pursuits as meaningful citizens. I feel that the elimination of some of these major Centers will merely throw that number of young men back into the environment from which they have been lifted.

It is my sincere hope that very serious and full consideration will be given to this important program before it is curtailed or before any Centers are closed.

Sincerely yours,  
THOMAS J. CAHILL,  
Chief of Police.

THE GREAT LAKES MUTUAL LIFE  
INSURANCE CO.

April 16, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower and Poverty, Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: We were both interested in and greatly concerned with your letter of April 9th relative to the proposed cut-back in the Job Corps Conservation and Urban Job Corps Centers program and we thank you for bringing this to our attention.

We are in total agreement with your observation that any action that would cripple these programs tends to be an invitation to disaster, particularly in our urban areas. Although we do not necessarily see these programs as continuing into infinity, certainly they should have wholehearted support for continuation during this period in history. We urge you and your Committee to give every support to continuation of the Job Corps program under full budget, secure in the knowledge that you have encouragement and support from thinking Americans.

With kindest regards,  
Sincerely,  
THAD B. GAILLARD,  
CLU, President.

STATE OF MAINE,  
OFFICE OF THE GOVERNOR,  
Augusta, Maine, April 13, 1969.

HON. GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: Enclosed is a copy of a wire sent Friday, April 11, to President Nixon.

Sincerely,  
KENNETH M. CURTIS,  
Governor.

COPY OF WIRE SENT FRIDAY, APRIL 11, 1969  
President RICHARD M. NIXON,  
The White House,  
Washington, D.C.

The decision of your Administration to close down 59 Job Corps Centers and conservation camps in the Nation constitutes a breach of faith with the poor people of this Nation who for a brief period were beginning to feel that someone did care.

We all recognize the controversial aspects of this short lived program which is not being given adequate time for adjustment or evaluation.

I am stunned by the reckless abandon used by your office to cut the heart out of what had become a bold instrument in reducing the grinding poverty of our ghettos and our rural slums.

The Acadia Conservation Center in Maine was one of the most successful in the Nation and reported that eighty percent of its enrollees were placed in jobs because they had the experience of a six months program in Maine.

In the Poland Spring Job Corps Center for women more than six thousands girls from economically and culturally deprived surroundings were given a new grip on life and eighty percent of these girls have been placed in meaningful jobs within their communities.

I urge you to reconsider this decision which has been made in such an abrupt and arbitrary manner without consultation with the State and municipal leaders who are directly concerned.

Kenneth M. Curtis, Governor of Maine,  
Augusta, Maine.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., April 19, 1969.

HON. GAYLORD NELSON,  
U.S. Senate, Washington, D.C.

DEAR SENATOR NELSON: Hawaii's Koko Head Job Corps Center was ordered closed by President Nixon's administration. I am doing all I can to prevent its closing. I believe that a terrible mistake has been made and that the Labor Department did not know our Center was located in the City of Honolulu. Thus the concomitant announcement mollifying the closure that we would get a mini Center for 300 boys made no sense at all. Why close a successful Center in Honolulu and lose its million dollar capital improvements, and at the same breath open another Center several minutes away which will cost another million dollars to open? And while the new Center is being planned, what is to happen to the 250 boys who are presently at our Koko Head Center? The fact that Honolulu is scheduled to have a mini Center for 300 boys admits our need and therefore makes this decision to close Koko Head even more difficult to accept.

I am confident that your great influence and leadership in this matter will save our program.

Very truly yours,

PATSY T. MINK,  
Member of Congress.

STATE OF NORTH DAKOTA,  
EXECUTIVE OFFICE,  
Bismarck, April 16, 1969.

HON. GAYLORD NELSON,  
Chairman, Subcommittee on Employment,  
Manpower and Poverty, Senate Office  
Building, Washington, D.C.

DEAR SENATOR NELSON: The officials in charge of the Dickinson Job Corps Conservation Center at Dickinson, North Dakota, were informed without warning that it was one of nearly 60 Job Corps Centers that would be closed. The stated reason in newspaper stories for the wholesale closing of these Job Corps Centers was to save money. A rather vague compensatory program was suggested for sometime in the future that would open new centers for vocational training in urban areas.

It seems ill-advised to shut down physical facilities that contain vocational training equipment that has cost the taxpayers millions of dollars in order to open up new facilities near urban centers that will again cost millions of dollars for facilities and equipment to provide a program that the Job Corps is doing at the present time.

This wholesale abandonment of existing facilities and equipment in favor of buying new facilities and equipment closer to urban areas is contrary to the administration's professed desire to hold down government construction in the fight against inflation.

It is also a serious matter that trained administrators, counselors, and vocational educators are precipitously forced to leave their Job Corps work for different employment. I would think that some day, when the vaguely described new centers are constructed, there would be problems in staffing with qualified personnel. Laying off Job Corps personnel now and expecting them to be available at some future date for vague new centers is too much to expect.

I think it is a tragedy that we are forcing the disadvantaged youth of the nation to provide the tax savings to help conduct a costly war on one hand and control inflation through reduced government expenditures on the other hand.

I think it is unwise that this country should retreat from the Job Corps program without a better alternative immediately available to help solve the problems of disadvantaged youth.

I want to point out, too, that this movement of government facilities to the urban

centers is a part of the tragic lack of national planning which has so badly dislocated our population in recent years. If the federal government continues to ignore the needs of underpopulated states for federal facilities and grants, the federal government will continue to be the prime factor in forcing people to leave under-populated areas to go to already overpopulated areas and thus continue to add to the grave social problems of crime, poverty, pollution, and congestion that plague the overpopulated states. Moving facilities back to urban areas is brush fire crisis planning which has plagued our nation for decades.

Last year, Congress, in an economy binge, forced the closing of the Lewis and Clark Job Corps Center at Bismarck, North Dakota. This Job Corps Center was doing an exceptionally fine piece of work and was an excellent center in any way you wanted to measure it. This center used existing facilities owned by the federal government, just as the Dickinson Job Corps Conservation Center, which is now being closed, is using existing facilities owned by the federal government. Up to one-third of the young men who were served at the Bismarck center were North Dakota youth.

It is now apparent that another federal facility has been taken from an underpopulated state and moved to an overpopulated state in order to continue to add to the unplanned, inadvertent federal programs that have been a prime factor in the disastrous shift of population to the urban centers.

I believe the closing of the Dickinson Job Corps Conservation Center, which occupied an abandoned federal radar site, and the closing of the Lewis and Clark Job Corps Center at Bismarck, which occupied an abandoned federal fort, are not justified in terms of tax savings when judged in the context of priority needs for the country.

I am appalled that the Job Corps program is not strengthened and improved instead of being weakened and gutted in order to practice false economy.

There are those who complain of the cost of training a Job Corpsman. *And if we are to judge the success of the program on the cost of training a Job Corpsman, we must also judge the program on the basis of the staggering economic and social costs of not training that Job Corpsman.*

An untrained youth that looks forward to a life of non-productive welfare or poverty or crime will cost the taxpayers many times over the price that they would pay to bring that youth out of poverty into a productive and useful life.

Somewhere along the line, our nation has become confused in its priorities and its sense of values. The secure seem to be most successful in obtaining the services of education, health, transportation, job opportunities, and all the blessings of a good life. The insecure and the disadvantaged seem to find little in our economic, social and political system that can cause them to be proud of being an American.

I hope your Congressional committee will bring about the economies in government in such questionable fields as excessive military expenditures, supersonic transports, and space exploration before you force disadvantaged youth to finance these questionable federal programs.

Sincerely yours,

WILLIAM L. GUY,  
Governor.

LOS ANGELES, CALIF.,  
April 15, 1969.

President RICHARD M. NIXON,  
The White House  
Washington, D.C.

DEAR PRESIDENT NIXON: I am writing to you on behalf of the 3000 members of the Los Angeles Section, National Council of Jewish

Women to protest the closing of 65 Job Corps Centers. The Centers have been meeting a great need and closing them without offering a positive alternative program can only add to the disillusionment of the poor.

Since the Senate sub-committee chaired by Senator Gaylord Nelson will begin its hearings on the poverty program in May, it would seem to us that the decision to close the Job Corps Centers should be withheld until the sub-committee has held its hearings and made its evaluation and its recommendations for alternatives to the Job Corps to combat poverty.

Yours truly,

Mrs. HOWARD OLANSKY,  
Vice-President Public Affairs and Education.

SHERIFF OF LAWRENCE COUNTY,  
S. DAK.,

Deadwood, S. Dak., April 16, 1969.

Mr. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, U.S. Senate, Washington, D.C.

DEAR MR. NELSON: I would like to take this means to state that we have had excellent cooperation from Mr. Lawrence Amacillo and Mr. Harvey Gibson at the Box Elder Job Corps Camp at Nemo, South Dakota.

As far as we are concerned, they have given us their fullest cooperation and we have not had any trouble.

Sincerely,

RICHARD T. McGRATH,  
Sheriff, Lawrence County.

CITY OF BURNS,  
Burns, Oreg., April 15, 1969.

HON. GAYLORD NELSON,  
Washington, D.C.

DEAR SENATOR NELSON: I feel that I am in a position to render a more qualified opinion of our Job Corps, than most people, because this is my home community and I am quite familiar with its problems and also because I worked for the Job Corps four months in the year of 1966 and for four months in 1967. I became quite familiar with its functions.

First, so many of these boys, when they arrive, don't know anything about anything. They are completely helpless as future citizens. I believe that this is not only the fault of society but is also partly their fault. But at any rate, this gives them another chance and many of them take advantage of it. There is no question that they come out of the Job Corps with far greater potential for good citizenship than when they went in. They are on the proper road and have some semblance of ideals as well as some ability to earn a living.

I realize that there are a number of criticisms in order, and time and space will not allow me to elaborate on them, but I would say that the main fault is not with the Corpsmen, but with the government, with its limited administration of this project. There simply has to be more definite discipline, so that they must comply with orders when they sign up and must be required to serve a minimum of three months. By that time they have overcome their homesickness and become adapted to their new surroundings and routine. There has to be more teeth in this project to make it more successful.

Secondly, the Job Corps is working in close cooperation with another government agency, which is the Wildlife or Bird Refuge, located near here. They have done an immense amount of work for the government, in building fences, bridges, roads, etc. They have projects now on schedule such as rebuilding the road loop over the Steens Mountains and up to Fish Lake, over to Hart Mountain and others, which would be tragic to abandon at this time. These projects are

a part of our community which give hundreds of tourists an opportunity to see a part of the United States that they did not dream existed. I have only mentioned a few projects.

They have agreed at my request to come into Burns and help us build two small dams to control flood waters. This was to be done next February, when they are not so rushed with demands of other work. We need these dams very much. A small group of the boys has assisted a couple of days in cleaning up our cemetery, which we greatly appreciate.

As a general rule, the boy's conduct is very good when they come to town. There has been very little trouble.

This is a small community. If every member of our population was placed an equal distance apart, there would be over a mile separating each one in this county. It is a wholesome place for these boys to live.

Economically, we have become used to it, so to speak. A good deal of their business is done in our town of Burns, which has a population of less than five thousand. This closing would be a disaster to our local business people and would put quite a number of local people out of jobs, who own their own homes here and would be unable to move.

I think that this matter should be re-considered for the reasons stated above.

Yours very truly,

RAYMOND VOEGTLY,  
Mayor.

MILWAUKEE BOYS' CLUB,  
Milwaukee, Wis., April 18, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR MR. NELSON: Congratulations on the strong stand you have taken in opposition to the mass closing of the Job Corps Centers on July 1, 1969. Since the Milwaukee Boys' Club was involved in a joint summer program in 1968 with the Eastern Region U.S. Forest Service, we are very much aware of the value which these centers have to our inner city youth.

In this program approximately 40 of our boys participated in the Clam Lake and Blackwell Conservation Center training. It was obvious that the majority of these boys benefited substantially from the excellent exposure which they received. They participated in the educational, vocational and social aspects of the program and received the excellent guidance of the trained professional staff of the Camps.

In addition and probably the greatest advantage of these Camps is the opportunity for these troubled teenagers to get out of their urban pressure cooker environment to the quiet relaxed setting of our beautiful National Forests. We have found, beyond any doubt, that this alone promotes a positive stimulus, improves group relationships and encourages a desire to learn.

The Milwaukee Boys' Club can wholeheartedly endorse the work which the Job Corps is doing and deeply regrets the decision to shut down 57 of the Units effective 7-1-69. We certainly hope that through your Senate Employment, Manpower and Poverty Subcommittee that you may be able to minimize the effect of this very cold and harsh decision. Our professional staff is willing to lend its aid toward your cause in any way possible.

Cordially,

WILLIAM R. BRICKER,  
Executive Director.

POPLAR BLUFF, MO.,  
April 25, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: The Poplar Bluff Job Corps Center is reputed to be one of the

most outstanding. Are the Centers remaining open even more outstanding?

I am avidly in favor of trying for a balanced federal budget and curbing inflation. I realize if these things are accomplished, spending must be cut somewhere. If the local center is not fulfilling its purpose—close it. However, I want reassurance that some other center with a worse record, but perhaps a "louder voice" is not being retained.

Sincerely,

P. DAVID HARUTUN.

LIVERMORE, CALIF.,  
April 23, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.:

We want to express our strong opposition to the closing of the Job Corps camps! Our tax money is much better spent there than on the inevitable welfare if there is no Job Corps.

Mr. & Mrs. JAMES A. RINDE.

HARNEY COUNTY, BURNS, OREG.,  
April 15, 1969.

MR. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, U.S. Senate, Committee on Labor and Public Welfare, Washington, D.C.

DEAR SIR: The recent announcement by the administration to close the Job Corp Conservation Center at Malheur disturbs this educator very much and I will state my reasons very clearly, right or wrong this is the way I feel.

Provisions have been made for a beginning for some of our youth from the poverty areas of our nation and to close centers around the nation appears to be a step backward in this writer's eyes. Immediate costs appear to be high per student enrollee, but to look at the long range effect on students it would be most logical to see a gain if we take our youth who have for one reason or another dropped out of a training program, not realizing the effect he or she would be faced with in attempting to make a living for himself without some type of training, and make them providers rather than create a cycle of welfare cases, compounded over the years through their lack of foresight in getting a background to hold a job or secure a new job through re-training.

In my experience in talking to many of these students, they realize their mistake, and have cooperated with our educators in re-evaluating the mistakes of our school systems.

We realize the remoteness of the Malheur CCC near Burns, Oregon. However we are dealing with youth and should centers be placed back near the population centers of our nation I would guess the turnover would be just as great, away from home is away from home and to get these youth out of the trap of society in which they are locked in is a major objective of a program, just as our military program takes our youth away from home so should the Conservation Centers take them away in part.

Construction, light and heavy equipment training is most certainly going to be needed. As I observe these boys, talk with them, they are very proud of the work they are doing, and as they adjust to the location, make new friends and are recognized as doing something right, they take pride in doing better. To many this is the first time they have been given a word of encouragement or a set of individual standards they can see as accomplishments.

Thank you for taking the time to listen to one concerned citizen.

Respectfully,

A. E. STARNES,  
County School Superintendent.

HOLIDAY INN OF POPLAR BLUFF,  
Poplar Bluff, Mo.

HON. RICHARD M. NIXON,  
President of the United States,  
The White House,  
Washington, D.C.

MR. PRESIDENT: Butler County citizens have been led to believe by federal officials that the Poplar Bluff Job Corps Camp was a model for the entire nation. I personally would like to see such an outstanding establishment remain open, so we may still be a model for the nation, in our area.

Respectfully,

H. R. ARNAC.

#### IMPERSONAL PERSONNEL POLICY

Secretary of Labor Shultz assured Congress this week that the Administration can cut the Job Corps by half and yet keep the present manpower gainfully employed full-time. Explaining this remarkable personnel policy, he maintained that no one would really be fired but that thousands would be rehired.

The Secretary undertook to refute the protest of Rep. Ford (D-Mich.) that 16,500 Corpomen will be "dumped on the streets" as the result of the Administration's decision to close 59 of 106 Job Corps camps—at a budget savings of \$100 million. Some, Shultz said, will be offered openings in Labor Dept. training programs. Others will be taken in at the 30 projected new "mini-centers" near cities.

But the first 10 centers are not scheduled to open until fall and they will have room for only 2000 youths. The 20 others, to be ready more than a year from now, will accommodate only 2600 more. That leaves many thousands unaccounted for.

So labored was the Secretary's "explanation," yet so high is his professional reputation, that Ford credited Shultz with making a loyal effort to defend an indefensible policy devised by the White House. Perhaps the credit is due; the fact remains that many Job Corpomen—and potential recruits—are now jobless when they need work desperately.

[From the Astoria (Oreg.) Daily Astorian,  
Apr. 8, 1969]

#### FOOLISH MISTAKE

The \$100 million cut which the White House reportedly wants to make in the Job Corps budget would be a foolish, stupid mistake.

At a time when private and government efforts are being made nationally to train and uplift minority group members and others who are out of the economic and social mainstream, it's utterly foolish to cripple this program which is such a microscopic part of the budget.

The proposed 1969-70 budget is nearly \$200 billion (not million but billion), the largest single portion taken up by the Vietnam war, the man-to-the-moon program and other military and space-exploration spending. The \$100 million which the White House has told the Labor Department it wants to cut is about what it takes to develop a new bomber for the Air Force or to build some rocketry to be launched from Cape Kennedy.

What it comes down to is the nation's set of priorities. What is more important to the United States: trying to get all of its people in step with the modern, technological society or building missiles, guns and rockets?

If the Job Corps budget—for the current year, it's \$280 million—were a major chunk of the national budget, Mr. Nixon and his associates might have more justification for their wanting a substantial reduction. But to take a program that is one-one thousandth of the budget and to propose cutting it by 36 per cent shows a strong belief that the Job Corps is either a failure or an undesirable program.

Much criticism has been made of the cost of the Job Corps operation—about \$5,000 per girl per year at the Tongue Point center—a not unexpected reaction in a country where private enterprise and making one's own way are old and dear values.

What the white and solvent part of the American population does not generally realize, though, is how difficult it is for a young person who is a part of a big-city ghetto or of the rural Southeast, for example, to get out of those environments and become self-sufficient.

Another point usually overlooked is that the cost for a girl or boy at a Job Corps center is figured on the basis of the entire cost of operating a center 24 hours a day, seven days a week. It includes not just instructional expenses but such things as transportation, medical and dental care, heating and all the other utilities costs of a center. Just the cost of running the Tongue Point facility, formerly a Naval base, is quite an expenditure.

President Nixon said when campaigning for office that he would eliminate, or try to eliminate, the Job Corps. It appears now that he had decided to do it in steps. The Congress still has a strong voice in the decision and it appears that its members are the ones to whom supporters of the Job Corps should address their messages.

The Job Corps is attacking problems that affect a minority of Americans, but it is necessary for them and for the country to continue with the program.

VILLAGE OF CASS LAKE,

Cass Lake, Minn., April 22, 1969.

Subject: Lydick Lake Job Corp.  
Hon. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR MR. NELSON: I wish to use this means to relate to you reasons favorable for retaining the Lydick Lake Job Corp, which is located near our village of Cass Lake.

This camp has been developed into one of the finest quarters imaginable. The boys who have entered this camp became familiar with a more rural mode of living and so many of the Corpsmen I have spoken to express their feeling of gratefulness to learn of the opportunities of life.

The physical accomplishment developed in the area is amazing to anyone who has had the opportunity to see this first hand.

The economic value to our several surrounding communities have gained tremendously. We are a village with a population of 1600, and was designated at one time of being a distress area with all the non-taxable lands and also non-taxpayers. The non-taxpayers create a tremendous burden to our village. The closing of Lydick Lake Job Corp will again place us in the same distressed area.

In behalf of the people of Cass Lake and this surrounding area, please reconsider retaining Lydick Lake Job Corp.

Sincerely,

AXEL ERICKSON,  
Mayor.

EL DORADO COUNTY, CALIF.,  
April 18, 1969.

Senator NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR: I wish to urge you to oppose the executive order that would close many of the Job Corps Centers throughout the country. The immediate dollar saving may cost more in the long run than we can afford to pay.

I feel that our local center here in El Dorado County, California has produced excellent results and I would hate to see this opportunity denied the youth of our country. The background of these young people we are training in the Job Corps seems to

indicate there may be no other place they can work their way out of the ghetto and welfare to become productive citizens of our country.

The youth of our country is our most important commodity, we owe him every opportunity to prepare himself to live in our world of the future.

It costs \$5,500.00 to train a young man in the Job Corps, it costs \$5,000.00 to maintain one in the California Youth Authority Institution. If we close Job Corps Centers, most of these young people will wind up in these institutions or on welfare which will cost the taxpayer more in the long run.

There are many advantages in having Job Corps Centers to the local communities.

I again urge your careful consideration, before allowing the Job Corps Centers to close. I doubt that we can afford the small immediate saving we would realize.

Respectfully,

JOHN T. "TED" LARSON,  
Member County Board of Education.

WALKER COUNTY, HUNTSVILLE, TEX.,  
April 23, 1969.

Senator GAYLORD NELSON,  
Chairman, Manpower Subcommittee, Labor and Public Welfare, Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: The New Waverly Civilian Conservation Center is one of the centers listed for closure in the near future. This center has been reasonably successful in the past. Operating costs have been low, needed projects of great benefit to the public have been done, community problems have been minimal and local support has been good. More importantly, the trainees are being taught job skills that are slanted heavily toward construction and which are now in such great demand. At the same time intensive attention is directed toward improving attitudes and developing social skills and citizenship.

I support the New Waverly Civilian Conservation Center and I request that you do everything that you can to insure the continuance of the Center.

Sincerely,

AMOS A. GATES,  
County Judge.

POLLOCK PINES, CALIF.,  
April 18, 1969.

GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, U.S. Senate, Washington, D.C.

HONORABLE SIR: As the closest neighbor to the Sly Park Job Corps, I feel that my views may have some merit. We are adjacent to that installation.

My position as Resident Manager of Sly Park Hills, a recreation subdivision, dating from before the inception of the Job Corps, kept me on the alert as to possible deleterious influences in our area. I can honestly state that the Sly Park Job Corps has proven itself to be a good neighbor. Many of our property owners have visited this Job Corps on occasions when they have held "Open House", and have been impressed not only with the degree of organization present, but, more important, with the obvious help that all of the corpsmen were being given to enable them to make a living in a competitive world.

It must be obvious to anyone that has looked beneath the surface, that, from the economic standpoint alone, it is wiser to train a person to be self-supporting, than it is to support them for a lifetime on the welfare rolls, or in institutions.

I can only hope that the Sly Park Job Corps will be retained, and that the people there will be allowed to continue in the fine job they are doing.

Very truly yours,

WALLY BEHRENS,  
Realtor.

MERCED, CALIF., April 18, 1969.

Senator GAYLORD NELSON,  
U.S. Senate Office Building,  
Washington, D.C.:

Impending closing of Job Corps centers threatens the criminal justice system throughout the United States with curtailment of an effective training program for deprived and delinquent children. Returning 200,000 hard core teen agers to local jurisdictions, already unable to provide the training they need and desire, is risking possible civil disturbance. During the coming summer months, California's Chief Probations Officers Association supports the Job Corps programs and strongly urges reconsideration towards retention of the center.

TED L. SMITH,  
President, California Chief Probation Officers Association.

DEPARTMENT OF SOCIAL JUSTICE,  
NATIONAL COUNCIL OF THE  
CHURCHES OF CHRIST IN THE  
U.S.A.,

New York, N.Y., April 25, 1969.

HON. GAYLORD NELSON,  
Senate Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR SENATOR NELSON: The "control of crime" is enunciated as a matter high on the list of priorities of the present Administration. When speaking of developing programs to control crime, as the Administration shall ask you to do, I respectfully request that you speak to control—indeed, to stop—the crime of closing down Job Corps Centers in various parts of the nation.

These Centers are helpful. Not only are they offering job-training opportunities to thousands of the hard-core unemployed and unemployable, they are also providing positive activities for numbers of persons who are adjudicated delinquents and/or near delinquents. The decision to close the Centers provides these youth with idleness. This is morally culpable behaviour because, of necessity, the action militates toward revisiting the youth with frustrations and disillusionments. It invites a re-activation of whatever social hostilities to which some of them may have been victim. Justice weeps at the feet of this action.

The present Administration has repeatedly proclaimed that it will not make grandiose promises to the black, the poor, and the otherwise disadvantaged, lest it raise hopes which cannot be fulfilled. This has the ring of sobriety. If, however (as is the case now), the Administration concurrently and voluntarily engages in action which dashes hopes already moving toward fulfillment, the picture presented is at once pathetic and ludicrous.

Cut the war expenditures. Yea, cease the war entirely.

It is impossible to believe that our governmental authorities are either as naive or as calculatingly indifferent as this injudicious action implies. Yet, one or the other must surely be true.

Please use your good offices, and the influence and authority vested in you to speak to the rescinding of this macabre decision.

Sincerely,

Rev. ROBERT C. CHAPMAN.

STATE OF WASHINGTON,  
OFFICE OF ECONOMIC OPPORTUNITY,  
Olympia, Wash., April 22, 1969.

HON. GAYLORD NELSON,  
U.S. Senator, Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: While there is still time, we urge Congress to renew its support for the Job Corps concept and the 113 centers now in operation. Specifically, we believe the Moses Lake Women's Center, operated by AVCO and the Cispus Men's Conservation Center, operated by the U.S. Forest Service, both in Washington State, should be retained. The facts of national need and the

performance of these two centers do not warrant their closure.

The Moses Lake Center is operating under the excellent direction of a private corporation, with 35 enrollees more than their contract requires at a cost 6 per cent below the contract figure. AVCO has three years' experience in Job Corps operation and many of the outstanding staff of the Center moved to remote Moses Lake out of deep commitment to the purposes of the program. This center has a low drop-out rate for women's centers and though the placement rate is not impressive, it should be pointed out that the responsibility for placement lies with the state employment services. Job Corps has no field placement staff.

In Washington State we are seeking to improve Job Corps placement by action at the local level. The Seattle YWCA has been working in this area and the state is currently giving serious consideration to funding a Job Corps "half way house" in the Seattle area. The expanding economy of Washington State is conducive to the continued placement of Job Corps graduates.

The director of the Moses Lake Center has informed us that not all of the enrollees will respond to a transfer to another center, and further, that many of them have no homes to go to. It should be remembered that their presence in the center is voluntary and that the individual enrollees have assumed the responsibility to improve themselves. The closure of 59 centers will have a dramatically negative effect on poverty area youth throughout the nation as it signifies a depreciation of national commitment. The absence of any visible and immediate alternative to Job Corps will verify these negative reactions.

The Moses Lake Center operates at a cost of \$5,000 per enrollee/year. This is significantly less than care in Washington's institutions for delinquent youth.

The Cispus Center for men has made a lasting contribution to the care of this State's natural resources. For nearly four years it has received the high praises of nearly every segment of Washington's community leadership. It operates with a fantastically low (11 per cent) drop-out rate and has a 66 per cent placement record. Judged by five basic Job Corps performance criteria, it ranks 15th among the 82 conservation centers in the nation and operates at a cost of \$4,800 per enrollee/year. \$1,000,000 was invested in opening the Center. The Center Director has informed us that one-half of the men will not transfer to a new center, but will elect to return home.

The Cispus Center has had outstanding community relations. The Moses Lake Center, though experiencing serious problems initially, has had consistently improving citizen support. We know of no serious criticism of any Washington State Job Corps Center at this time. Corpsmen have had excellent recreational experiences in this State. On one occasion, 60 Corpsmen worked all night in cooperation with the State Civil Defense Department with sand bags to divert flood waters approaching the business district of a small rural community. The City of Spokane has operated a staffed Job Corps recreational program.

The concept of remoteness from the Corpsmen's home community is supported by our experiences in Washington State. The one center at Neah Bay, which enrolled a substantial number of local residents, was not successful in its efforts and was closed two years ago.

Our experience indicates that Job Corps is making a significant contribution to individual motivation and ability in balance with, if not exceeding, expected relationship to costs per enrollee. The program is an investment in youth we cannot afford to be without.

Sincerely,

BYRON E. BRADY,  
Director.

EL DORADO HIGH SCHOOL,  
Placerville, Calif., April 22, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Senate Office Building,  
Washington, D.C.

DEAR MR. NELSON: I am writing this to express my concern over the phasing out of the Sly Park Job Corps Center in El Dorado County.

I am concerned about the return of these boys to an environment from which I believe they should be removed.

I am concerned about the future education and job placement of these boys. Sly Park has an excellent record in both instances.

I am concerned about the effect on the economy of this area which is already in some degree of difficulty.

I am concerned with the fact that the government has an established facility in which several hundreds of thousands of dollars have been spent and which they want to abandon, to build another facility in a metropolitan area.

I am concerned that this could well be the last chance for some of these boys and that they will eventually become wards of the state from which they came.

We can spend millions of dollars to maintain our position in Asia to promote good will amongst underprivileged nations of the world and neglect the very people who are most in need right here in our own nation.

I do hope that you will do everything in your power to see that this facility and all facilities like it are maintained for the underprivileged youth of this nation.

Sincerely yours,

STEVE O'MEARA,  
Vice Principal.

LEAGUE OF WOMEN VOTERS,  
River Falls Wis., April 22, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR MR. NELSON: The members of the River Falls (Prescott and Hudson) League of Women Voters oppose the closing of any Job Corps centers until adequate and expanded facilities are in operation. We favor "saving" the future of the young people involved rather than a few tax dollars.

The trial period for the centers located away from environments of little hope deserves further consideration, especially when they are to be replaced by urban centers, which seem unrealistic.

We thank you again for your interest and concern for human problems and wish you well in conducting hearings regarding the Job Corps centers.

With best wishes,

Mrs. W. G. HETTING,  
Chairman, Human Resource Committee.

SILVER SPRING, Md., April 17, 1969.

DEAR SENATOR NELSON: You and other members of our Senate subcommittee on employment, manpower, and poverty are urged to consider my desire that Job Corps not be changed to other agencies nor drastically cut. As a volunteer worker in the antipoverty program, I have seen numerous young women change through their Job Corps experience. With such educators as Dr. Bunetta Washington, I do believe in training the whole person, which is the emphasis at Job Corps Centers.

Your attention is appreciated.

Sincerely yours,

Mrs. AURELIA H. BARATTA.

[From the Boston (Mass.) Globe,  
Apr. 12, 1969]

CUTTING BACK THE JOB CORPS

When President Nixon transferred the Job Corps from the Office of Economic Opportunity to the Department of Labor a few weeks ago, the move was regarded as a

logical development. Certainly jobs appear to be a Labor Department function. The shift, moreover, freed OEO for the innovative work which Mr. Nixon envisioned as its prime function.

Now, however, the shift begins to take on an entirely different coloration. The Labor Department, by announcing its plan to shut down 59 job centers and create 27 new and relatively small ones for a net loss of 32, appears to have begun the dismantling process which many feared in the first place.

If this is so, the administration not only would be erring but it also would be ignoring Mr. Nixon's campaign pledge "to get the unemployed off the welfare rolls and on the payrolls."

True, some industries (notably the Ford Motor Co.) have contributed much to the employment of hardcore jobless by relaxing their recruitment policies and paying going wages to trainees. But just as surely, there is a role which government must play.

The proposed cutback of Job Corps centers more than likely would have the immediate effect of returning to welfare about half of the 35,000 now enrolled in training centers. These would have good reason to wonder what payroll Mr. Nixon had in mind for them.

There are few who will argue that the administration of the Job Corps has been perfect. But it was a magnificent concept, and the intelligent answer to its deficiencies is improved administration—not obliteration.

[From the Baltimore (Md.) Evening Sun,  
Apr. 17, 1969]

POOR SUBSTITUTE

The Job Corps removes youth temporarily from the urban ghettos. It takes them off somewhere and provides them with academic and vocational instruction within a loosely controlled environment. Like most federal anti-poverty programs, its success has been limited. But those who made it through the Job Corps centers are better off for it. Many are working, using the skills acquired at the centers. Others are continuing their education along academic lines. "The Job Corps," proclaimed the sign of a White House picket yesterday, "Makes Taxpayers."

So why are so many Job Corps centers about to be closed down? The Nixon Administration has decided they are too inefficient. This is true enough. The Job Corps does not transform every slum youth into a productive citizen. But was it expected to? Not really. By the time they reach high school many slum youths have already been saddled with distorted ideas of life and society. Often they are older than their years and not easily straightened out. Even a record of limited success with these kind of youths should be cause for optimism.

There is small comfort to be found in the fact that the Nixon Administration will not abandon the Job Corps altogether. Not all the centers will be closed. And to replace some of those that will be, the Administration will set up a number of "skill centers." These will be day school training centers, located within the city slums.

This seems like a weak substitute. The ghetto environment is one of the major obstacles to learning and vocational advancement. Squalor is not a stimulus but a drag. None understands this better than the graduates of the Job Corps centers.

POLAND SPRING JOB CORPS  
CENTER FOR WOMEN,  
Poland Spring, Maine.

MY DEAR SENATOR NELSON: The Corpswomen of the Poland Spring Job Corps Center want you to have these copies of our weekly newspaper. All of our students are understandably disappointed by the sudden decision to close so many centers and in an effort to have this action reversed, the girls have united in a constructive protest sup-

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ported by innumerable friends of Job Corps throughout the country.

Thank you very much for all you are doing.

Sincerely,

KATHRYN LOWE,  
President, Executive Council, Poland Spring Student Government.

ALBANY, WIS.,  
April 21, 1969.

Senator GAYLORD NELSON,  
Washington, D.C.

DEAR SENATOR NELSON: I am strongly opposed to closing the Job Corps Centers. I believe in reducing the expense, but not to the degree of closing these Centers.

These young people need to make adjustments in home and social life as well as learning how to fill jobs and make a living. Many of these youth do not come from the ghetto areas.

I hope this need is met with the very best consideration for these young people. Sincerely yours,

MRS. GENEVIEVE REINITZ.

BALTIMORE, MD.

DEAR SIR: My name is Darlene Giles. I was scheduled to be sent to the Job Corp Center in Charlestown W. Virginia. But due to unfortunate circumstances, I was very disappointed and stuned. I would like to express my opinion, about the closing up of the Job Corp Center, and why I think it should be re-opened. I feel as though with this project the young people would have time to realize what life is all about. It gives us a chance to open our eyes and to re-live all over again. Cutting out this project has just made us become weaker and we want to fight to keep up this program. I see an urgent need that this center be left to re-open again. I know that you can help us and with out you we have'nt got a prayer so please help us. We need you. Hope you will let us here from you soon.

Yours truly,

DARLENE GILES.

COCKEYSVILLE, MD.,  
April 23, 1969.

DEAR SENATOR NELSON: As a volunteer worker for Women in Community Service, I have worked closely with the Job Corps program for the past year. I am deeply distressed at the prospect of this program being curtailed, because I have seen what it has done for many girls in the Baltimore area.

I hope you will be successful in your efforts to halt the plans to close resident centers in favor of local "skill centers". One of the unique contributions of the Job Corps is in providing these young people a chance to get out of the horrible environment in which they must live and prepare themselves vocationally, socially, mentally and emotionally for a better life. Even if a Corpsman does not stay long enough to complete a prescribed course, the influence of his experiences cannot be measured.

Sincerely,

ELIZABETH CORKINS.

SHEFFIELD, PENNA.,  
April 22, 1969.

Mr. GAYLORD NELSON,  
Washington, D.C.

HONORED SIR: May I put in a good word for the continuance of Camp Blue Jay, only such training camp in Pennsylvania.

This is a beautiful spot largely due to efforts of men at Blue Jay over 3 years. Is well equipped with lathe and all kinds of tools. Ninety-one men have completed training. There is a capacity of 120. Gains in reading 2 yrs.-6 mos. gains in Math.-3 yrs.

Cost per man about 5000-yr. Reduced to about \$3500 due to splendid work in parks, improvements on road & many projects in

neighborhood. It will be good business to continue this camp.

Sincerely,

RETTA PINNEY.

KANSAS CITY, MO.,  
April 22, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Poverty,  
Washington, D.C.

DEAR MR. SENATOR: As a volunteer in Women in Community Service, I am deeply distressed about the President's order to close some of the Job Corps Centers so quickly without adequate provision being made for the enrollees to complete their training, since all the Centers are over capacity now. Also there seems to be no provision for training rural poverty stricken youth in the plan for technical centers in city ghettos. Can Congress stop the closings?

Below is the text of a night letter I sent to The President concerning the loss of some of the Centers which may be of interest to you. To date I have had no reply to my request.

"WICS Volunteers of Greater Kansas City and Northern Missouri have witnessed the rehabilitation of hundreds of young women from extreme poverty and city ghettos through the Job Corps Centers.

"Our experience clearly indicates only residential Centers away from ghetto environment can fulfill their needs. A background in living helps make acquired skills marketable.

"We feel those who influenced your decision to close Centers may be familiar with figures but not with human needs.

"Whom could you trust better than Mrs. Nixon to convey these facts? We beg you to send her to visit a Center in this region—Clinton, Iowa; Omaha, St. Louis or Excelsior Springs, then permit us to accompany her to homes from which city and rural girls were sent.

"(Signed) Mrs. I. H. WAGNER,  
"Coordinator for North Missouri for  
Women In Community Services, Inc."

I am grateful for your concern for America's disadvantaged youth and pray that your committee can help change the attitude toward the Centers.

In faithful service,

Mrs. I. H. WAGNER,  
WICS Coordinator for North Missouri.

SAN AUGUSTINE, TEX.,  
April 24, 1969.

Senator GAYLORD NELSON,  
Chairman, Manpower Subcommittee, Labor and Public Welfare, Washington, D.C.:

A resolution: Be it resolved that we the undersigned members of the Board of Directors of the San Augustine, Tex., Chamber of Commerce do, by our signatures, urge the Manpower Subcommittee, Labor and Public Welfare, under Senator Gaylord Nelson, Chairman, to reconsider the closing of the New Waverly Civilian Conservation Center of New Waverly, Texas, in lieu of the following reasons.

1. A national closing of all such centers is not under proposal, only the closing of selected centers including New Waverly;

2. New Waverly is the only civilian conservation center within the State of Texas, one of the most populous States in the Nation.

3. And further New Waverly is the only civilian conservation center within the deep South.

4. There is a large volume of work projects on the national forest which makes ideal corpsman projects and the climate permits year round outside work on projects.

5. The center enjoys a very favorable logistical location being very close to a large segment of its target population—under privileged youth.

6. The operating cost of the New Waverly

center has consistently been well below the national average to the extent that it can train a corpsman for approximately \$540 less than the nationally averaged centers per year (taken from last fiscal yearly figures).

7. The center operates at a high level of efficiently maintaining its corpsmen strength at near maximum level example during the second quarter of the current fiscal year (October, November, December 1968). All other 224-man centers maintained an average strength of 186 corpsmen compared to 220 in New Waverly (latest statistical figures available).

Joe Di Maggio, President; Sam Malone, Charles L. Samford, Wyatt C. Teel, Leroy Sparks, Ray N. McEacher, Glen Purdy, James D. Deselle, Henry E. Mc-Lemore, E. C. Moon, Matthew J. Duchele, E. E. Benefield, J. T. Mathews, Directors.

LOS ANGELES, CALIF.,  
April 22, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: I am writing to urge your strong support in favor of the retention of the Job Corps Training Centers. I am disturbed by the news reports that deep cuts in Job Corps funds are contemplated.

As one who has helped select the girls for their Job Corps Training Center, I know what this opportunity has meant to many young girls caught in the desperation of ghetto poverty. This was one of the most imaginative of the poverty programs. Although costs are high, I feel that any girl rehabilitated and provided with independence financially and emotionally is worth every penny spent.

I want to urge retention of the Job Corps Centers as constituted until the subcommittee on poverty has had a chance to complete its study and to design alternative programs.

Sincerely yours,

MIRIAM FRANKEL.

LIVERMORE, CALIF.,  
April 22, 1969.

Mr. NELSON: My husband and I urge you to keep all Job Corps Centers open, especially Camp Parks in Pleasanton, California, or we will share the despair of our rejected youth this long, hot summer.

How can our government justify spending \$5 billion on the ABM system and not \$100 million for acute human needs?

Mrs. HANLOY QUOCK.

IRONWOOD, MICH.,  
April 24, 1969.

Senator GAYLORD NELSON,  
U.S. Senate Office Building,  
Washington, D.C.

Senator NELSON: Save Ojibway Committee represents concerned citizens of Ironwood, Bessemer, Wakefield, and Marenisco, Mich., and Boulder Jct., Wisc., who support Job Corps in general and Ojibway Center specifically. Please do all you can to hold back closing of centers until Congress has studied issue. Accept our support in your hearings and effort to retain full corps strength. William Johnson, Ironwood, will call on you soon with facts on our behalf. Please hear him and accept our support. We believe Job Corps important to progress in national poverty fight. Ojibway contribution to local economy as well.

THOMAS BEAVEN.

MILWAUKEE, WIS.,  
April 23, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

Mr. SENATOR: We appreciate your effort in trying to save our youth by saving Job Corps training centers.

I have been directly involved with the program through the Women in Community Services organization in Milwaukee and see the results of education and vocational training for young men and women from 16-21, usually high school drop-outs from deprived homes. To help these people become wage earners is worth the price of \$4,500 per year for two years if you consider what a lifetime of welfare payments costs taxpayers.

Please continue to stress the necessity of Job Corp and keep the present centers in operation until the Urban Centers are a working organization.

Let's not worry about an astronaut walking on the moon this July—let's concern ourselves with youths walking the streets continuously.

Sincerely,

Mrs. JOHN JAROCH.

ANGELINA COUNTY, LUFKIN, TEX.,

April 23, 1969.

Senator GAYLORD NELSON,  
Chairman, Manpower Subcommittee, Labor and Public Welfare, Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: I am deeply concerned about the possibility of the New Waverly Civilian Conservation Center being closed.

The New Waverly Conservation Center is the only civilian conservation center in the State of Texas and the only such center in the entire deep South.

As County Judge of Angelina County I counsel and supervise the juvenile delinquents of this county and in my work with them I have come to realize just how essential the New Waverly Center is to this area. Many of these unfortunate children are juvenile delinquents, not because of some basic lack or fault of character, but because of a lack of opportunity and because of their environment. A number of the juvenile delinquents from this county, upon becoming old enough, have been accepted for training at the New Waverly Civilian Conservation Center and should the center remain open, many of our future juveniles will be accepted there. To a great many of these young people the Conservation Center is their only hope, their only chance to prepare themselves for a useful, dignified life and place in the community.

Please don't rob these unfortunate young people of their only hope of a better future by closing the New Waverly Center.

Yours very truly,

O. L. HUBBARD,  
County Judge.

WAUSAU, WIS.,

April 20, 1969.

Hon. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR SIR: It distressed me greatly to read in the paper that the Job Corps Centers would start closing. I firmly believe that President Nixon is making a big mistake in ordering this done.

The Centers are a positive way of changing high school dropouts to responsible citizens with jobs. Now that the Centers are closing these students, many of which are Negroes, will be forced back out on the streets in their same old environment again. The long hot summer may be a very long hot one indeed for all of us unless something can be done to prevent the closing of these Centers.

Sincerely,

Mrs. THOMAS JABLONSKI.

HUNTSVILLE, TEX.,

April 23, 1969.

Senator GAYLORD NELSON,  
Chairman, Manpower Subcommittee, Labor and Public Welfare, Senate Building, Washington, D.C.

DEAR SIR: In view of the fact that we have received communication concerning the closing

of the New Waverly Job Corps Center and in view of community interest in the continued operation of the Center, we the members of the John B. Shields American Legion Post No. 920, Huntsville, Texas, urge that you do everything within your power to keep the Center in operation.

One member of this organization has served on the planning committee since the early days of its organization and has worked to bring better community relations between the Center and various community institutions.

Now that we have established good relations between the many organizations of the community, we hereby feel it would be unwise and unjust to close the Center.

The New Waverly Center is in a strategic location. It is about 40 miles from a large urban area where recreation as well as occupation can be sought, and is surrounded by several small communities. The climate is reasonably adapted for year round projects from which these young men can have experience both related to urban areas and rural development programs.

Thanking you in advance, we urge you to do everything in line of duty to keep the New Waverly Job Corps open.

Sincerely,

PERCY HOWARD.

TOELLNER BAKING CO.,

Poplar Bluff, Mo., April 21, 1969.

Hon. GAYLORD NELSON,

Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: Enclosed are copies of letters sent to our Senators and House members asking their support for re-consideration of the decisions to include Poplar Bluff Job Corps Center among those reported listed for closing.

We sincerely believe that Job Corp Centers that have been as outstanding in their training programs, capital improvements to our National Forests, the Clark and Mark Twain, and to our community developments, cannot be ignored. The Corpsmen, in the training programs offered here at the Poplar Bluff Job Corps Center, are truly learning trades that will equip them to become self-sustaining tax-paying citizens.

We urge all the support you and your committee can give to keep Poplar Bluff Job Corps center open.

Very truly yours,

W. H. TOELLNER,

President.

[From the Cape Codder, Apr. 17, 1969]

#### POLITICAL CALLOUSNESS

It was our intention, when we began to prepare this comment, to make a few satirical remarks about the decision to abolish the Job Corps, while maintaining, for instance, the subsidies to the poor down-trodden tobacco growers.

But the matter is too serious, and too close to us on the Lower Cape, to take a chance on satire. Someone always seems to misunderstand.

The fact is that each young man or woman who is given a chance to break out of the vicious circle of poverty, illiteracy and unemployment becomes an asset to his nation, instead of a liability.

Someone has worked it out that each local Job Corpsman graduate at Wellfleet has cost the tax payers \$5,032. Presumably this has been calculated by dividing the total amount spent by the total number of job corpsmen.

But that's not the whole story.

What does it cost the nation for those who do not get a chance to break out of the circle? What is the cost of a generation of welfare payments to an unemployable? What is the cost, in dollars and cents, of a crime, arrest for the crime, trial for the crime, and maintenance in prison for the crime?

Does someone in the Nixon administration want to reduce to a dollar amount the cost in suffering and despair to persons born into an economic situation out of which there is, now, virtually no escape?

What of the young men and women who have managed to be nominated to a Job Corps somewhere, only to be told that the program has been abolished before they could ever get there?

We could, we believe, take an objective look at a program offered to replace the Job Corps, a project established to broaden the base, involve more young people, attack on all fronts the handicap of birth into an environment of ghetto or slum. If the Nixon administration had announced a better program, into which the Job Corps effort was to be channeled, we would gladly have possessed our souls in patience, while the new plan worked itself out.

But we feel that merely to abolish the Job Corps because "it costs too much" is simple political callousness.

Once, in another time and another place, we saw an eight block city area evacuated of its life-long residents to make room for a bridge. The community announced that new housing would be built for everyone evicted. Plans were already on the drawing board.

It takes a lot less time to evict a few hundred families than it takes to build a few hundred homes, so the people were removed from their homes a good two years even before the money was voted to build the replacement dwellings.

We think the abolition of the Job Corps falls into this category, and we hope more sensible counsel will prevail.

BAYFIELD COUNTY, WIS.,

OFFICE OF COUNTY CLERK,

Washburn, Wis., April 18, 1969.

Hon. GAYLORD NELSON,  
Madison, Wis.

MY DEAR SENATOR: Enclosed please find a certified copy of Resolution No. 4 adopted by the Bayfield County Board of Supervisors at their meeting held April 15th, 1969.

We sincerely hope that you will make every effort as our Senator to do everything in your power to continue the Clam Lake Job Corps Camp in operation.

The education and benefits derived by our youth due to the operation of the camps cannot be measured in dollars. According to information available, it appears that at least two-thirds of the enrollees who enter the camp stay for a period of over ninety days. It is surely difficult for anyone to determine what the additional cost will be in support to our institutions were it not for the fact that so many of the youth have learned to become self-supporting and therefore probably have not become involved in criminal activities.

Your support in this matter will be sincerely appreciated.

Very truly yours,

EDWARD A. PAJALA,  
County Clerk.

#### RESOLUTION

Whereas, A Federal Job Corps facility has been in operation in Bayfield County for a period of years, known as the Clam Lake Job Corps Camp, and

Whereas, The Federal Government has taken steps to close said facility, and

Whereas, It is considered in the interest of the disadvantaged youth of our nation to continue operation of the Clam Lake Job Corps,

Now, therefore be it resolved, That the Board of Supervisors of Bayfield County go on record objecting to the closing of said Job Corps facility on the grounds that such closing would not be in the public interest and would constitute a disservice to the underprivileged youth of our nation, and

Be it further resolved, That a certified copy of this Resolution be forwarded to our Congressional representation accompanied by a letter signed by the County Clerk urging said Congressional representatives to take such action as may be necessary to effect the retention and continued operation of the Clam Lake Job Corps facility.

SERGE MONIZA.  
BENNIE RUDE.  
WALTER WASMUTH.  
WILLIAM A. STUART.  
GEORGE SAMPSON.

LIVERMORE, CALIF.  
April 21, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: Enclosed is the expression of opinion endorsed by 277 persons which I promised you April 10.

I am also enclosing a copy of a letter to President Nixon. Copies were also sent to Senators George Murphy, and Alan Cranston, and to Representatives Carl Perkins, George Miller, Don Edwards, Phillip Burton, Alphonzo Bell, and Augustus Hawkins. I hope these thoughts will help Congress with its decision.

Sincerely,

ROBERT M. WRIGHT.

LIVERMORE, CALIF.  
April 19, 1969.

President RICHARD NIXON,  
The White House  
Washington, D.C.

DEAR MR. PRESIDENT: I am enclosing the expression of opinion signed by 277 persons to which I referred in my night letter of April 10. It is not intended as a defense of the contractor, nor to deny that significant improvement may be possible in the concept or execution of the Job Corps.

I do believe that the present structure with several large centers buffered by many small "induction" centers has highly desirable features which must not be overlooked. I understand that many Job Corps recruits require testing and remedial education, as well as adjustment to a new social situation, before they can benefit from the vocational training offered in the large centers. I believe this function can be effectively discharged by the small "conservation" centers. If this preparation is eliminated, will not the benefits of Job Corps training be denied to many of the young people who most need them?

Further, I believe it is desirable, even necessary, that the young people be temporarily removed from their usually debilitating surroundings to achieve the best results in improved attitude, as well as broader offerings in vocational training. Isn't this benefit verified by the experience of the military services? For the same reason, it is generally considered desirable I believe that college students receive at least part of their education away from home.

In judging the cost-effectiveness of the present Jobs Corps structure, I believe several factors should be considered, besides the future repayment by rehabilitated Corpsmen who become productive members of society. What are the welfare and law-enforcement costs for these young men if they are left in their home communities, even if they are provided with some modest vocational training? I suggest that it is a sizable fraction of the cost of supporting young men in the Jobs Corps training centers. Is it not preferable to take them off the streets and away from continual lawless influence; to break the cycle of delinquency; even if the expense attributable to that function is somewhat greater? It seems to me clearly preferable, especially when many of these young people can at the same time be rehabilitated to society. It must be economically sound to

maintain the Jobs Corps program, with its rather good success rate, if we can avoid the costly, long-term imprisonment of even a small fraction of these young people.

Another benefit of the Jobs Corps program is being increasingly exploited. It has much greater potential than so far realized, I believe. This is the support of agencies of local government which can be provided in the process of vocational training, and which benefits that process as well. Our local Camp Parks Job Corps center is developing an expanding program of such support, to the mutual advantage of the Corpsmen and local agencies, notably local school districts. One such activity already underway is the maintenance and repair of school vehicles, including school buses.

The Corpsmen learn while working on these vehicles, and the school districts have much better operating experience than could be obtained without this program. Other such support activities are being developed, of advantage to the vocational training of the Corpsmen. For example, there are programs at Camp Parks in repair and maintenance of office machines, and of electronic equipment, and building maintenance and custodial work, and landscaping and gardening. These activities do not replace, but rather supplement, the normal work of the school staffs, which are invariably below desirable levels, if not inadequate, because of financial limitations. I understand that proposals for expanding these and other support activities are being presented to the national Job Corps administration by the staff of the Camp Parks center. Surely such an ingenious, productive staff should be supported.

In considering the cost-effectiveness of the Camp Parks Job Corps center, and the Job Corps program nationally, I hope that the many subtle, but supremely important factors, will not be overlooked. The difficulty of accurately assessing the value of these factors does not diminish their importance. It is the sense of the accompanying opinion that their value must not be underestimated.

Sincerely,

ROBERT M. WRIGHT.

P.S.—I suggest that \$100,000 can be saved by deducting \$5 per year per Corpsman from Federal aid to local law enforcement, and that local law enforcement will still be gaining an advantage, compared to its situation if the Job Corps is reduced.

We support Parks Job Corps Training Center. We object to careless, hasty action threatening to close it. False economy is no economy at all. For \$5300 per man, corpsmen become taxpayers, kept out of jail, off welfare. Parks should be expanded, not eliminated. Community mobilizing for action. More letters, telegrams will follow. Please respond.

Mrs. Kris Aaland, Harry Ben Aikin, Jessie J. Anckner, E. V. Andersen, Kay Anderson, Calvin G. Andre, Sister M. Antonini, Mr. and Mrs. Alan G. Arneson, Mrs. Susan R. Aslin, Clarence S. Badger, Mr. and Mrs. John Baker, Lee Ballinger, Keith Banko, James Barbieri, Mr. and Mrs. Robert Barlett.

Harold Barnett, Joane Bascomb, Ken Becker, Mrs. Judith Beery, Mr. and Mrs. Ervin Behrin, Robert B. Bell, Mr. and Mrs. Carlos U. Benedetti, Mr. and Mrs. A. W. Bishop, Mr. and Mrs. C. F. Bishop, Elsie Bjorklund, Mr. and Mrs. Norman Bonner, Mr. and Mrs. G. S. Badbury, Manuel J. Braz, Mr. and Mrs. Bob Bronzan, Lucille Bruskin.

Mr. and Mrs. John Burk, Sally M. Burnett, Edwin W. Butts, Richard N. Byrne, Edna M. Carpenter, William P. Chandler, Julius S. Chang, Mr. and Mrs. Clair E. Chapin, Mr. and Mrs. Robert Chapman, Rev. William T. Charlton, Mr. and Mrs. Keith Christian, Mrs. Glenn Cofer, Joan Conn.

Gilbert E. Cooper, Betty J. Costley, R. K. Cralle, Mr. and Mrs. Jim Crockett, Edward Croke, Mike Crook, Barbara K. Crowley, Michael M. Curry, Tom Davis, Phillip F. Dean, Eugene DeLorenzo, Richard A. DeFeo, James L. Eagan, Douglas M. Eardley, Barbara A. Edwards, Peter G. Eltgroth.

Mr. and Mrs. Abe Feinberg, Mr. and Mrs. Wesley J. Felton, Mr. and Mrs. Harold Finn, John G. Fletcher, Susan Flynn, John Fonesco, Eva P. Foushee, Dorothy J. Freeman, Mr. and Mrs. Robert Freis, Mr. and Mrs. Michael Gahar, Helen Gamage, Burt R. Gasten, Robert J. Gelinax, Jr., Carol Gerich, Ken Giallanza

Mr. and Mrs. Jay D. Gilson, Wataru Goishi, Theodore F. Gold, Mr. and Mrs. Abraham Goldberg, Edmund J. Goodwin, Leo vonGottfried, Douglas J. Gotthoffer, Patrick H. Gray, Gigi Greenhouse, R. Greenman, John D. Grove, Opal Gulley, Laurence S. Hall, Shizuko Hara, Tom Harmon

Mr. and Mrs. J. P. Harris, Lynne Harrower, Mr. and Mrs. Mark Hartzman, Mr. and Mrs. Harry Hawkins, Mrs. Joan Hays, Christopher P. Hendrickson, Paul T. Herman, H. Heron, Mr. and Mrs. James V. Hodgins, George Holmes, Larry D. Howard, H. Wayne Hudson, R. Iscoff

Ruth E. Jones, Mr. and Mrs. Michael D. Kenny, Ted Knell, Marilyn M. Kolar, Ginger Krug, Charles Leonard, Jr., Mr. and Mrs. William A. Lokke, Betty Louis, Tom Luce, Jim Lyons, Michael C. MacCracken, Malcolm H. MacGregor, John J. Mackey, George Maenchen, Mary Anne Mark, Mr. and Mrs. Gale Marshall

Jeanne T. Martin, Virginia Martinez, John J. Mathi, Sheril Mattson, M. Stephan Maxon, John McClure, Mr. and Mrs. William McGuire, Mr. and Mrs. Frederick E. McMurphy, Sabra S. McNamara, Mr. and Mrs. Sam F. Mendicino, Mr. and Mrs. Donald Miller, Sheila Mueller, Marjorie A. Muentz, Mr. and Mrs. Roland A. Myers, Tom Nash.

Mr. and Mrs. Harold P. Nelson, Violetta E. Nelson, Keiichi Nishimura, Mr. and Mrs. Manuel Ochoa, Jr., Jane M. Oliver, Frank Olken, Randy Olsen, Bill Owens, Linda L. Parker, Dan W. Patterson, Rae Pearce, William G. Penson, Ernest F. Plechaty, Andrew Porter, Richard E. Potter, Avis Purcell.

Dot Quock, Mr. and Mrs. H. R. Ralston, Robert Randall, Mrs. Jacques Reed, Joe Requa, Margaret E. Riley, Marilyn River, Rev. and Mrs. Denton Roberts, Mr. and Mrs. Abraham Robinson, Mr. and Mrs. Ernest Robinson, Paul A. Robinson, Jr., Marvin Ross.

Sheila Rychnovsky, Harry G. Sahlin, James Sanborn, Jack Scarlett, T. J. Schoenbeck, J. Edward Schoonover, Terry Schullerts, Virginia R. Schwartz, Mr. and Mrs. Ken Scribner, Mr. and Mrs. R. J. Servas, Robert Several, William M. Shaw, Mr. and Mrs. Jack N. Shearer, Mr. and Mrs. Nevin Sherman, Sergy Shewchuck, Renee Smith.

Eugene J. Snyder, Dr. and Mrs. George Stahl, Mr. and Mrs. Roger Stringham, Ray Tarp, Mrs. Robert Taylor, Don Thurner, Mr. and Mrs. Hal Vyverberg, Mr. and Mrs. Richard H. White, Gertrude Williams, Alan M. Winslow, Paul R. Woodward, David A. Young, Mr. and Mrs. Oved Zucker.

Stanley Solbeck, Mr. and Mrs. Daniel Sternberg, William P. Sutcliffe, C. Bruce Tarter, Mrs. Robert C. Taylor, Marie T. Timmer, Mr. and Mrs. Bruce Watson, Juanita Whitten, James E. Williams, Mr. and Mrs. Frank Wittmayer, Mr. and Mrs. Robert M.

Wright, William E. Zagotta, Mr. and Mrs. Stan Zwick.  
Richard Spitzer, A. H. Strelcher, George G. Sutherland, Mary J. Tasto, Mr. and Mrs. Bernard B. Thornquist, Dieter R. Tuerpe, Mr. and Mrs. Elmer White, Mr. and Mrs. Gayle Wilcox, Mr. and Mrs. William G. Wilson, Dixie B. Wood, Jo Ann Yates, Mrs. Otto G. Ziegler.

IRON RIVER, WIS.,  
April 19, 1969.

HON. GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: After having heard that the President has ordered the Job Corps camps closed I hope you will do everything in your power to keep these camps operating.

Having visited the Clam Lake Job Corps Camp I see the need for this teaching and training program for these unfortunates. Let's help make a place in society for these people.

Yours sincerely,

URHO PYYKOLA.

APRIL 21, 1969.

DEAR SENATOR GAYLORD NELSON: Last Sunday we had open house at our Job Corp outside Marionville which we understand is being closed as of now, to us this is the biggest mistake that ever could happen. Never have we seen such a well organized and cooperative place. The boys are a credit to the surrounding communities, no trouble or racial disturbance since it has been here and we only live 12 miles from it.

It would be disastrous to put these places in a urban district. Have you seen what happened to the one outside of Baltimore? That gives you an idea what would happen to place them near a city. I do hope you can do something about this.

Many towns around this area are just as concerned about this as we in this town.

And please read this article I am sending.  
Sincerely yours,

Mrs. FLOYD ROUGHT.

SHEFFIELD, PA.

[From the Warren (Pa.) Times-Mirror and Observer, Apr. 21, 1969]

**JOB CORPS PAYS OFF**

In case you were not aware of it, the Blue Jay Job Corps boys have contributed over \$1,000,000 in work to the Warren-Forest county area, including the \$300,000 plus camping and picnicking area at Beaver Meadows, the \$50,000 Tidoute Overlook and other, smaller projects too numerous to mention. The Corpsmen have become familiar figures any place there is community work to be done.

At the same time, they have improved themselves substantially. According to the people who manage Blue Jay, the average Corpsman has advanced his reading skills by 2½ years and his math by 3½ years while at the camp.

Far more important, over half of the boys who have passed through Blue Jay in its four years are either holding down a job, back in school or in the military. By far the largest number of these (70 percent) are on a paying job right now. This is an important achievement, considering that all of them were unemployed dropouts when they enlisted in the Job Corps. This means that Blue Jay alone has taken over 400 people off the welfare and unemployment rolls, probably permanently. The savings in welfare costs alone, not to mention the income taxes these boys will pay for the rest of their lives, more than offset the cost of operating Blue Jay.

Yet the Federal Government proposes to close Blue Jay, along with 24 other small Job Corps camps. Labor Department spokesmen say these camps are inefficient, yet they propose to go to the additional expense of acquiring, constructing, staffing and opening

new camps nearer the urban ghettos. This is a false economy, if, in fact, the new camps are anything more than an empty promise.

Marienville is within 4½ hours, by bus, of the ghettos of Pittsburgh, Youngstown, Akron, Cleveland, Erie, Buffalo and Rochester. Boys could leave home Sunday night and return Friday evening, with ease.

There are enough interested boys in those communities to fill Blue Jay five times over, if the Nixon administration and the Department of Labor were being honest.

LIVERMORE, CALIF.,  
April 23, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.:

City Council of City of Livermore, Calif., at their meeting April 21, 1969, strongly urged that the retention of the Parks Jobs Corps Center be reconsidered by the President and Congress. Certified copies of resolution to follow.

DOROTHY HOCK,  
City Clerk.

STATE OF UTAH, DEPARTMENT OF  
HEALTH AND WELFARE, CARBON  
COUNTY OFFICE,  
Price, Utah, April 17, 1969.

GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Washington, D.C.

DEAR CHAIRMAN NELSON: Through the news media we have learned that the Castle Valley Job Corps at Price, Utah is to be closed down in the very near future, along with other camps. While the Job Corps has been here, I have had the opportunity to personally observe many of the Corpsmen.

The general public does not understand that these young men come from very deprived situations. When they arrive, the majority are unable to read, but if they can, they read on a second or third grade level. They have already miserably failed in the regular schools. They have a low self-image and have had very few satisfying experiences in life. These Corpsmen come from homes with all kinds of social problems; parents with emotional problems or mental illness, parents who are mentally retarded, parents with alcoholic problems, parents with inadequate personalities, or parents who are living in extreme poverty. These parents have been unable to raise their children, unable to provide a healthy, normal life so that they can become contributing members of society.

Because of these problems, it is necessary to place these youth in a special program where they can be taught personal cleanliness, how to dress appropriately, how to get along with their peers, how to accept responsibility, how to work, etc.

I realize that it is expensive to operate the Job Corps, but it is always costly to educate, train, and rehabilitate underprivileged, deprived individuals. It takes employees who have patience, understanding, who can demand respect, but are able to establish a relationship with these youth who may have never found it possible to feel close to or trust anyone. It requires personnel who recognize human dignity and the ultimate potential of the deprived individual.

Will you please do what you can to keep the Job Corps from being eliminated as the Program has been proven in helping many young people from deprived minority groups, as well as those who come from economically and emotionally impoverished homes. I would suggest an evaluation to see if elimination of waste or better methods of management might reduce expenses, yet still provide the Corpsmen the necessities and allowing them to live as other young people in the community.

Respectfully submitted,

EVELYN ROBERTS.

PIKESVILLE, MD.,  
April 20, 1969.

HON. JOSEPH D. TYDINGS,  
Senate Office Building,  
Washington, D.C.

DEAR JOE: I have been reading with great distress the news articles about the Administration's proposed drastic curtailment of the Job Corps Training Program.

It seems to me that the minor inefficiencies in handling this excellent program are far outweighed by the present and future value to our nation of transforming so many uneducated, unemployable dropouts into productive, self-sustaining tax-paying citizens.

I urge your support of the Job Corps program as presently constituted.

Sincerely,

ANN GREIF.

BALTIMORE, MD.,  
April 21, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR NELSON: I urge you as chairman of the Senate Subcommittee on Employment, Manpower, and Poverty to work for the reinstatement of the one million dollar budget cut for Job Corps.

The closing of centers at this time would cripple our efforts to help hopeless young people reach their potential as responsible citizens.

Sincerely,

MARY S. KREBS.

WILLOWS, CALIF.,  
April 19, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Washington, D.C.

DEAR SIR: I consider it a very unwise move to cut the Job Corps budget. The Job Corps near Willows at Alder Springs is doing a wonderful work in the training of a number of unfortunate young people, including many "dropouts". They can be productive citizens everywhere in our great society.

I believe in the keeping of this great program and wish to keep Alder Springs Job Center open.

Very truly,

IVADEL EATON.  
GENEVA MARTIN.  
Mrs. OLLIE STANTON.

MIDLAND, MICH.,  
April 18, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: I am greatly concerned about the closings of numerous Job Corps Centers, as well as the Head Start programs, which are considered a failure, according to government studies and mass communication.

I am project director of the Midland WICS (Women in Community Service). WICS is sponsored by the Church Women United, the National Council of Catholic Women, the National Council of Jewish Women and the National Council of Negro Women, with national headquarters in Washington. WICS recruits and screens women, 16-21 years of age, for the Job Corps Training Centers in cooperation with the Office of Economic Opportunity.

Senator Nelson, I can well understand some of the protests that these programs have been a waste of the taxpayers' money to some extent, unproductive in some cases and problems have occurred. But, where in our society and American history, have not such circumstances arisen? I am convinced that we expected a miracle instantly, without knowing and understanding the backgrounds of these poor, uneducated young

people. I firmly believe that the Job Corps and Head Start programs are wonderful and excellent in that they have given opportunity, an education and training and moral philosophy to the many youth who are deprived of a favorable home environment and background, resources and are severely underprivileged in many areas. Too many of us have taken for granted our democratic society—life, freedom and happiness—and have become apathetic to our poorer classes.

Thank you for listening to my problems and questions. I, certainly, would appreciate information on the Job Corps and Head Start programs at your convenience.

Sincerely,

ELSE DURIS.

RESOLUTION

Whereas, The Federal Government has announced that it is going to phase out the Clam Lake Job Corps camp at Clam Lake, in Bayfield County, Wisconsin, and

Whereas, it is the opinion of the Ashland County Board of Supervisors that said Job Corps Center has been, and is now, a benefit to Ashland County and surrounding areas,

Now therefore, be it resolved by the Ashland County Board of Supervisors, duly assembled this 15th day of April, 1969, that it goes on record as not favoring the phasing out of the Clam Lake Job Corps Center.

Dated this 15th day of April, 1969.

CLAYTON H. LANDRY,  
FREDERICK W. CLARK,  
ROGER W. HANSEN.

PULLMAN, WASH., April 21, 1969.

HON. GEORGE P. SCHULTZ,  
Secretary of Labor,  
Washington, D.C.

DEAR SECRETARY SCHULTZ, I would like to protest the closure of the Moses Lake Job Corps Center for Women on the arbitrarily chosen date of May 1st, without considering the effect this would have on the young women caught in the middle of their programs.

I am a Republican and voted for Republicans in November 1968 partly because I did feel that the O.E.O. programs should be reviewed. Too many were put together hastily and could have benefited from such a review and suggestions for changes. The Moses Lake Centers did have growing pains! However, through our acquaintance and friendship with several girls from that center who have stayed in our home, I could see evidence of an improvement in the counselling, an improvement in the planning for recreation, improvement in the overall administration. Most of our girls really had hopes of passing their G.E.D. exams, completing their training programs and going on from there. I understand that with the news of the closure, some girls are leaving already because they have lost that hope. It's another in a long series of broken promises in the lives of these young women.

Why has their center been closed before the urban job skills programs were able to handle them? Will these skills programs also include work toward the G.E.D. requirements? Almost all of them need intensive work in basic subjects, not just job skills.

The closure is sending them back to the dead-end situations they came from, back to the cotton fields, back to the illegitimate child with no one to support the two of them.

One last question . . . Why is the Job Corps advertising for new enrollees a half dozen times a day on our TV set when there are no longer places for all those currently enrolled?

I feel the decision to close Moses Lake should *Not* be implemented until all those enrolled have finished their courses, and until there has been further time to study the Harris report which did show many positive benefits from the Job Corps program.

Sincerely,

CLAIRE STRICKLER.

INTER-FAITH SOCIAL ACTION COUNCIL,  
Piscataway, N.J., April 21, 1969.

HON. HARRISON WILLIAMS,  
U.S. Senate,  
Washington, D.C.

SIR: The following has been sent to the President of the United States:

"Our Piscataway group, inter-racial as well as inter-faith in character, has great anxiety over the proposed closing of the Kilmer Job Corps center.

"We feel we are well acquainted with both the successes and the problems involved in this particular center, as most of our members have either toured the Kilmer facilities and talked with the Corpsmen there, or had some of these young men in our homes. We also know of criticisms from our own and surrounding communities. Problems do exist, but these age groups of young men, whether in the streets or in college, are hardly problem-free.

"On these bases, we wish to express our belief that a decision to allow continuance of the Kilmer Center is essential to our country for the following reasons:

"1. Social skills learned in inter-personal relationships possible only in a fully residential program are as important in developing responsible wage earners as are the specific vocational skills.

"2. The young men at the center are highly motivated toward self-help and educating themselves upward. Removal from their home environment (which usually is a strong factor in discouraging self-motivation) is essential in building new values.

"3. The cost of training these young men by giving double benefits of identity and skills is far less than the cost of confining them as anti-social outcasts.

"4. The young men in the Job Corps program represent the largest group of formerly unemployables.

"5. The human aspect of the program that tells these young men that their country does care about them as individuals cannot be understated."

Very truly yours,

ALBERT P. BROWN,  
President.

PRESQUE ISLE  
CHAMBER OF COMMERCE, INC.,  
Presque Isle, Wis., April 17, 1969.

Senator GAYLORD NELSON,  
Washington, D.C.

DEAR SENATOR: The Presque Isle Chamber of Commerce, at their meeting of April 16th, passed by a unanimous vote, a resolution in favor of the continuance of the Ojibway Job Corps Center located 4½ miles north of Presque Isle, Wis., in the Ottawa National Forest.

It was noted that this center was placed here because of the depressed economy of our area and that it truly had increased the dollar flow into our business community by as much as fifty percent.

It was also noted that our area derives its livelihood almost entirely from the tourist trade and that 80% of our yearly income must be made in three to four months.

By the locating of the Ojibway Job Corps in our area, our local business establishments have been able to financially survive the long winters and give to their local people a much larger and fresher variety of foods and services.

The Presque Isle Chamber of Commerce therefore asks that you give serious consideration to retaining this Job Corps.

We realize that economy moves are necessary at this time in our history, but also realize that all job corps are not being phased out.

Anything you can do on our behalf will be greatly appreciated.

Sincerely,

Mrs. KATHLEEN RUFF,  
Secretary.

NORTHERN GREAT LAKES RESOURCE  
DEVELOPMENT COMMITTEE,  
April 21, 1969.

HON. GAYLORD NELSON,  
Chairman, Subcommittee on Employment,  
Manpower, and Poverty, Washington,  
D.C.

DEAR SENATOR NELSON: At the May, 1968 meeting of the Northern Great Lakes Resource Development Committee, we unanimously passed the following resolution.

"Because the Job Corps Centers are important to the Northern Great Lakes Region, to the Nation, and to the young men and women who are being trained there, the Northern Great Lakes Resource Development Committee goes on record opposing the closing of Job Corps Centers in the Region and further we urge that the closed centers in the three states be maintained and reopened as soon as funds become available."

At the time, it specifically referred to the closing of several centers, including the Isabella Center in Minnesota. The resolution has added importance in view of more recent developments.

As Chairman of the Northern Great Lakes Resource Development Committee, I appreciate any help your Committee can give in support of this resolution.

Sincerely,

M. J. BRUNNER,  
Chairman.

THE SUPERIOR COURT,  
Sondra, Calif., April 21, 1969.

HON. GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: I know that your committee is concerned with the proposed changes in the Office of Economic Opportunity and particularly in the closing down of the Job Corps Centers. We in Tuolumne County have had a very successful Job Corps Center located here within the confines of the Stanislaus National Forest in Tuolumne County, California. The initial investment for capital expenditures was Five Hundred Thousand Dollars with an increase of an additional Three Hundred Thousand Dollars. With equipment and all the capital investment is no less than One Million Dollars. To close this down after four years of operation seem to me to be poor economy in the use of a One Million Dollar investment.

I am more concerned, however, about the elimination of this splendid opportunity that has been given to the unfortunate dropouts who have taken advantage of it. You will note the high rate of return here in the Five Mile Job Corps where 1000 youths have gone through the training program and 800 of them now hold regular jobs.

Respectfully yours,

ROSS A. CARKEET.

ORLANDO, FLA.,  
April 15, 1969.

HON. GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

HONORABLE SIR: I am one of the many women volunteers who are helping with the screening of girls qualifying for Job Corps training. I do a great deal of the home visitation for our screening center in Winter Park, Fla. The conditions under which our girls live and from which they are removed when they are sent to the Centers, staggers the imagination of affluent middle class people. One, perhaps the greatest, value of the Job Corps Center is the residency away from home, away from the cockroaches, the rats, the depressing, unwholesome surroundings. The vocational training provided the excuse to remove these girls and the hope for the future for them for something better. But the need to remove these girls from the way of life immediately which only continues the poverty cycle cannot be substituted by Cen-

ters where they stay in their own homes and learn during the day.

I have many girls calling every week, pleading to hurry their application so they can get away. Too often I have a girl run away from home before all the formalities of application and acceptance can be completed. Living in clean rooms, with plentiful food and warm enough clothes broadens these girls' horizons so that they are different people when they return from their training.

Keep fighting for us and these girls. We appreciate your efforts and I'm sorry that I don't have Senators to whom I can write to for constructive action on this issue.

Sincerely yours,

DORRIS KOVALICK,  
Job Corps Screener Volunteer.

BALTIMORE, MD.,  
April 22, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Senate Office Building, Washington, D.C.

HONORABLE NELSON: In my experience, I as a Parole and Probation Agent have found that Job Corps offers troubled urban youth the best chance to get the attitudes needed to become law-abiding citizens.

The new surroundings and the opportunities for self-development offered at Job Corps Centers are not available elsewhere in our society.

Alternative costs in the form of welfare and correctional institutions are much greater in terms of dollars and dignity.

I strongly oppose the administration plan to cut-back the Job Corps Program.

Very truly yours,

SAMUEL TEITELMAN,  
MARJORIE T. JENNINGS,  
HAVEN H. KODECK,  
Parole and Probation Agents.

GARDEN CITY, MICH.,  
April 16, 1969.

DEAR SENATOR NELSON: Fight to save the Job Corps Centers. Fight to save Headstart. These are vital programs.

EMILIE M. NORRIS,  
HENRY C. NORRIS.

COORDINATING COMMITTEE TO OVERCOME RACIAL DIVISION, INC.,  
Pleasanton, Calif., April 17, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SIR: The members of the Pleasanton/Dublin A.C.C.O.R.D. organization wish to express their support of the Job Corps Program and to object to the contemplated cutbacks, including the closing of the Parks Job Corps Center near Pleasanton, California.

It is abundantly clear that the time has come to fulfill our nation's promise of equal opportunity for all of our people. The Job Corps Program may or may not be the most effective and/or the most efficient way of meeting this pressing need of our society. However, the program does exist and it is making significant progress toward keeping that promise. In our own area the existence of the Parks Job Corps Center has helped not only the trainees but has prompted a lot of local apathetic people to become aware of the crisis we are now facing.

It does not make sense to send 10,000 young people back to their urban or rural ghettos without offering them a realistic alternative opportunity that exists now. Doing so can only destroy what ever faith in our society that the Job Corps has been able to rekindle. This is a non-partisan issue which will take a massive effort to solve. We support the expansion of the Job Corps Program and the addition of programs to induce private enterprise to involve itself in the solution of this, our most urgent national crisis.

Respectfully yours,

WILLIAM J. HOGAN,  
Chairman, Pleasanton/Dublin.

STEVENS POINT, WIS.,  
April 16, 1969.

HON. GAYLORD NELSON,

DEAR SENATOR: I am writing to you in an effort to urge you to support the continuance of Job Corps. This is a most vital field. These people need help to learn themselves. Please support its continuance.

Sincerely yours,

FRANCIS A. GROSS,  
GRETCHEN M. GROSS.

ANACONDA, MONT.,  
April 15, 1969.

HON. MIKE MANSFIELD,  
Office of the Majority Leader,  
U.S. Senate, Washington, D.C.

DEAR MR. MANSFIELD: Strongly urge your firm opposition to any cutback in Job Corps program. Government investment in nation's youth should supersede all foreign expenditures.

GENE MARCILLE.

ROTH'S DEPARTMENT STORE,  
Poplar Bluff, Mo., April 20, 1969.

HON. STUART SYMINGTON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR: I am writing to you in regard to the proposed closing of the Poplar Bluff Job Corps Camp.

It is my understanding that the Poplar Bluff camp is one of the finest in the nation, and operates at the lowest cost per boy of those operated by the Forest Service.

If any Job Corps camps remain open, we in Poplar Bluff believe that consideration should be given to the best ones.

We will appreciate any help that you can give us in bringing to the attention of the administration, the Senate Committee on Labor and Public Welfare, and the House Committee on Education and Labor, the above comments.

Sincerely yours,

ED. CANNON, JR.

NORWAY, MICH.,  
April 19, 1969.

Senator GAYLORD NELSON,  
Washington, D.C.

DEAR SENATOR NELSON: The decision to close some 59 or so Job Corps Centers has disturbed me greatly. In particular, I feel it would be a mistake to close the Center operated by the Public Services Division of Northern Michigan University at Marquette, Michigan—I am familiar with the accomplishments of this center.

Establishing vocational training centers near large cities certainly will not do for these young people what the Job Corps does. It is an established fact that generation after generation remains on the welfare rolls and taking these young people out of that environment and giving them an opportunity to learn to live in a different environment while they are also learning trades and skills with which to support themselves, should break that chain.

The situation we are facing at this time with our young people certainly indicates the need to start this generation on the right road.

Closing these centers will certainly save "War On Poverty" funds but what does it do for the problems the "war on poverty" was established to alleviate?

It isn't necessary for me to list some very excellent means of cutting the Federal budget—cuts which will not cut off help for the poor and needy but which will neither "hurt" those affected. It is rather disillusioning to know where and how so much money is spent and then have funds cut where a start had been made to help those who need it badly.

Very truly yours,

SERENA BOHN.

GLOBE, ARIZ.,  
April 18, 1969.

HON. GAYLORD NELSON,  
Washington, D.C.

DEAR SENATOR NELSON: Attached is a copy of a letter I wrote to the editor of the Phoenix Gazette and Arizona Republic papers protesting an article on the Job Corps cut back.

It deals with the cut back in general, but I wish also to protest the closing of the San Carlos Job Corps Civilian Conservation Center in particular. I will pose my protest in the form of questions.

1. Why is San Carlos being closed when it ranks 9th in the nation in the overall statistics?

2. Why is San Carlos being closed when 19 Centers ranking below it are being kept open?

3. Why are we depriving the Spanish-American community of the only Center available to them in the Southwest which has the capability to handle them? Who will the other Centers send their Spanish speaking Corpsemen to now?

4. Why are we closing a successful Center which has a year-around working climate?

5. Why are we tossing the investment in this fine facility away?

6. Why don't we have an honest comparison of total cost to the taxpayer between the Conservation Center and Skills Center which includes tax deductibles as well as expenditures?

7. Don't you think the voter and taxpayer is entitled to some answers before the action rather than excuses afterwards?

EMMETT P. CAMERON.

GLOBE, ARIZ.,  
April 18, 1969.

The EDITOR,  
PHOENIX GAZETTE,  
Phoenix, Ariz.

DEAR SIR: Normally, I read the editorials with the feeling that it is written by a thoughtful and well informed person. There was one in Sunday's paper under the title "A Shutdown Worth Cheering" that is so poorly informed and so misleading to the reading public that I am nearly ashamed to have ever entertained such feelings.

The cost per enrollee man year of \$39,000 and \$22,000 are ridiculous. I note that the editorial indicates they are for two specified Centers. Must we all live or die by the experience of one or two? Does one editor in prison make all editors criminals? Hardly!

Let's tell it like it is. The Department of Labor quoted a cost per Corpsman man year closer to \$8,000. If they could have used figures like you quote to balloon the estimated \$100 million savings, they certainly would have done it. I see that you are quoting figures from the House Committee on Education hearings in 1966. The Economic Opportunity Act was enacted in 1964. Most of the Job Corps Centers were activated during the last quarter of calendar year 1964 and during 1965. The figures that the Committee was working with and that which you quote are obviously activation costs, and not operational costs. Operational costs are limited by Congress, but these limits were not applied during the activation year of each Center.

So let's use your lowest figure of \$22,000 for cost during the activation year and subtract from it the Labor Department's \$8,000 operational figure. The cost attributable to activation is \$14,000 per man year. Do you think the promised skills centers will cost any less to activate? They will be constructed in urban areas and not rural areas. Urban property and improvement is much more costly. Let's assume that the capacity for these 30 Skills Centers will be 15,000 enrollees. That is an activation cost to the taxpayer of \$210,000,000. That is Mr. Taxpayer's cost of saving \$100,000,000. I am sure that several Congressmen are pointing this out in hearings right now.

Approach it from another angle. The Labor Department's Mr. Schultz said in his announcement of Job Corps closings that the Department's manpower program was operating at half the Corpsman-man-year cost experienced by Job Corps. He is talking about Government expenditures. He has conveniently forgotten to mention the cost to you and I in the form of tax deductibles granted private industry operator's of the program. We are wandering in a political smoke screen and cannot see our true cost. I am sure of this much, if we could couple the lost revenue to the Government expenditure, the cost of activating 30 Skills Centers will be greater than the "savings" by the so called shutdown. So in response to your title line, I would ask "What Shutdown?" The proposed "savings" gets me right in my 10% tax surcharge.

Here is yet another thought. Closing Job Corps Conservation Centers in favor of urban Skills Center returns thousands of youths to the street in time for the summer season. It returns thousands of youths to the welfare society they have come to accept as a way of life. It returns thousands of school dropouts to the environment that made them dropouts only to permit them to drop out of one more program.

When we look at it realistically, it is a pretty costly savings.

So, let's tell it like it is. Politics and good management are not synonymous. I, for one, will be voting for a little more of the latter and a little less of the former at the next election.

MARQUETTE, MICH.,  
April 17, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Antipoverty Subcommittee, Washington, D.C.

DEAR SIR: The Northern Michigan University Job Corps Center, along with 58 other centers, is going to be eliminated. This removal is rejecting the very purpose for which the Job Corps is intended: To help other people help themselves. The girls in the Job Corps are learning to be independent from future assistance, to be self supporting. Better yet, to become a taxpayer.

The government is not only giving aid for an education to a girl who seeks and qualifies for it, but more desirable, the government is making an investment. Who is the government? It is the American people; so in reality, we are making an investment for ourselves in ourselves. I cannot believe an investment in the American people is a bad option.

This Job Corps is located on the campus of Northern Michigan University which is a great advantage for both institutions. While living on a university campus, people of different environments intermingle, white with the black, and rich with the poor.

Personally, I know the girls at the Job Corps Center want to stay. Some of these may even want to go on to college. This would probably be most unlikely if they would not have had the understanding of college life by their association with it. I, also, know of two girls who are going on to nurses training, as Northern Michigan University has such a program with St. Lukes hospital, in Marquette.

I visited the local Job Corps Center and saw what was being accomplished. I talked with some of the instructors and felt their desire and willingness to work with the girls. I talked with some of the Job Corps girls, black and white, and heard their interest as a student. What I heard and saw was not superficial; they were not trying to make a big show.

I am a freshman at Northern Michigan University. Unlike most other freshmen, I am forty years old and the father of four children. I am a believer in education, it is something which cannot be taken away mentally, and should not be tried physically.

With these thoughts and comments, I would very much like to see a reversal in the decision of removing the Job Corps from Northern Michigan University. Let us continue to help other people help themselves.

Very truly yours,  
GLENN D. BRUNNER.  
POLLOCK PINES ELEMENTARY  
SCHOOL DISTRICT,  
Pollock Pines, Calif., April 17, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Washington, D.C.

MEMBERS OF THE COMMITTEE: As one who resides less than five miles from the Sly Park Job Corps in El Dorado County, California, and one who has had the opportunity to visit the center many times and see the positive work being done to rehabilitate many unfortunate young men, I was shocked at the recent news about closing this center. I have been in the business of public education for twenty four years and I believe I am qualified to evaluate both personnel and the program of this particular center. This center is one of the more successful ones and is particularly well suited because of its geographic location. It removes boys from the environment which produced them.

About \$900,000 has been expended for this facility and to abandon it for this purpose would be wasteful indeed. True, it is an expensive program, about \$5,550 per man per year. Of this about \$868,100 has been returned in value to the National Forest. Also, the community outside the forest has been increased by about \$29,700 and 1,794 man hours.

Please compare the \$5,500 per man per year to the California Youth Authority for discipline as follows:

- Cost per person per year, \$4,500 to \$5,000.
- Cost per person per year, parole supervision, \$350,000.
- Cost per each new bed, \$20,000.
- Foster home care, food and clothing (welfare), \$1,140.

I believe the record of the Sly Park Center will show success in excess of 75% of the corpsmen being placed July 1, 1967 to July 1, 1968. Said placement included gainful employment, school, military and transfers.

The Sly Park Center has been fully accepted by our county and especially our immediate local community. Both personnel and corpsmen have volunteered repeatedly on their own time, Saturdays and Sundays, for various cooperative community activities such as: clean up days, school ground preparation, school arboretum development for conservation and environment education, so important to the national interests, park development, blood bank donations, art and music camp development, Kiwanis summer camp chaperones and many other projects too numerous to mention.

This Center employs a working staff of 38 and average 2 children per family. Closing the Center would greatly affect the economy of our area. An annual operating budget of over \$500,000 is largely spent locally with about \$45,000 additional spent locally.

I, along with many others, sincerely hope that you will give careful consideration before closing the Sly Park Job Corps Center in our county because of the reasons mentioned.

Sincerely,  
LOWELL R. GRAY,  
District Superintendent.

FIRST PRESBYTERIAN CHURCH,  
Huntington, W. Va., April 17, 1969.  
Senator GAYLORD NELSON,  
U.S. Senate, Committee on Labor and Public Welfare, Washington, D.C.

DEAR MR. NELSON: It is my understanding that the present administration is recommending a severe cutback in the Job Corps program, and this move will eliminate most

of the Job Corps training in West Virginia area. I would like for you and others in places of responsibility to be aware of the viewpoint that some of us have who have been in position to observe the Job Corps operation in Huntington, West Virginia.

Some months ago when I was president of the Huntington Ministers Association, we made a careful study of the program and the results of this local Job Corps installation. On the strength of our study and observation, we passed a resolution which we sent on to Sargent Shriver indicating our appreciation of what was happening to human personalities.

I am in the business of helping people to become their best selves. When I look at the sort of persons enlisted in the Job Corps training program, I realize that here are persons who desperately need the greatest encouragement the society can give them. It is obvious that even the most optimistic believers in the possibilities of human nature would not be so rash as to anticipate one hundred percent results, or even seventy-five percent. It is my feeling that even a modest percentage of what we might term success is worth a great deal in terms of money and skills. I wish it been possible for you to hear some of the statements made by the young women who closed their course here and moved on into employment.

I believe in this program as one way of meeting human problems, and it is my hope that the Huntington operation can continue.

Sincerely yours,  
LYNN T. JONES.  
SOUTH POINT, OHIO,  
April 14, 1969.

Senator GAYLORD NELSON,  
Senate Building,  
Washington, D.C.

DEAR SENATOR NELSON: This is just a short note to express my solid support for your stand on the projected closing of some Job Corps Centers. As a VISTA volunteer stationed in Ohio, and as a registered voter of Wisconsin, I strongly endorse your resistance to the projected closings. I have written the President and have made my feelings known to him.

Very truly yours,  
ROBERT W. DAVENPORT.

THE SACRAMENTO BEE,  
Sacramento, Calif., April 17, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: This is to advise you that I fully share your deep concern over the proposed cut in the Job Corps budget which you conveyed to me in a recent letter. The cutback will force the closure of the Alder Springs Conservation Centre on the Mendocino National Forest, with which I am most familiar, along with others, I understand.

As a newspaper reporter in this community, I have watched the establishment and operation of this camp very closely since its inception over four years ago and written many news articles on it. I have marveled at the degree of success which has been achieved over tremendous difficulties and odds against it and must deplore the idea of its abandonment. I am appalled—in view of the record I see—at the false economy of such a move as the proposed camp closure. I only recently responded to an inquiry from W. P. Kelly, Job Corps Director, offering my candid appraisal and wholehearted support for the continuation of this training program.

I would pray that there will be a careful Congressional review of this proposed measure, with possibly a tour of some of the camps by Congressional representatives. I can only hope that our United States Senators from California share your broad under-

May 5, 1969

standing and deep concern of this program's true worth.

While I am in no position to dictate editorial policy of the newspaper by which I am employed, I feel confident that the Job Corps program will be fully supported editorially by the McClatchy Newspapers. You may certainly be assured of my personal support as an individual.

Sincerely,

CECILE B. CRAMER,  
Staff Reporter, Willows Bureau.

MOSLEY'S FAMILY SHOE STORE,  
Hines, Oreg., April 15, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SIR: I am writing to you regarding the closure of Malheur Conservation Center that is located some 35 miles southwest of Burns. I feel that the closing of this center would be a mistake in numerous ways. Although I am not too familiar with the operation there, I do know that the boys are well mannered when they come to town, and this supports the claim of the center that they have a good success ratio among their students.

The loss of the center will hurt the economy of our Burns business community, which is small to begin with; but even worse than the loss to the community, in my opinion would be the loss to all taxpayers because of the large capital investment that will be lost to the government. Due to the remote location, it would be impossible to put this complex to any other use. . . . The only way to ever hope to get any of the capital investment back would be to keep the center open for at least another 4 years or so. In 1965 when the center was built here, I was against it because of the remote area in which it was built. Now, I am against it for the very same reason; in addition to the fact that they are helping some boys become useful, lawabiding citizens.

Sincerely yours,

CALVIN H. MOSLEY.

MELLEN, WIS.,  
April 17, 1969.

HON. GAYLORD NELSON,  
U.S. Senator,  
Washington, D.C.

DEAR SENATOR: The Common Council of the City of Mellen is concerned about the news that the Clam Lake Job Corps will be closed.

You are familiar with the economy of Ashland County and loosing this facility would be another blow to this area. We feel that the Job Corps is an asset to this area, we therefore ask that you take whatever steps are necessary to help keep the Job Corps Camp open.

Very truly yours,

KEITH MORKEE,  
City Clerk-Treasurer.

MELLEN, WIS.,  
April 17, 1969.

DEAR SENATOR NELSON: We are writing to protest the closing of the Clam Lake Job Corps Center and all other Job Corps Centers.

We would much rather see our tax money spent to rehabilitate our own boys and girls than to send men to the moon and to keep sending money to help all the other countries of the world.

Charity begins at home.

Sincerely,

Mr. and Mrs. LOUIE DEGIOVANNI.

WILLOWS, CALIF.,  
April 15, 1969.

Mr. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment Manpower and Poverty, U.S. Senate, Washington, D.C.

DEAR SIR: I have heard the news of the possible shut-down of most of the job corps

centers. This would effect the one near us at Aldersprings. This is no financial boon to our area. We do not think only of our town and our country. We have rather sought to include the men of the Corps in the community. There has been a little expense of time and perhaps pin money. We are glad to help.

We see this Corps as a real asset to the persons involved. What helps our brother helps us. Thus we believe to cut this program will be penny-wise and pound foolish.

Please send me a mailing roster of both houses. Mine seems to have vanished. I'll do my best.

Yours sincerely,

RAYMOND P. SQUIRE,  
Pastor.

LIVERMORE, CALIF.,  
April 17, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR NELSON: I am writing you concerning the recent Labor Department announcement that 59 of the 113 Job Corps Centers would be closed and partially replaced by about 30 "neighborhood centers" at an estimated savings of 100 million dollars.

There is a real need for fiscal responsibility in our federal programs, but I am deeply concerned that the Job Corps cut-backs will have adverse consequences that far outweigh the temporary savings. I believe that the Labor Department proposal for cut-backs in the Job Corps program, if enacted, will cause widespread anger and frustration among our impoverished youth with grave implications for us all.

The Job Corps is more than job training. It is a chance to have the medical and dental care so important for feeling up to working and learning. It is a chance to get away from poverty and despair, to eat adequately, to have adequate shelter. Important too is the acquaintance with other youth from all over the country and the sharing of experiences and hopes. The idea to have neighborhood centers with trainees living at home ignores these factors. It would put young people back into the same stifling environment they are trying to escape.

There have been mistakes in the Job Corps program as there inevitably are in any new program. It has, however, been a beginning. Rather than cut back we should build on the experience that has been gained. If the program is to be stopped, it should be replaced with something better. What does it say for our commitment to impoverished youth when such a program is cut by one half and inadequate programs hastily put in its place? How willing will these young people be to trust the "system" again? What will we say to the thousands of corpsmen who will return home without training if their Job Corps closes on July 1st?

Finally, I wonder what it is worth to enable rejected youth to become proud contributing members of our society. 14,000 young men have entered the Camp Parks Job Corps Center near my home and 9,000 are now employed. 1,900 have earned the equivalent of a high school diploma, 671 have returned to school and 1,300 have enlisted in the armed forces. George Foreman, the Olympic champion boxer, recently said that without the Job Corps he would be just another boy on the street. Can we afford such a waste of human resources in the name of government economy?

I think the Labor Department proposal for closing of the Job Corps centers is ill conceived and unjustified. It will have serious adverse effects for the country. I enthusiastically support your opposition to it. Please advise me concerning assistance I can give to help defeat the proposal.

Very truly yours,

CLAIR E. CHAPIN,  
Chairman, Livermore ACCORD.

DUBLIN, CALIF.,

April 17, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR MR. NELSON: I strongly endorse the Job Corps concept and encourage expansion of such programs in the future. Hasty action now will result in costly mistakes in the future of our nation.

Yours truly,

CHARLES JOHNSON.

POLLOCK PINES, CALIF.,  
April 16, 1969.

GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR MR. NELSON: After reading about the possibility of closing some of the Job Corps Centers, I decided to write you about our Job Corps here in Pollock Pines. We are a small mountain community and are proud of our Job Corp's record. The boys themselves have become a real working part of the community, participating in all community projects. The community in return welcomes the boys as an important part of it, and supports them in their activities.

Most of these boys are from big city ghetto areas, and we all know what the probability of their being in a California Youth Authority institution would be if they were at home. If cost means so much, surely it doesn't cost any more to keep them at the Job Corps than it would to keep them in a penal institution. And, at least, in the Job Corps, they are making a substantial return to the country, especially in our National Forest, which surrounds us here.

I don't know a thing about Job Corps Centers at other locations, but I do know that ours here has been very successful. The boys are not only trained for several technical type jobs, but are also taught reading and mathematics. And for the most of them, it is the first time in their lives that they have lived in a beautiful natural forest area.

Our local Job Corps Center has proved that it can save boys. Certainly these boys are worth something to us as future citizens.

Sincerely yours,

LUELLA HENEY,  
Housewife.

MARQUETTE, MICH.,  
April 16, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR: This letter is an appeal to you to use your powers as Chairman of the Senate Antipoverty Subcommittee to provide for the continuation of the Job Corps at its present strength. I am against the closing of some sixty centers and replacing them with day-school vocational training in big city classrooms.

One of the most important concepts in the Job Corps program is getting underprivileged young men and women away from their former environments into a new atmosphere which fosters acceptable social and personal values as well as giving a basic education and vocational training. Only in a residential program can these goals be accomplished. To replace existing centers with day-school training is to destroy the program totally.

These are arguments that can be read in any newspaper. However, my feelings are backed by a year's work experience as a Resident Leader with the Job Corps. I am 23 years old, and I work as a residential counselor within the dormitory which houses the enrollees. Each day I have the opportunity to see these young women achieve various kinds of success. Each day I can see signs that a young woman has been learning and growing into a fine citizen with a useful vocation to contribute to society. Each graduation warms my heart when I consider what these girls were when they first came to the Job Corps Center and what they are as graduates.

The closing of Job Corps Centers will save tax money, but what about the problems of poverty and lack of education that this money was being used to alleviate. These problems are still here, and they cannot be ignored. If the centers are closed, then a better solution must be offered. No one has proposed such a solution.

Today's youth are this country's hope for the future. We must equip them, all of them, to meet this challenge. Believe me, the Job Corps enrollees deeply appreciate perhaps their only chance.

Sincerely yours,  
(Miss) SUSAN BOHN.

APPLETON, WIS.,  
April 16, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: I am very concerned about the recent decision to close a large number of Job Corps Centers in the United States. Of particular concern is the decision to close the Center at Clam Lake, Wisconsin.

I work for the Wisconsin Department of Industry, Labor and Human Relations. My specific job assignment is with the Work Incentive Program under the direction of the Wisconsin State Employment Service. My position is that of job and training developer for AFDC clients referred to our program by the local county departments of social services.

I have found the Job Corps Centers in Wisconsin a valuable resource as far as training of disadvantaged youth. The ideal settings of the Centers, away from unfavorable home environments, has proved to be of great value. The individual emphasis of training of these youth has provided a situation which conventional schools (high schools and vocational schools) have failed to do.

I would appreciate any effort on your part to oppose the plan to close productive Job Corps Centers.

Thank you very much for your consideration of this matter.

Sincerely,  
DALE W. HOPKINS,  
Area Services Specialist, Minority Group  
Specialist, Wisconsin Department of  
Industry, Labor and Human Relations.

IRON RIVER, WIS.,  
April 17, 1969.

Hon. GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: The board of directors management and members of Bayfield Electric Cooperative are appalled at the irresponsible action of the government in the decision to close Job Corps Camps, specifically the Clam Lake Job Corps Center in northern Wisconsin.

One of the considerations is the fact that the operation of this center has been a financial boost to the economy of the area which we need very much. The closing of the center will further add to the total economic problems of the area.

Of course, the fact that the Job Corps Centers were taking young people with first grade level education and teaching them to acceptable levels of learning for our society is the important fact. If the costs were out of line we think that an effort should be made to correct this.

Is there any possibility of reconsidering the Clam Lake Job Corps Center's closing?

Board President Emery Koval and I will be in Washington on May 1st and would appreciate an opportunity to meet with you to discuss this and other matters. Will you please let me know what time would be convenient?

Yours truly,  
BAYFIELD ELECTRIC COOPERATIVE, INC.  
OSCAR LAHTI, General Manager.

GLOBE, ARIZ.,  
April 16, 1969.

I'm joining the millions of Americans who have written to you concerning the closing of Job Corps Centers.

My husband was hired as Resident Youth Resident at the San Carlos Job Corps Center of Arizona just one month ago. During this short time, I have witnessed the dedication, interest and concern of the employees here at this center. It is my observation that these people are deeply interested in helping these young men in becoming respectable citizens of our society, and also skilled in learning how to make a living for themselves. It takes patience, understanding, and brotherly love to work with these young men. What's to become of them if they have to leave?

Let us consider the problems that are taking place in our institutions of higher learning at the present time. Perhaps Job Corps is fortunate in not being confronted with protestors and rioters. Law and order have been strictly enforced, which is of prime importance in shaping characters and future of these young men. It is my honest opinion that it is an injustice to our fellow young citizens if Job Corps Centers are closed down, and the unselfish efforts of the dedicated people who work to help our Corpsmen is thrown down the drain.

Mrs. CELIA SANCHEZ.

GLOBE, ARIZ.,  
April 17, 1969.

Hon. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

Subject: Closing of San Carlos Job Corps Center, San Carlos, Ariz.

SIR: For years since the end of World War II, we the citizens of the United States, through our central Government, have funneled monies to Europe and Asia to rehabilitate and reconstruct those countries devastated by war and under-developed; these monies bore fruit as is selfevident.

Of recent origin is a like project directed to the rehabilitation and education of the under-privileged of our own nation, namely, the Job Corps.

The difference between said two (2) projects is that the former ran for over fifteen (15) years and the latter for less than five (5) years.

Granted, economy is a must in these days of inflation, but I believe that the cuts in federal spending should be first, on our non-military overseas commitments, and second, on domestic non-military projects of a non-education nature.

Projects like the Job Corps, which educate and train, are invaluable in that they improve over all employment and up-grade income; the latter increases the gross national income of the nation and cause a corresponding increase in income tax paid.

If a cut is absolutely necessary in the number of Job Corps Centers, then cut those with the lowest efficiency rating. The Center in question is one of those on the list to be closed and yet is 9th low out of 82 Centers in cost per man, 14th in length of stay per man, 8th in educational reading gains and 9th in % of Corpsman graduating. There appears to be no norm or formula guiding those responsible for cutting centers.

I urge your support in the retention of the San Carlos Job Corps Center.

Sincerely yours,  
DONALD C. PREMEAU,  
Attorney at Law.

BALTIMORE, MD.,  
April 25, 1969.

Hon. JOSEPH D. TYDINGS,  
U.S. Senate,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR TYDINGS: As a Baltimore-based employer of approximately 1,000 per-

sons, we are shocked and chagrined to learn of the proposed budgetary cuts in Job Corps appropriations.

We speak from first hand knowledge gained through providing work-experience programs in cooperation with a Skills Center at 103 East Mt. Royal Avenue, less than a block from our printing facilities in the center of the City. Even though this center is thought not to be among the 59 earmarked for phasing out, we believe firmly that eliminating any Job Corps residential training for the youth is a false economy.

In a matter of a few years one out of every three in the nation's population is expected to be under 25 years of age. Business and industry is not only able and willing, but eager also, to provide for the disadvantaged among the youth on-the-job career training; essential to the task is advance guidance and preparation in the areas of attitudes, motivation and basic-life skills. Therefore, we oppose any curtailment of the Job Corps program whose primary goal is the development of work-oriented employees.

Sincerely yours,  
(Mrs.) MYRTLE M. NICHOLS.

SHEBOYGAN, WIS.,  
April 22, 1969.

Re: Closing of Job Corps Centers.

Hon. GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: This letter is to inform you of our local league's opposition to the abrupt closing of Job Corps Centers, until adequate and expanded facilities are available and functioning.

To set up replacement facilities in 30 urban centers by July 1 seems unrealistic. Therefore the League opposes the abrupt closing of more than one half of the Job Corps Centers. Continued withdrawal of promised assistance and opportunity cannot help but make the disadvantaged cynical and disillusioned about the depth of commitment the nation has to overcome poverty and discrimination, and would destroy the continuity of the program for many enrollees.

We oppose the abrupt closing for the following reasons:

1. The proposed "mini" centers would have a capacity for only 4,625 enrollees (in January, 1969, there were 14,669, leaving over 10,000 more young people than could be accommodated in the new centers).

2. We would like to point out that the "saving" anticipated comes about in part from serving smaller numbers and that the constructive conservation work done by many of these young people has been appraised at \$56 million by the end of 1968.

3. We would like to close by saying that if the proposed "mini" skill centers prove better able to fill the needs of the severely disadvantaged, League would not then oppose but may support phasing out the Job Corps Centers.

Yours Sincerely,  
MAUREEN HANSELL,  
Chairman, Human Resources.  
MARY WALLERS,  
President, League of Women Voters of  
Sheboygan.

APRIL 26, 1969.

Re: Job Corps Hearings.  
Senator GAYLORD NELSON,  
U.S. Senate,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: I wish to testify at your hearings on the Job Corps. I have worked with the Job Corps program for three years as a volunteer Project Director for Women in Community Service in Winter Park and Orlando, Florida.

Although you know it, I wish to remind you that Women in Community Service is a

National Organization made up of four parent organizations which are The National Council of Catholic Women, The National Council of Jewish Women, The National Council of Negro Women and Church Women United. As volunteers, we do recruiting and screening for the Women's Job Corps.

I have personally screened over 125 girls for the Job Corps, and have sent 75 to Job Corps Centers, had receptions for the girls and their mothers, have accompanied the girls to the airport or bus station, have kept in contact with many of them and have several girls to obtain employment. I have also visited two of the Job Corps Centers that are to be closed, St. Louis, Mo. and Clinton, Iowa.

I have also served for a year and a half on the Board of the Orange County Economic Opportunity Community Action Program and on the Head Start Advisory Committee.

As a volunteer in recruiting and screening Job Corps girls, I have become very familiar with many of the problems of these people in poverty and feel I have something to say to your committee.

There are many aspects of this program that I have observed that make me feel I would like to be heard.

The poor do not always give the whole picture because they have no measure of comparison. I have observed improvement in the family home surroundings. I have observed their increased desire for betterment. I have observed their gain in self-confidence and their success on the job. But also I have observed the hardships they experience in obtaining a job and also on the job once they have been hired. I will not speak on theory but will speak from the experience of knowing these people and visiting in their homes. I feel too that they wish to be tax paying citizens no longer dependent on their government for subsistence.

My husband and I are owners of a small business in Orlando. We live at 834 Palmer Ave. Winter Park near Senator Gurney and are members of the same church as Senator Gurney. I am past president of the Women's Fellowship of the Winter Park Congregational Church and presently District Director of the State Women's Fellowship of the United Church of Christ. I am past president of the Church Women United of Winter Park and am now Project Director of Women in Community Service of Winter Park and Orlando.

If it is possible for me to be heard, I will be bringing one of my Job Corps graduates with me. She would be happy to be questioned if your committee so desired. She is black. Her name is Bernice Hillsman. She was president of the student council at Poland Spring Job Corps Center for Women. She resides in Sanford, Florida.

I am also writing Senator Spessard Holland and Senator Edward Gurney of Florida requesting this hearing. Please wire me immediately in order that I may make plans. My home telephone is area code (305) 647-2276.

Sincerely,

MRS. FRED R. PROUSE,  
Project Director, W.I.C.S.

PRICE, UTAH,  
April 27, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR NELSON: Thank you for your protests of the closing of 59 Job Corps Centers.

I have firsthand knowledge of the Castle Valley Center here in Price, and have been most impressed with the results of the work performed. I have always felt that if only 25% of the young men were taken from the welfare rolls, the program would pay for itself many times over. A great percentage of the enrollees who come to Castle Valley are colored boys. They appear to be apprehensive

at coming to a primarily white community. They are treated with respect and they have returned that respect. We have all learned something from this experience.

I feel that the recruiting and screening could be performed more efficiently. I believe many boys come who cannot benefit from the training because of their inability to learn. This is determined early and they are sent home. I believe these are the boys who contribute to the large percentage of those considered as dropouts from the program. Actually, it is not true, and I believe the statistics are incorrect.

Some one must speak for these people. Legislators who seem willing to do so sincerely seem far and few between. I am glad to know there are some who really care. I appreciate your work. Please continue.

Sincerely,

Mrs. HOWARD HANKS.

WASHINGTON, D.C.,  
April 28, 1969.

HON. GAYLORD NELSON,  
Chairman, Manpower and Poverty Subcommittee,  
Senate Labor and Public Welfare Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am enclosing the April 22 letter I have received from the President of the Bismarck League of Women Voters regarding the closing of the Job Corps centers.

I respectfully request that these comments be considered by your Subcommittee during its deliberations on this very important matter.

With kind regards, I am  
Sincerely,

QUENTIN N. BURDICK.

BISMARCK LEAGUE OF WOMEN VOTERS,  
April 22, 1969.

HON. QUENTIN BURDICK,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR BURDICK: The Bismarck League of Women Voters favors the review of the present poverty programs, however, we would like to urge that the Job Corps centers not be closed until adequate facilities are in operation to continue this much needed training and job placement for this particular segment of our population.

We realize that the yearly cost per enrollee in the Job Corps is relatively high, that there is some difficulty in placing trainees, and that the drop-out rate is high. We feel that these problems should have immediate attention and that all savings in funds and improvements in effectiveness of the program be made at the earliest possible date. It does not seem realistic that 30 urban centers can be set up by July 1, and these centers will not serve as many young people as can be served by the present centers.

We respectfully request your careful consideration of this request.

Very truly yours,

Mrs. RICHARD FULTON,  
President.

KAUKAUNA, WIS.,  
April 16, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: In such a prosperous nation as we are privileged to live in, it is extremely disheartening to see and know who are living in total poverty—living in substandard housing, existing on substandard diets and receiving inadequate education for today's labor market.

What is even more disheartening is to see our government hack away at anti-poverty programs, such as the Job Corps which has done an outstanding job in combating poverty, under the pre-text of fighting inflation and saving the taxpayers dollar. If our present system of government cannot control the

value of the dollar any other way and continues to allow people to live in conditions such as the poor in this country live in, then I say let's re-evaluate the system. Under our present economic structure, is it necessary to have poor people before there can be rich people? Apparently some people think it is.

I work for the Work Incentive Training Program in the Fox River Valley and even in the Fox River Valley poverty exists. The WIN Program has sent young men and women to Job Corps and would like to be able to continue to use this valuable resource. I strongly urge you to do whatever is humanly possible to prevent the closing of any Job Corps Center or any other cutback in the anti-poverty program at a time when we should be pushing forward with these programs.

Sincerely,  
JAMES J. GILLITZER,  
Fox River Valley WIN Program,  
Project Director.

BALTIMORE, MD.,  
April 18, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower and Poverty, Senate Office Building, Washington, D.C.

DEAR SIR: I am writing to voice my deep concern regarding curtailment of the Job Corps Program.

During virtually the entire period in which the Program has functioned, my wife has served as a volunteer of the Baltimore Office of the Men's Job Corps. I therefore write with the advantage of more than the average citizen knowledge.

As one would expect in the instance of a service designed for the rehabilitation of the most desperate factor of our youth, there are many young men for whom the training has been less than 100% effective, but for an amazing portion of the participants, the opportunity has meant the difference between a life wasted in crime and despair, and as a useful life as productive members of society. The typical recipient of the program's benefits is a youth frustrated by normal educational opportunities, who reaches high school age without having learned the rudiments of reading and writing. He comes from a family in which there is no father image; the family living in overcrowded squalor. The vast majority of these young people have dropped out of school, and, lacking the skills for any gainful employment, they have roamed the streets until, eventually, they turn to crime as the only logical route of escape from their total frustration. The Job Corps finds them in institutions. To these boys the Job Corps is a ray of hope, the gateway to a life of self-respect. It offers the only chance to break away from the futility and hopelessness of their ghetto homes into an environment of health and opportunity. They find, in the Job Corps personnel, people concerned with their well-being, and, for the first time, they feel friendship. Many of these boys have graduated from their training corps and have returned to the local Job Corps Office to seek the same friendly help in finding employment.

It is difficult to measure the value of human lives, particularly in the case of youngsters who have virtually their whole lives ahead of them.

It is true that a dollar figure can be ascertained as the difference between the drain that these youngsters would represent on our institutional and welfare resources, as against their productivity and contribution to society, following rehabilitation, but, certainly, the entire program cannot be put on the scales in terms of dollar economy.

I think we all agree that, in the long run, helping others to help themselves is preferable to support through welfare programs, and that we will suffer if a large

segment of our population lacks the basic education to achieve self-support standards of minimum decency.

The new administration has infinite opportunities to embark on new ideas. We need more programs to provide educational opportunities to the underprivileged. Let's not retreat from the few existing programs which offer hope for a better future.

Very truly yours,

ROBERT M. GOLDMAN.

PRICE, UTAH,  
April 15, 1969.

GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, Poverty, Washington, D.C.

DEAR MR. NELSON: The removal of the Castlevalley Job Corps from this area has met with much personal concern. We wish to ask your support in keeping this camp here and in reviewing the decision which included this particular camp in the overall knife-slashing of this program.

In order for a small community such as ours to survive we must have the economic benefit of many agencies. This is particularly true of the development of the tourist industry. We are greatly concerned with the lack of development of the federal lands surrounding this area and of the great potential there is to be found here with the help of such agencies as the Castlevalley Job Corps its outstanding memorial day "Coffee-Break" programs, its interest and development of the Prehistoric Museum and its building of the famous Cleveland-Lloyd Dinosaur Quarry which has become a National Landmark.

In addition to the vital work the Castlevalley Job Corps has done to assist the visitors coming through this area they have done much for the development of the federal lands in reseeded, water preservation, community work projects, etc. which have benefited us all and been accepted by us all as a good investment in our taxes.

We do not understand why a Job Corps with the outstanding record such as this one must dissolve because it is classed as rural and why it cannot be judged on its own merits and on the record it has achieved with its boys.

Very truly yours,

BETTE C. HANSEN,  
Manager, Prehistoric Museum.

PRICE, UTAH,  
April 15, 1969.

MR. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, Poverty, Washington, D.C.

DEAR MR. NELSON: The Board of Governors of the Carbon County Chamber of Commerce wish to protest the removal of the Castlevalley Job Corps from this area.

Since its beginning the Castlevalley Job Corps has designed its programs to fit into the needs and responsibilities of the community. This cannot be done successfully in an urban center.

The economic effect the removal of this camp would have on the people of this area would at this time be disastrous. There is not industry here that would be able to handle the thirty or more families this would directly affect. The absorption of the rest of the governmental staff would create a problem in itself. Where would these boys find a camp with the proper American ideals taught and displayed here? We feel that this camp has been a valuable example of the personal growth and development of the young men whom a tired society has almost forgotten.

We cannot believe that the removal of camps such as the Castlevalley Job Corps is the solution to a hundred million dollar problem. We feel that a more detailed study

of the different camp situations would alleviate much of the expensive mistakes now being made and that a more realistic viewpoint on the wages paid in accordance to the surrounding areas would make a smaller financial cost to each camp program.

Yours very truly,

MACK A. JOHNSON,  
President, Carbon County Chamber of Commerce.

CLINTON, IOWA,  
April 15, 1969.

DEAR MR. GAYLORD NELSON: I'm writing to ask about closing the job corps. I'm from the State of Wisconsin and from Madison. I've been here at the Clinton Iowa Job Corps for about six months. I signed up for job corps in Madison at the unemployment office. I have finished high school in 1968, and couldn't find a job. So I signed up to get a better education. Job Corps is very good and I like it. I feel there isn't any reason for closing it.

I know that a lot of people think Job Corps should be closed. I also know Mr. Nixon wants to cut the cost of taxes. But closing Job Corps will make it even higher. The welfare will just become greater.

Mr. Nelson, I know you can't change the ways of Congress. But I would like very much to know what you think of Job Corps.

Job Corps helps many girls, and myself am working hard. The classes are interesting and you can go at your speed. At school you learn only really two things, reading and writing. The Job Corps train girls to read and write, but also to have a future. I think Job Corps should stay open.

I'm a white girl, and have never been around so many different colors or races. But I'd never change the experience I've had for anything. I think if people were like this the race problems wouldn't be, and the so-called generation gap.

I like very much to see Clinton Iowa Job Corps stay open.

Please help us keep it open. I have one last thing to say. I wonder what the future will be like! Another Depression! That's how things look towards me and my future. My generation will be the next leaders and without education, it's going to be some place!

Please write and tell me how you feel? I understand that we have problems. But these problems aren't that big, really!

Here's my address: Miss Lorna Watson, 2602 N. 4th St., Clinton, Iowa. 53932.

Truly yours,

LORNA WATSON.

MILWAUKEE, WIS.,  
April 11, 1969.

HON. SENATOR GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: I would like to take this time to tell you that I support your protest against the job corps cuts. I believe that the job corps training centers are necessary for the well being of many of America's citizens.

Sincerely,

DACE INCIS.

BURNS, OREG., April 15, 1969.

SENATOR GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

I understand from the news report, that the Malheur Job Corps Center will be closed by the 1st. of July 1969.

As a citizen of Harney County, which is one of the largest Counties in the United States, and the Federal Government owns 80-percent of the land in the county, which makes it difficult to maintain a good economy. As I remember, the citizens of this county did not ask to have the Job Corps brought in, but since it is here, and the government has spent a large sum of money

for buildings, water systems, sewage and maintains a good payroll, new homes have been built in Burns and Hines, Oregon to accommodate the personnel, and a part of the personnel are citizens of the county. It just doesn't make sense to close this Malheur Job Corps Center and take these boys to Portland, Oregon. A good many of these boys have never been able to enjoy the Out-Doors before in their lives. It appears to me, that this set-up has every advantage of placing these boys in or near a large city. If the Job Corps is closed, there is nothing to go into its place. This Job Corps Center is set up to give these boys an education in handling Heavy Equipment and working with their hands, the thing that our Education System is falling down on.

Very truly yours,

EBAN RAY.

BURNS, OREG., April 15, 1969.

SENATOR GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR: I am protesting the closure of the Malheur Job Corps Center here in Burns, Oregon.

I have visited this center several times and I am sure it is accomplishing a lot of good for these boys that have come from the Slums and poverty stricken areas of our country. Some of these boys could not read or write and did not know how to work with their hands. Here they have had the opportunity to accomplish many things they could not acquire near or in a large city.

Sincerely yours,

WILLIAM E. RAY.

SALEM, OREG., April 18, 1969.

HON. GAYLORD NELSON,  
U.S. Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: President Nixon budget message proposes the removal of a Job Corps Center from the city of Burns, Oregon. We do not protest this attempt to cut back the budget of the Federal level. If it is the intention to move this center out of the State of Oregon, we would have to agree that this program is very expensive. However, if it is to be moved to another city in Oregon, here is the matter of \$3 million in facilities which would be abandoned. Thus, a move from Burns to another city in Oregon would not seem to be in the interest of greater economy in government. There has been a concentrated attempt to solve the problems in our ghetto urban centers. In this respect, I must point out that the community of Burns has warmly accepted the Job Corps Center, and if this center is to be retained in Oregon, this is the most likely and receptive community. Thank you for your consideration. Respectfully.

ROBERT F. SMITH,  
Speaker of the House.

LANCASTER, WIS.,  
April 14, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR NELSON: Just a note to commend you again—this time for your stand against the recently announced closing of Job Corps Centers!

Last week I was up north with a group of teens from our congregation. We had just visited the Clam Lake Job Corps Center the day before the news came out in the paper that the center would be closed. While at the center, I visited with several members of the staff and with some of the Corpsmen.

Let it be said that I am not naive enough to believe that the Job Corps is going to make either angels or 100% perfect citizens out of the youth who participate! It does seem to me, however, that the Job Corps is a constructive attempt to meet some very real

needs of some very real individuals in our society.

I therefore urge you to continue your efforts to keep the Centers open—yes, to expand them for they are a front-line defense against poverty, against inner decay, and against (ultimately) revolution.

To me, Job Corps, VISTA, and the Peace Corps are all an investment in people—and I'd rather pay taxes for that than for the new buildings, roads, etc., etc., which so often seem to receive the first funding and the last cut-back!

I have written to the President, and would be pleased to do anything else which might be helpful to keep the Job Corps going.

Sincerely,

KEN GELHAUS, *Pastor.*

MARQUETTE, MICH.,  
April 16, 1969.

HON. GAYLORD NELSON,  
*Chairman, Senate Antipoverty Subcommittee, U.S. Senate, Washington, D.C.*

DEAR SENATOR NELSON: As a priest in the Hurley, Ironwood, area at a time when you served as governor of the State of Wisconsin, I had the pleasure of meeting with you during negotiations that resulted in the establishment of a natural gas pipeline that services the northern parts of our two states.

Now, as chairman of the Community Affairs Committee of the Marquette Catholic Diocese, I am seeking your assistance in championing a cause for which I have deep convictions—retention of the Women's Job Corps Center at Northern Michigan University.

The Community Affairs Committee was formed by the Diocese to become an influence in alleviating and eliminating causes and instances of poverty in the Upper Peninsula and to cooperate with other agencies charged with the same responsibility. Because of its commitment, the committee instructed its executive director to work with the Clergy Council of the area in its investigation into the significance and desirability of the university's Job Corps Center. Such an investigation was based on persistent rumors that the center was to be closed. Last week the mass media announced that, indeed, the center would be closed.

Based on recommendations of the council, the Community Affairs Committee has asked me in its name to seek your support for the continuation of the center and to ask that our endorsement for continuation be recorded in any hearings that might determine the future of the Women's Job Corps at Marquette.

Most respectfully yours,

Rev. LOUIS C. CAPPO,  
*Chairman, Community Affairs of the Marquette Catholic Diocese.*

PLACERVILLE, CALIF.,  
April 16, 1969.

HON. GAYLORD NELSON,  
*U.S. Senate, Senate Office Building, Washington, D.C.*

DEAR SENATOR NELSON: I am deeply disturbed at the closure of Sly Park Job Corps. Is there anything that can be done to stop this from happening?

The job being done at Sly Park is excellent. Sure, educating and training unemployable youth is costly, but there is no cheap way to break the welfare cycle. It would be far more costly in the long run to send them back to the ghettos. The boys at Sly park are mostly from California.

Ostensibly the newspaper said the shut-down is to save money. This is poor economy, to stop a running program in order to experiment and spend quantities of money to start another. There is \$800,000 invested in

a permanent installation which will be just shut down. This is waste, not saving money.

This particular Job Corps has been excellently run; if all facilities had been operated as well, I am sure there would have been nothing but praise. An across the board cut, without separating the good from the bad operation, seems stupid.

Again, there will be an adverse effect on forest conservation; with the loss of trained fire fighters, as well as the work they contribute to fire prevention and conservation.

Western El Dorado County is a poverty area, "Appalachia West", and there will be an adverse effect on the local economy. Sly Park has had an annual budget of over \$600,000 and supports 35 families; the loss of this operation will be a real blow to the county.

Is there anything that we can do to keep the Sly Park Job Corps open?

Respectfully,

BRUCE CRAWFORD,  
*Pastor.*

MARENISCO, MICH.,  
April 16, 1969.

HON. GAYLORD NELSON,  
*U.S. Senate, Washington, D.C.*

DEAR SENATOR NELSON: I urge you to use your influence to oppose the closing of the Ojibway Civilian Conservation Center which is located in this township.

As an educator I have been particularly interested in this program, as they have been using the latest in educational techniques and we have studied them for possible use in our own program and have adopted those adaptable to our situation. I feel that the Center has done an outstanding job and its closing would be a great loss.

I had often used the word illiterate but until I came in contact with some of these boys at the Center, it was quite remote because in our district the dropout rate is negligible and even those few who have dropped out can read and write. So the people teaching at the Center have a start at the lowest level.

I see that to replace these centers "Skill Centers" are being proposed in or near the so called ghetto areas. Since many of the problems of these boys are caused by their environment and as they have failed in this environment, I seriously question if they will do any better in a "Skill Center" in the same environment, and these kids really need help.

The cost of these conservation centers is high but measured against a possible life time of welfare support, the cost is small indeed.

It seems a little bit foolish after the huge capital investment the government has made to close these camps on what seems to me to be political grounds.

The closing of this Center would also adversely affect this area which is still trying to recover from the closing of the iron mines on the Gogebic Range.

Again I urge you to use your influence to oppose the closing of these centers.

Yours truly,

TOMAS M. WALIN,  
*Superintendent.*

BURNS, OREG.,  
April 15, 1969.

Mr. GAYLORD NELSON,  
*Chairman, Senate Subcommittee on Employment, Manpower, and Poverty.*

DEAR MR. NELSON: The recent news items and official notification that the Malheur Conservation Center is to be abandoned this fiscal year seems rather hasty and without good judgment or planning. I cannot believe the people who are responsible for this move understand just what they are doing to the welfare of the enrollees which are over 200 at present.

The Center was put in under political pres-

sure and was handled in the most inefficient way in the beginning. Those in charge were political appointees and had very little idea what they were doing and cared less for expense, etc.

I would estimate the site cost over one million dollars and they probably have from one half to three quarters million dollars in heavy equipment. A great deal of the equipment was purchased from Army Surplus and re-conditioned by the boys. The present administrator is the first one the camp has had that has been qualified to run such a camp, and if given a chance will prove to the Government that what they started to accomplish can be achieved. Their Educational program is one of the best in the Corps. They have Government Projects on Bureau of Land Management and Fish and Wildlife land to run them from three to five years. These are planned projects and if not done by the Job Corps will be done with appropriated funds direct to the departments.

I make three trips a week to the camp and see what is being accomplished with the boys. This is the first job most of them ever had. Many of them could neither read or write when enrolled. When new enrollees come to the camp there is such a contrast between the boys who have been in the camp three or four months than the new ones. Sending the boys to Urban Centers is not what they need. They need to be out where they can learn how to work with their hands and away from the populus areas.

To deny the enrollee the use of this camp at a time when it is being conducted as a camp should be an injustice to the boys and would be a tremendous waste of Government funds to the taxpayers.

Hoping your committee can do something to prevent this waste of funds in abandoning the camp when it has the prospects of being handled in a business like way and accomplishing so much for society in helping these boys.

Very truly yours,

MORGAN TIMMS.

LIVERMORE, CALIF.,  
April 9, 1969.

HON. GAYLORD NELSON,  
*U.S. Senate, Senate Office Building, Washington, D.C.*

DEAR SIR: We, the undersigned, are strongly opposed to the abandonment of the Job Corps program. This program is one of the few avenues of hope and escape available to the unfortunates in the slums. How can one say that it is cheaper to support people forever in prisons and on welfare checks all their lives than to rehabilitate them over a period of about four years. These people have no skills to market, yet they still have to eat. Begging, welfare, or crime is their only recourse. We cannot throw these fellow citizens to the wolves and maintain much self respect as individuals and as a nation:

Mr. & Mrs. Leslie Edwards, 510 Ruth Way, Livermore, Calif.; Mr. & Mrs. William Vatanen, 1389 Sunset Dr., Livermore, Calif.; Mrs. Gail Zwakenberg, 715 Canterbury, Livermore, Calif.; Mrs. Geald A. Nevis, 580 Ruth Way, Livermore, Calif.; Mrs. C. J. Huffman, 225 Wall St., Livermore, Calif.; Mrs. G. F. Robinson, 316 Colein St., Livermore, Calif.; Mrs. Donna Cairo, 510 Sonoma Ave., Livermore, Calif., and Mr. & Mrs. I. E. House, 1343 El Dorado Dr., Livermore, Calif.

In response to a more recent proposal to set up small training centers in the slums I ask what the purpose is. This is to take care of about 15% of those abandoned. What about the others? Are we to keep the centers in the slums to keep the people in the slums, or is our goal to create useful productive citizens?

BURNS, OREG.,  
April 18, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.:

We would like the Malheur Job Corps left in Harney Co. feel it is atmosphere better than big city gives these boys a chance to learn we have worked with these boys and feel they are getting a second chance.

Mr. and Mrs. RICHARD C. BIGELOW,  
Mr. and Mrs. RAY GARBODEN.

POLLOCK PINES, CALIF.,  
April 18, 1969.

GAYLORD NELSON,  
U.S. Senate,  
Senate Office Building,  
Washington, D.C.:

Expecting you vigorously to oppose closing Sly Park Job Corps. They are well accepted here.

FACULTY AND STAFF OF POLLOCK PINES  
SCHOOL DISTRICT.

OAKLAND, CALIF.,  
April 15, 1969.

HON. GAYLORD NELSON,  
Chairman, Subcommittee on Employment,  
Manpower and Poverty, New Senate Office  
Building, Washington, D.C.

DEAR SENATOR NELSON: Your part in opposing the closing of Job Corps Centers is appreciated. For many it would be disastrous. I have written to Senator Murphy, who I am told is a member of your subcommittee and enclose a copy for the Subcommittee. I do not have an extra copy of the clipping referred to in my letter.

With best wishes for success, I am

Sincerely yours,

HELEN MACGREGOR.

SUNOL, CALIF.,  
April 12, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: We strongly endorse the Job Corps concept and encourage expansion of such programs in the future.

Hasty action now will result in costly mistakes in the future of our nation.

We entertain these boys in our home from time to time and they need what the Job Corps provides. Our society needs them to be productive citizens.

Thank you.

Mr. and Mrs. CHARLES E. BEAZLEY.

MILWAUKEE, WIS.,  
April 15, 1969.

HON. GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.:

We view with real concern the possibility that the Job Corps will be drastically reduced. As a sub-contractor of the YWCA National Board's JC-Y W project, our experience with the effectiveness of residential programs to train young women for employment prompts us to urge substantial retention of centers.

Job Corps training for women has demonstrated that employability of the disadvantaged requires more than the teaching of skills. They are also in need of personal and social counseling.

Our particular experience has been at the point of on-the-job-try in cooperation with local businesses. In general these businesses are outside the deprived neighborhoods and a sustained contact between counselors and employers has been necessary. A long range view which encompasses the salvaging of individuals with respect to their growth, development, motivation, satisfaction, citizenship responsibility as well as their economic productivity seems to us to justify the cost of these programs.

Mrs. JOHN W. MAXWELL,  
President, YWCA of Greater Milwaukee.

WHERE DO WE BEGIN?

Which is more critically needed by the U.S. economy—jobs for slum youths or another defense job for the Northrop aircraft corporation?

Some answers may be forthcoming before long from the Senate; they may indicate whether the nation's economic priorities will be revised or remain grotesquely maladjusted.

The Nixon Administration is expected to make public today a list of Job Corps centers around the nation which are to be closed down, saving an estimated \$100 million for the budget surplus decreed by the White House. Later, up to \$30 million may be allocated to about 30 new centers in urban ghettos.

That is less than half the sum which Chairman Rivers (D-S.C.) of the House Armed Services Committee has insisted that the Air Force hand over to Northrop for the manufacture of a jet fighter to be sold abroad. The Pentagon evidently never asked for the money, but a \$14 million down payment has already been authorized by the House.

Senators who have been battling against the Administration's plans to deploy a \$6 billion missile defense system—how much job training might be financed with that kind of money?—intend to oppose the fighter deal vigorously.

And Sen. Nelson (D-Wis.) has appealed to the Administration to hold off on the Job Corps demobilization until Congress can review the program thoroughly. His request is both urgent and timely. Despite some much-heralded "economies" in defense spending, the White House is apparently attempting to create a budget surplus primarily at the expense of the poor. It is argued that the fighter sales would improve the nation's balance of payments position. But in elementary human terms, the priorities are tortuously unbalanced at home.

PRICE, UTAH,  
April 14, 1969.

DEAR SENATOR NELSON: We sincerely hope you will be able to do something about taking the Job Corps from our area. We, here in the little town of Price took the Job Corps when other cities refused it. We are in a depressed area where this has meant a great deal to our economy since coal mining is the only industry. The loss would be felt greatly.

Don't let them take it away.

Sincerely,

AFTON RUGGERI.

NATIONAL COUNCIL OF JEWISH WOMEN,  
Seattle, April 14, 1969.

HON. GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: On behalf of the Seattle Section, National Council of Jewish Women, which represents over 975 members, we strongly urge you to vote against the proposed cut in the War on Poverty Program Funds.

In view of the successful and necessary achievements of the Job Corps Centers, this would indeed be a false economy.

Sincerely,

(Mrs. L. A.) ANN L. NIEDER,  
President, Seattle Section, National  
Council of Jewish Women.

WOMEN IN COMMUNITY SERVICE,  
St. Louis, Mo., April 13, 1969.

Senator GAYLORD NELSON,  
Senate Antipoverty Subcommittee,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: As Project Director of Women In Community Service, St. Louis, Mo., I know first hand that Job Corps Centers take youth out of the environment that stifles and gives the young people an opportunity to break with the past and start

anew. No other program fits this need for poverty youth. The "Skill Centers" leave the youth where he is in his environment. There is no opportunity for a complete break away and a new start. The youth who would use the "Skill Centers" have already rejected schools.

In the Job Corps Centers where the youth live there is an opportunity to orient youth away from an attitude of hopelessness. Of course it is costly. It is working with the beginning of "hard core" unemployment. It is working with the renewal of a neglected person.

Without Job Corps Centers these young people are going to be back to the streets. With these disadvantaged youth crowded in their substandard environment this summer, our country may pay a much higher price than we can begin to save by scraping Job Corps Centers.

It is not only out of fear for the future of the United States that I plead, but it is for an opportunity for poverty youth to get out of their stifling environment and start anew.

This letter is written to support you and to bring out some more important things the Job Corps does for youth besides basic education and training in skills.

Sincerely,

Mrs. WALTER G. CANHAM,  
Project Director of WICS in St. Louis, Mo.

BOWDOIN COLLEGE,  
Brunswick, Maine, April 14, 1969.  
Senator GAYLORD NELSON,  
Washington, D.C.

DEAR SENATOR NELSON: I would like to comment that the recent decision to close (among others) the Poland Spring Job Corps Center appears remarkably short-sighted. I trust that you will use your influence to try to reverse this ill-considered course of action.

Yours sincerely,

Prof. JOHN L. HOWLAND.

HAVERHILL, MASS.,  
April 14, 1969.

DEAR SENATOR NELSON: I would like to voice my protest against the closing of the Job Corps Centers in New England.

These centers are doing wonders with needy youngsters and I feel they should be supported by us all.

Thank you—

Mrs. R. ROSENGARD.

KINGMAN, ARIZ.,  
April 15, 1969.

GAYLORD NELSON,  
U.S. Senator,  
Washington, D.C.:

We believe without reservation that the Kingman Job Corps have contributed much to illiterate and poverty stricken youth that have been trained here. The expense is not excessive when the product is considered. We sincerely urge your support in keeping the Kingman Job Corps intact. I have worked with the Corps and know of its accomplishments.

E. J. MCCARTHY,  
President, Mohave County Chamber of  
Commerce.

CARLETON COLLEGE,  
Northfield, Minn., April 12, 1969.  
HON. GAYLORD NELSON,  
Congress of the United States  
Senator.

DEAR SENATOR NELSON: It has come to my attention that President Nixon is very seriously contemplating a cut in funds and the disbanding of close to half the Job Corps camps.

I have visited the Blackwell Camp near my home town of Rhinelander and observed the tremendous good accomplished by these young men from impoverished areas. As your constituent, therefore, I would like to strongly urge you to do your utmost to combat this rash move.

The influx of some 32,000 disillusioned young men into the ghetto early in the summer will, no doubt, stimulate riots and general unrest such as our country has yet to experience. We cannot afford it! You will have done a great service for the country if you can curtail this madness of the Nixon Administration.

Peace now.

J. THOMAS WELCH.

APRIL 14, 1969.

TO: RICHARD M. NIXON,  
President of the United States  
TO: GEORGE SHULTZ,  
Secretary of Labor:

Urgently request your re-consideration of closing Clinton Job Corps. Administration of facility outstanding and facilities are absolutely unique and well suited for Job Corps training. Not another one like it in the country.

BERNARD M. JACOBSEN,  
President,  
Clinton Broadcasting Corporation.

WILSON & JOHNSTON BUILDERS  
SUPPLY CO.,  
Heavener, Okla., April 4, 1969.

HON. FRED R. HARRIS,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR HARRIS: After hearing the new administration's comments about Job Corps and reading GAO reports specifically about the Civilian Conservation Centers, I want to tell you about the positive aspects of Hodgens Civilian Conservation Center, located 12 miles south of Heavener in the Ouachita National Forest.

Hodgens Center was opened in the spring of 1965. It now has a capacity of 168 Corpsmen. It remains at about 90% of capacity, with about 70% negroes. The Center requires 46 permanent staff with occasional temporary staff helping out with the Work, Education and Resident Living programs. The six vocational curriculums taught are masonry, cooking, welding, mechanics, heavy equipment and carpentry.

The primary purpose of the Center is to make Corpsmen employable. This is done by a programmed educational system and work projects—such as dwellings, roads, recreation areas on Tallmena Drive and many others. These projects are helpful in the development of our area.

Yes, the Center is expensive to operate, but the initial high cost of getting operational is over.

Corpsmen take liberty in Heavener, Poteau and Fort Smith and are well accepted. The anxiety of the beginning days of the Center is over. The Center is well kept and Corpsmen are well disciplined.

Most people realize the economic value of the Center to our area, the good project work the Corpsmen are doing and the training opportunities offered to the Corpsmen at Hodgens. I think the Center is an effective way to fight poverty and develop our area.

Hope you can support Hodgens in future legislation.

Sincerely,

CHARLES D. WILSON.

THE FIRST PRESBYTERIAN CHURCH,  
Wilkes-Barre, Pa., April 14, 1969.

DEAR MR. NELSON: I don't know a lot about all of the Job Corps program in the U.S., but the Keystone Job Corps Center for women in Drums, Pa. I know well. This is a splendid use and investment of public funds in rehabilitation and job training. The results secured are outstanding. This center is a great community asset and a life-saver for some young women who deserve a chance

to make their place in a society, with jobs, where they are welcome and needed.

Cordially,

JULE AYERS.

BOWDOIN COLLEGE,  
Brunswick, Maine, April 15, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

SIR: I am writing to indicate my distress at the news of the closing of the Job Corps Center at Poland Spring, Maine. I have at least some slight idea of the hope it represented to a few of the young women who went there. Because a Northeast Airlines flight from New York to Boston to Portland was unable to go beyond Boston, two other middle-aged men and I made the Boston-Portland part of our trip on a bus otherwise filled with girls on their way to Poland Spring. It was a wild and sad and funny and wonderfully heartening experience. It seemed to me that I was seeing young people in a nearly allegorical transition from hopelessness to hope. It is unbearable to think that those who set our national priorities are willing casually but certainly to kill hope at home in the interest of dubious battles abroad.

Respectfully,

C. DOUGLAS MCGEE,  
Professor of Philosophy.

WICS, INC.,  
WOMEN IN COMMUNITY SERVICE,  
Madison, Wis., April 14, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: As Project Director of the Women's Job Corps since its inception and as a volunteer "WICS", I implore you to keep on fighting to maintain the Job Corps.

Perhaps if the Administration were advised of the numerous and fruitful experiences we have had in giving these young people their first chance it might reconsider and reverse its present decision to make Job Corps cutbacks. The rewards in salvaged and reclaimed human resources will more than repay the costs.

Mrs. Laurence Toban, the office manager here at the Madison WICS Office, joins with me in begging you to keep fighting to preserve this worthy cause.

I close with kindest personal regards and remain,

Sincerely yours,

ELSIE KRAVAT,  
Project Director, Women's Job Corps.

ORLEANS, MASS.,  
April 14, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: Because I have been connected with the Wellfleet Job Corps Center since its inception and am now chairman of the Community Relations Committee of this Center, I am well acquainted with the work of this organization and the fine results produced. I am told it is one of the best of its kind in the country.

I am sure that on-the-job training by industry is adequate for some young men. However, the corpsmen who come to this Center have grown up in circumstances of dire poverty and have met so many failure experiences that they need a residential program and the individual encouragement offered by over 60 volunteer tutors with whom they can work on an individual basis.

If you could see, as I have, the change which takes place in a corpsman in a few brief months, I know you also would also believe, as I do, in the efficacy of this program.

I urge you will try to do all in your power

to keep this Center open and continuing to rehabilitate these young men who have been handicapped through no fault of their own. I know all the members of my committee would agree with me in this stand.

Most sincerely,

MIRIAM FARIES,  
Chairman, Community Relations Committee Civilian Conservation Wellfleet Jobs Corps Center, South Wellfleet, Mass.

SUPERIOR, WIS.,  
April 15, 1969.

DEAR SENATOR NELSON: I am writing on behalf of the Job Corps. I want my tax dollars to go to rebuild lives and help these underprivileged young people to have happy, productive lives in our society. Too much of our tax dollar is being used for destructive purposes.

I am a teacher at the Superior Technical Institute and am a member of the Douglas County Republican Organization.

Sincerely,

GRATIE STEEN.

MADISON, WIS.,  
April 12, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: I have been immensely impressed by the achievements of the job corps program and its potential for correcting some of the sorriest aspects of American life. I am deeply distressed by the administration's decision to cut these efforts to an ineffective level.

I have first hand knowledge of the good which can result from such activities. Where I work we have a boy who was converted from a social liability to an asset.

Over 30 years ago I spent some months in a CCC camp, an earlier equivalent of the job corps. That brief exposure gave me a life-long respect for the people who managed that program, and the good which resulted.

I like to see my taxes spent in reducing misery, poverty and despair.

Sincerely yours,

JEROME F. SAEMAN.

CLINTON, IOWA,  
April 14, 1969.

Senator GAYLORD NELSON,  
Senate Committee on Labor,  
New Senate Office Building,  
Washington, D.C.

HONORABLE SIR: Knowing that you have invited the Nixon administration to send representatives to a hearing on Friday regarding the closing of Job Corps Centers, I am writing to you to attempt to muster reconsideration to retain the women's Centers. Whereas many opportunities are available for men and boys to receive training, we have few opportunities for girls to get job training. Until a substitute for Job Corps for women is found, or until public education is willing and ready, I feel we need to keep all the Job Corps centers for women.

I have helped interview girls from this small Midwest town who have gone to Job Corps centers. I am convinced, after visiting in the homes, that these girls could never achieve, except by being displaced to a center away from their home and home-town. With urban training centers as a possible substitute for Job Corps, what would be available to help rural and small town girls?

In addition to learning a job skill, the girls in the centers have learned something about social and civic responsibilities. These values cannot be measured.

I know the operation of the centers has been costly. Operating costs could be cut, but

welfare and support payments for drop-outs are poor substitutes for Job Corps. Phasing out programs is an expensive procedure, too. How can we justify space programs and war, and give up our investment in rehabilitating human beings? If my arithmetic is correct, and I divide the cost of the "mini-center", as proposed in a nearby town, by the number of young people it will serve, I find the dividend is much greater than what it costs for the girls at the Clinton Job Corps Center.

Until a better substitute program is ready and available, I hope Congress and the Administration will reconsider and keep the women's centers in operation.

Thank you kindly.

Sincerely yours,

(Miss) LEONA H. EBEL.

CITY OF CHADRON,  
Chadron, Nebr., April 14, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR: We here in Chadron appreciate your efforts to keep Job Corps Centers such as the one here open. The Pine Ridge Job Corps Center here is operated by the United States Forest Service, and has an outstanding record of placement and low cost per student.

I personally believe that the transfer of the Job Corps Centers to the Labor Department is a mistake, along with the efforts of the present Administration to replace this type of program with a program to subsidize industry. As you know, industry will never teach these people to read or write. They are only interested in what these people can do with their hands, and that is not a full education. I realize that private business has made a flop of the operation of some centers; and part of the success of the one here could be attributed to the fact that it is run by the Forest Service.

Sincerely yours,

EDWIN F. WEIS,  
City Manager, City of Chadron.

KINGMAN, ARIZ.,  
April 14, 1969.

GAYLORD NELSON, Chairman,  
Senate Subcommittee on Employment, Manpower, and Poverty, Washington, D.C.

DEAR SENATOR: Even though it is right now Tax Paying time and all of us are thinking of government saving I know of no one in favor of stopping as worthy a cause as Job Corps—we live in a town in which a Job Corps center is located and see the good job that is being done.

We hope that what the people of this community are doing will be heard in Washington and that a program that is doing as much good as Job Corps will be continued.

I personally want to thank you for the help that you are giving this worthy cause.

Sincerely yours,

ALEX. THOMSON.

BURNS, OREG.,  
April 16, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.:

The management and staff of KRNS radio in Burns, Oregon urge the government to reconsider the closure of Malheur civilian conservation center. We believe that the center has been very beneficial to Harney County and to the students that have received training at the center. Your help in this matter is essential.

Respectfully,

JIM WARD,

Cowowner.

HOWARD McDONALD,

Cowowner.

RICH WATKINS,

BOB ZANE.

[From the Willows (Calif.) Daily Journal,  
Apr. 15, 1969]

THE JOB CORPS MUST NOT END

In a speech to the 15 foreign ministers of NATO last Thursday, President Nixon proposed formation of a committee to improve "the quality of life of our peoples."

The next day his administration announced plans to close more than half the nation's 106 Job Corps centers, including the Alder Springs center some 40 miles west of Willows.

No committee has been needed to improve "the quality of life" of 1,200 young men from poor families who have successfully completed the Alder Springs training program—a phenomenal 70 per cent of the 1,700 young men who have arrived at the center since it was formed four years ago.

They themselves, mostly Negroes, have improved their own quality of life, assisted by sympathetic, skilled staff members and a program of learning by doing.

Ten per cent of the graduates returned to school, 13 per cent joined the armed services (they had been unqualified previously due to educational, health or other deficiencies), and 77 per cent were placed in jobs—a wide variety of skilled jobs ranging from operating bulldozers to carpentering.

Operating under a million-dollar annual budget, the cost averaged about \$5,000 for each youth successfully completing the program.

Is that cost too high? Apparently to President Nixon, who proposes appointing an international committee to improve "the quality of life of our peoples," it is.

Yet consider the far greater cost of maintaining each of these young men for the remainder of their lives on welfare. Or in prison. As many of them have freely admitted, the Job Corps was their "last chance" to lead dignified, constructive lives. It was their last chance to improve the quality of their lives. Now this last chance will be closed to countless other young men from poverty-stricken homes.

Consider, too, the work programs accomplished by the corpsmen as they have learned by doing. Located in the Mendocino National Forest they have built fire trails and lookout stations; last year alone spent 3,233 man-hours fighting fire. At the current rate of \$2.10 per hour for inexperienced firefighters this alone represents \$6,789 which the taxpayers otherwise would have had to pay.

The Corpsmen have built complete campgrounds, including, last year alone, more than 75 camping tables and more than 30 stoves.

They have built checkdams to stem erosion, and last year converted 200 acres of brushland into pasture for livestock and deer.

These and other programs to conserve and enhance the publicly owned national forest have greatly offset the reasonable \$5,000 cost of training a youth for a useful instead of a useless life—of making him self-supporting rather than tax supported; of preserving his dignity as a man.

No better program has been proposed for improving "the quality of life" of deprived American youths. How can President Nixon possibly be justified in reducing and eventually eliminating the Job Corps?—E.F.D.

LUCY LEE HOSPITAL,  
Poplar Bluff, Mo., April 22, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower and Poverty, Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: The majority of Butler County citizens want the Poplar Bluff Job Corps to remain an active camp.

The record proves this camp has been outstanding in its training program, with a high

percentage of the corpsmen being acceptable in the labor forces following release from this unit. The local Job Corps has placed great emphasis on discipline, good citizenship and participation in community activities, along with superb scholastic training. Corpsmen have cooperated willingly in disaster work throughout this area, along with their other duties.

In making a choice for any constructive project, which concerns expenditure of tax money, the belief of all serious-minded citizens is that the choice should favor those which have proven to be outstanding. By the stipulated rules, the Poplar Bluff Job Corps was acclaimed the finest in the Nation.

Please use your influence to keep the Poplar Bluff Job Corps an active camp.

Respectfully yours,

JERRY F. McLANE, M.D.

THE COMMUNITY CHURCH,  
Manitowish Waters, Wis., April 22, 1969.  
Senator GAYLORD NELSON,  
Washington, D.C.

DEAR SIR: Yesterday along with other members of the Lakeland Ministerial Association I had the privilege of visiting the Ojibway Civilian Conservation Center at Marenisco, Michigan. As you may know this is one of the Job Corps Centers which is scheduled to be closed.

Let me state very frankly that it is my opinion that one has to visit one of these Centers to see the good which is being accomplished. Entirely apart from the good work of rehabilitation done for the young men involved are the constructive side effects for the communities served and our country as a whole.

My wife and I are bearing the grief of having a son missing in Viet Nam. It came as a shock to me to learn that the cost of two days' war in Viet Nam will support the Job Corps Program in our entire country for a year. I am concerned about our sense of values, and wonder about our willingness to use our resources for constructive purposes.

Love of our Country is the great theme of all of us. How are we going to express that love in such a practical way as to raise the hopes of humanity at home and abroad? Dying for our Country is an act of great dedication, but I cannot help but feel that living for one's Country in the most constructive sense is the most difficult of all.

Let us hope and pray that we find these constructive answers while we have the strength and the time left to put them into helpful action.

Cordially,

(Rev.) GARTH G. GEE.

THE SISTERS OF ST. PAUL DE CHARTRES,  
Marquette, Mich., April 20, 1969.  
U.S. Senate,  
Washington, D.C.

DEAR MR. NELSON: I am writing in protest of the decision to close the Job Corps Center on the campus of Northern Michigan University at this time. There are over two hundred girls here who will be affected by this decision.

The proposed plan of the President to build larger, more centralized training centers for the same type of persons may be more economically feasible, but I think that some provision must be made for the disadvantaged who do not live in the immediate areas that the centers will serve. In many areas, as in the Upper Peninsula of Michigan, there are many underprivileged persons, but not enough in any one place to make a large daytime center practical. Also, I feel that more attention must be given to the plight of the present trainees in the Job Corps program. There should be a provision for a gradual transition from the present set-up to the proposed new program. Unless this is done, the future of many girls

who will be sent home (that is, to what may be called "home") will be tragic.

Although I do not think that a college campus is an ideal place for these young underprivileged girls, I think that the present facilities and personnel should be used until all girls at present in the program have graduated. And I urge you to work for the retention of the Job Corps Center—on this campus and elsewhere—at least until the new centers are built and ready to use.

Sincerely yours,

Sister MICHAEL PAUL.

BROTHERHOOD OF PAINTERS, DECORATORS, AND PAPERHANGERS OF AMERICA, AFL-CIO,

Washington, D.C., April 15, 1969.

To: All Cabinet Members, All Members of the Congress.

I previously wrote to many of you in a much happier vein, informing you of our joint participation with the Job Corps in preparing disadvantaged youth for gainful employment in the Painting and Decorating Industry, with the ultimate goal of fitting this group into the mainstream of our society as employed taxpayers rather than having them face a future as recipients of welfare doles or prison rehabilitation. This appears to no longer be the goal of this Administration.

It saddens and alarms me to see that we are again turning our backs on a major segment of our population; for while we do not like to believe it, we still must recognize that this hardcore, disadvantaged youth group does exist.

We must not stand idly by and see our most precious resource, the youth of this country, wasted from lack of opportunity. It is my studied opinion that one of the very best and most practical ways to refine this flow of undereducated, disadvantaged, raw youth into our machine of progress is through the Job Corps Civilian Conservation Centers Program. This is practical on the job training for a practical job and no substitute has ever been found for this method by any administration since the dawn of the world.

Now is the time to search our conscience as representatives of our people and ask ourselves some basic questions. Is it really more costly to prepare a youth for employment than to keep him in prison, or on the public welfare rolls along with his future family and their future families ad infinitum? I know what my answer and the answer of the membership I am privileged to represent is to this, and hope that you are of the same mind.

Therefore, on behalf of the 210,000 members which I have the honor of representing, I ask that you exercise your influence to have this most critical decision on the part of the Administration either rescinded or modified. I would indeed hate to see the Great American Dream be turned into a nightmare for these now forgotten and disillusioned youth.

With best personal regards, I remain,

Sincerely,

S. FRANK RAFTERY,  
General President.

RONAN, MONT.,  
April 15, 1969.

Senator GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty.

DEAR SENATOR: I am writing to you in regard to the proposed closing of the Kicking Horse Job Corps Center.

You have all the percentages and costs before you so I won't repeat them again. Instead I want to bring to your attention those elusive qualities involved that are unmeasurable by a computer or a chart.

Ronan is the center of the Flathead Indian reservation. Our area is fairly remote and quiet. We have no black community. Most of us are farmers, well used to government programs.

Yet, these strange faces, black and brown and white have jolted this community into a new reality. The boys from the deep south suffered out the cold winter and dreadful homesickness, because they had a chance, a grip on a future, that only the conservation center as their stepping stone could offer. The boys from the heavily populated cities found the wilderness sometimes terrifying in its loneliness, and yet they stayed because they had a grip on a chance. We admired their determination.

The reality we of the town learned was that a great need does exist, and that an answer to that need is being offered.

Our Indian community, also used to government programs, was passive to begin with, and then it began to stir with the signs of life—an interest in a self help program—through Job Corps—to shed the stigma of Wards of the Government—that equates a man with a thing—into Job Corps where there is a chance to become a someone.

With the gradual change over to an all Indian Center, the spirit of the possibility to become a useful citizen—the need to become a useful citizen, has increased. I know that the closure of the Kicking Horse Center would be a severe blow to all the progress we feel has been made.

Where is the economy that you seek, if you take away the chance and the will to become a wage earner, and return a man and his family to the relief rolls?

I strongly protest the proposed closure of the Kicking Horse Job Corps Center.

Mrs. KEN SAGMILLER,

Citizens Council Member, Chairman, Social Concerns, Lay Conference Member, Methodist Church, Ronan Republican.

WOMEN IN COMMUNITY SERVICE,  
Detroit, Mich., April 17, 1969.

HON. GAYLORD NELSON,  
Senate Labor and Public Welfare Committee,  
New Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: We are greatly alarmed at the sudden announcement of the closing of the seven Women's Job Corps Centers by the order of the President of the United States. We, who have been working with the girls, are disturbed by this ruthless decision and believe that the Congress which represents the people should be helping to make these decisions which have frightening implications and will affect thousands of human beings. Is money or people most important to our government? Does it really save dollars by closing existing centers if this is replaced by tax cuts to business and the opening of new mini-centers?

We must be sure that our girls are not summarily dismissed from their training center, but are transferred automatically to another center, even if that means keeping the centers open longer so that a systematic phasing-out process can take place. Our girl comes from the ghetto and considers herself a failure. If she is terminated without completion of her training, she may never again try to achieve a better life. Her government has broken a promise to her, which we consider a dishonest act, and as a result she may despair, lose faith in her government, and no longer respect any authority.

This period of crisis is a good time for re-assessment of Job Corps. Residential Centers are the answer for the girls from the inner-city who need to be removed from a crippling environment in order to be able to achieve their training. The proposed mini-center can be the answer for the girl whose home conditions are fair or who does not want to leave her child or her home. We urge that the proposed Detroit mini-center be planned for Women. Detroit is a heavily industrialized city, and the automobile companies and other private enterprises offer training programs and jobs for men. However, there are only limited and scattered oppor-

tunities for women (we presently have 800 names in our files to fill a center today.)

We urge that the mini-centers open as soon as possible, but that the program be most carefully planned to meet the needs of the total person. We offer the following suggestions:

1. Use the trained personnel from the closing centers. They already have the experience in working with the hard-core girl. It will not be necessary then to spend additional funds for recruitment of personnel.

2. Along with skill and basic education training, there should be included group counseling, home and family guidance, grooming techniques, on-the-job training, and recreation.

3. Tie-in with big business in the city for training possibilities.

4. Have carefully thought-out screening procedures for both residential and mini-centers. Increase the age limit to 25 for mini-centers.

5. Use existing centers and equipment. (If Chicago is closed as a residential center, it can be used as a mini-center with existing facilities and staff.)

We urgently request the Congress to support effective training programs for our inner-city youth and to keep these in the hands of creative persons. Congress holds the keys for responsive government.

We in Detroit WICS are ready to continue screening and to assist in the mini-center in any way possible on a volunteer basis. The girl is our main concern. She needs to be assured a hope that it is possible for her to control her own life and a faith that people in government and in the community are working for her welfare and will sustain her until she can assume her rightful place in society.

Sincerely yours,

Mrs. DONALD TRACY,  
Project Director (for all Detroit WICS).

BALTIMORE, Md.,

April 21, 1969.

Senator JOSEPH D. TYDINGS,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR TYDINGS: As a business executive employing young people who have received Job Corps training, I would like to urge that this program be continued and that you oppose the drastic cutback in the residential training program as has been proposed.

It just is impossible today to do enough to motivate the underprivileged youth to become skillful employees, and the Job Corps has helped on this.

Please do everything you can to see that the program is continued.

Sincerely,

UNITED STEELWORKERS OF AMERICA,  
Washington, D.C., April 24, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR NELSON: Attached is a copy of Mr. Abel's telegram which he sent to Secretary of Labor Shultz opposing the precipitous shutdown of the Job Corps center for girls at the Northern Michigan University at Marquette.

Sincerely,

JOHN J. SHEEHAN,  
Legislative Director.

UNITED STEELWORKERS OF AMERICA,  
April 22, 1969.

HON. GEORGE P. SHULTZ,  
Secretary of Labor,  
U.S. Department of Labor,  
Washington, D.C.

The closing of the Job Corps centers without proper hearings by the Congress is a needless rebuke to the national commitment

to combat poverty. But the request for the immediate shutdown of the Girl Center at Northern Michigan University is unwarranted and precipitous. Certainly the immediacy of the order should be delayed until the present group of 100 girls can be graduated in June. Another group of approximately 100 girls will have to be returned home since there is no room at other centers. This adjustment takes time—not two weeks.

I. W. ABEL, *President.*

GREATER REDDING  
CHAMBER OF COMMERCE,  
April 15, 1969.

President RICHARD M. NIXON,  
Washington, D.C.

DEAR MR. PRESIDENT: The Board of Directors of the Greater Redding Chamber of Commerce with over 500 businesses in membership strongly opposes the closing of the Toyon Job Corps at Project City, California. The hundreds of boys passing through this camp have been accepted by this community and marvelled at for the changes brought about in their demeanor while here. Boys who could not read or write have been enabled to learn these basic rudiments of living and have gone out to secure jobs in private industry.

We have been deeply appreciative, in this tourist economy, of the fine camps for tourists that these boys have constructed for us. They are now involved in the largest project ever attempted by the Job Corps—the construction of 416 new camp sites for the coming season. Our county has an unemployment rate of 14.2%, so you can get some idea of what these new camping spaces mean to our economy. The construction work of all kinds that the Job Corps has completed here must run into the millions.

The budget of the Toyon Job Corps has brought \$750,000 into this community annually since its inception and we have been deeply appreciative of this.

We respectfully submit that this is no time to cut back projects of this kind. It would be far better to cut back severely the \$80 billion military budget.

Respectfully,

FRANK B. PLUMMER,  
*President.*

HEMPHILL, TEX.,  
April 24, 1969.

HON. GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.:

DEAR SENATOR NELSON: We the Commissioners Court of Hemphill, Tex., wish to express our concern over the possible closure of the New Waverly Civilian Conservation Center for the following reasons:

1. New Waverly is the only center in the Deep South. If it is closed and the adequate facilities dismantled the State of Texas and many of our underprivileged young men will suffer both financially and morally.

2. The center affiliation with the United Brotherhood of Carpenters and Joiners apprenticeship training program will be halted and thus a tangible benefit to the Nation and her citizens will not be realized in the production of useful, contributing citizens.

3. The large volumes of work projects plan to provide facilities on Sam Rayburn and Toledo Bend Lakes for public use will contribute greatly to the economy of east Texas.

4. The civilian conservation center is meeting a need for a hard core poor. If the New Waverly Center is abandoned the segment of our youth will be abandoned. This is the only program designed for the many who cannot qualify for the various dropout programs.

We implore you to carefully consider the worth of a trained corpsman to our society.

Waive this value against the cost of maintaining the center and rule accordingly.

Sincerely,

O. A. BEAUCHANT,  
County Judge, Sabine County, Tex.

WARREN, PA.,  
April 22, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower and Poverty, Washington, D.C.

DEAR MR. NELSON: May I register my deep regret at the closing of the Job Corps camp at Manville, Pa.

More than 1,000 young men have received excellent training in learning and in living habits. They have contributed labor worth half a million dollars to this area both in federal forests and in community projects. Their loss will be a severe blow to our area. Could there be a careful reevaluation of this camp and a change in present plans?

Sincerely,

EMMA E. CHRISTIAN.

[From the Mohave County Miner,  
Apr. 17, 1969]  
THE JOB CORPS

The closing of the Kingman Job Corps Camp saddens many people here for several reasons. First, there are many people including ourselves, who believe that the Job Corps was serving a worthwhile purpose in providing a last chance to many unfortunate youngsters who had not as yet been able to find a place for themselves in our society.

Secondly, the Job Corps performed many, many community service acts here and had won a place in the hearts of many of our citizens. The Job Corps, despite what was reported happening in some parts of the land, was respected here and was a good neighbor. And finally, the installation was a solid economic asset to the community, pumping a large amount of money into local trade channels.

During the last campaign President Nixon promised to do something about the Job Corps and he has kept his promise. The economy argument, which was put forth in the press by Congressman Steiger and Senator Fannin, is a hollow one indeed. It is strange that the first evidence of economy by a new administration had to come at the expense of the people who are lowest on the totem pole of American economics. We can only wonder what this action must mean to those people who were counting on the Corps to help them find a new life.

They say it costs \$8,000 a year to keep a boy in camp. But if you divide that amount by the 100 years of neglect since the Emancipation Proclamation, the cost becomes insignificant.

We can only hope this act is no indication of the new administration's lack of orientation to the needs of the underprivileged.

CHAMBER OF COMMERCE,  
Huntsville, Tex., April 22, 1969.

Senator GAYLORD NELSON,  
Chairman, Manpower Sub-Committee, Labor and Public Welfare, Senate Office Building, Washington, D.C.

DEAR SENATOR NELSON: Enclosed herewith is a copy of a resolution adopted by the Huntsville-Walker County Chamber of Commerce on April 14, 1969.

We respectfully request your favorable consideration in reference to this resolution.

Sincerely,

HARRY HOWARD,  
Executive Vice President.

RESOLUTION

Whereas: The New Waverly Civilian Conservation Center is the only Conservation Center in the State of Texas; and

Whereas: The operating cost of the New Waverly Center has consistently been well below the national average; and

Whereas: The Center has operated efficiently and effectively as substantiated by its high on-board Corpsman strength ranking and by its high ranking in appraised value of completed work projects; and

Whereas: The New Waverly Center has en-

joyed good community relations and received strong local support;

Now therefore be it resolved: That the Board of Directors of the Huntsville-Walker County Chamber of Commerce, assembled in regular session this 14 day of April, 1969, hereby supports the continuance of the New Waverly Civilian Conservation Center so long as the Job Corps program exists.

FOLEY O. GANNON,  
*President.*

Attest:

HARRY HOWARD.

DOCTORS HOSPITAL, INC.,  
April 22, 1969.

HON. STUART SYMINGTON,  
U.S. Senate,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR SYMINGTON: Many Butler County citizens are stunned and are at a loss to understand the closing of the Poplar Bluff Job Corps Camp since federal officials have constantly pointed to our camp as one of the finest in the nation.

Our camp's record proves that it has been outstanding in its training program and civic activities and the corpsmen's disaster work throughout the area has been exceptional.

We understand that many of the Job Corps Camps will remain open. If this is the case, then why not keep the one that has been considered outstanding?

We will appreciate anything you can do. Respectfully submitted.

F. L. KNEIBERT, M.D.,  
Chief of Staff, Medical Director.

APRIL 23, 1969.

DEAR SENATOR NELSON: I protest the closing of Job Corps Centers until and unless responsible provision is made for all those now in Centers and for the other rural poor and displaced youth who need a residence while getting training and rehabilitation.

Thank you,

Mrs. ANDREWS.

WICHITA, KANS.,  
April 24, 1969.

We, the undersigned, wish to protest the proposed closing of three of the four Job Corps Centers for Women in the North Central region, and the petition that the Center at Clinton, Iowa, be allowed to continue in operation, along with the Center at Excelsior Springs, Missouri, thereby providing at last two centers in this region.

Some of the reasons for this protest and petition are:

1. The four centers in the region—Omaha, St. Louis, Clinton and Excelsior Springs—are at present filled to capacity and have a backlog of applicants waiting to be admitted.

2. The 2,742 young women now in these centers cannot be accommodated at the center in Excelsior Springs—the only center in the region to be left open—since its capacity is only 385.

3. The records of the four centers give evidence that the program has been successful; their job placement records are high—in one instance, 98%.

4. The proposed mini-centers will not accommodate or even be desirable for all girls who need this help. Many of the applicants will not profit from training while living under undesirable home conditions. These proposed centers, too, will not accommodate disadvantaged rural girls or Indian girls.

5. The proposed mini-centers cannot begin to function effectively for many months. What is to take the place of the training centers now—and during the interim period?

As citizens of the United States, as concerned women, and as members of one of the four sponsoring groups of Women in Community Service—volunteer workers in the Job Corps program—we protest this action which we feel is being carried out with undue haste, with insufficient evaluation and with-

out the benefit of congressional consultation, and we urge that further consideration be given to the effect this decision will have on the lives of hundreds of young women.

Respectfully submitted by The North Sedgwick Deanery Council of Catholic Women.

Mrs. H. P. Dyer; Mrs. O. L. Sanders; Sister M. Loyola Pfannenstiel; Theresa Sanders; Gertrude Clupny; Sylvia Seder; Mary Tomlinson; Maxine Hilger; Ann Ethrich; Mary Frances Wisely; Louise Richel; Mrs. Leo Barbeau; Rev. Philip J. Allen, Moderator; Margaret Ann Senvert; Mrs. Don Brittain; Elizabeth James; Virginia Mies; Mrs. Rudy A. Beuke; Philomena Scheez; Mrs. Al M. Bessing; Mrs. J. C. Scheah; Mrs. D. G. Burnett.

CENTER, TEX.,  
April 24, 1969.

HON. GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SIR: I am writing you in regards to the New Waverly Conservation Center in Texas. Senator this is the only Civilian Conservation Center in the Deep South. We need this Center here for the purpose of maintaining and training people for jobs that needs to be done. I am asking you to help us to keep and maintain this Center. Here in the deep East Texas Area there is a great demand for trained Carpenters and skilled workers. We need this Center to help us.

Yours truly,

V. V. PATE,  
County Judge of Shelby County.

To: The President, the White House, Washington, D.C.

Crises created in lives of our young Job Corpsmen by closing of their centers calls for immediate remedy. Have suggested WICS contact Foundation to Back Formation of Refugee Camps for these American displaced persons to supplement present administration plans. Dissillusionment rampant. Corpsmen bewildered as to next step now that "last chance" removed. Confidence in Government further diminished by this breach of contract.

SIGNERS

Mrs. Harry Olden, Kansas State coordinator, Wichita, Kans.  
Mrs. J. W. Haupt, coordinating council, Wichita, Kans.  
Mrs. Herbert Van Gieson, support service chairman, Wichita, Kans.  
Mrs. Frank Schloegel, project director and president, DCCW, Kansas City, Mo.  
Mrs. I. H. Wagner, State coordinator, Northern Missouri, Kansas City, Mo.  
Mrs. John H. Caldwell, president, Churchwomen United, Kansas City, Mo.  
Mrs. Sidney Ginsburg, president, CJW, Kansas City, Mo.  
Mrs. Hans Archenhold, assistant project director, Kansas City, Mo.  
Mrs. A. L. Weiser, project director, Springfield, Mo.  
Mrs. Walter Niles, State president, CWU, Lees Summit, Mo.  
Mrs. Ralph Rhea, project director, Billings, Mont.  
Mrs. Edwin Stickney, assistant project director, Miles City, Mont.  
Mrs. Mike Geiger, project director, Glendive, Mont.  
Mrs. George Lindgren, project director, Billings, Mont.  
Mrs. J. Dewitt Safford, president CWU, Great Falls, Mont.  
Mrs. Kenneth Martinez, home visitor and recruiting, Billings, Mont.  
Mrs. Robert Abel, project director, Helena, Mont.  
Mrs. Donald Alwels, CJW, Billings, Mont.  
Mrs. W. W. Clannin, coordinating council, Denver, Colo.

Mrs. J. Russell Andrews, assistant project director, Denver, Colo.

Mrs. Fred Schwartz, project director, Denver, Colo.

Mrs. W. Everett Sullivan, assistant project director, Denver, Colo.

Mrs. Harold Leight, convener, Denver, Colo.  
Helen Marie Black, public relations director, Denver, Colo.

Mrs. Velma Moore, president NCNW, Denver, Colo.

Mrs. Lucy Nevels, WICS coordinator, Lincoln, Nebr.

Mrs. Marie Folda, WICS volunteer, Omaha, Nebr.

Mrs. Zoe Numbers, State Coordinator, Boise, Idaho.

Mrs. R. A. McGuire, Project Director, Idaho Falls, Idaho.

Mrs. John Ricks, Project Director, Twin Falls, Idaho.

Mrs. R. C. Biggs, Project Director, Pocatello, Idaho.

Mrs. W. L. Huffhines, WICS Office, Springfield, Mo.

Mrs. R. E. Swenson, Convener, Springfield, Mo.

Mrs. Joe Galley, President, CWU, Springfield, Mo.

Mrs. Isadore Lotpen, NCJW, Springfield, Mo.

Mrs. H. L. Woldridge, NCCW, Springfield, Mo.

Mrs. Herbert Smith, NENW, Springfield, Mo.

Mrs. Charles Van Alstine, Project Director, Casper, Wyo.

Mrs. L. J. Schroeder, Project Director, Thermopolis, Wyo.

Mrs. Zane Brown, Project Director, Laramie, Wyo.

Mrs. Albert Brown, Project Director, Lincoln, Nebr.

Miss Florence Brugger, Counselor, Lincoln, Nebr.

Mrs. L. J. Messer, Convener, Lincoln, Nebr.

Mrs. L. N. Bower, President, Catholic Deanery, Lincoln, Nebr.

Mrs. G. L. Collins, Representative, Negro Women, Lincoln, Nebr.

Mrs. Elmer Barnhill, President, CWU, Lincoln, Nebr.

Mrs. Opal Palmer, Interviewer, Lincoln, Nebr.

Mrs. Albert Hamersky, Public Relations, Lincoln, Nebr.

Mrs. Robert Sittig, Liaison, Deanery, Council Catholic Women, Lincoln, Nebr.

Mrs. Richard Johnston, Cochairman, Deanery, Council Catholic Women, Lincoln, Nebr.

Mrs. Roy Cameron, Volunteer, Lincoln, Nebr.

Mrs. Lucille Armstrong, Support Service, Lincoln, Nebr.

Mrs. Ralph Cuga, Dist. Chairman Coordinating Council, Lincoln, Nebr.

Mrs. Edward Pratt, Community Affairs, DCCW, Lincoln, Nebr.

Mrs. E. Ward Sims, Director, Home Visitor, Lincoln, Nebr.

Mrs. N. Bruce Hazen, President CWU, State of Nebraska, Lincoln, Nebr.

Mrs. Wayne Bunch, CWU, Hastings, Nebr.

Mrs. C. O. Michaels, Chairman, Screeners, Hastings, Nebr.

Mrs. L. A. Enersen, NCCW, Lincoln, Nebr.

Mrs. Larry Goracke, Lincoln Deanery, NCCW, Lincoln, Nebr.

Mrs. Sidney Katz, Volunteer, Lincoln, Nebr.

Mrs. Oscar Mallory, Volunteer, Lincoln, Nebr.

Miss Marilyn Maney, Volunteer, Lincoln, Nebr.

Mrs. Harry Miller, Volunteer, Lincoln, Nebr.

Mrs. Glen Peterson, WICS Director of Finance, Lincoln, Nebr.

Mrs. Bridget Phillips, Director of Volunteers, Lincoln, Nebr.

Mrs. Jerry Robinson, Volunteer, Lincoln, Nebr.

Mrs. Frank Ullman, Volunteer, Lincoln, Nebr.

Mrs. Erdice Yearly, Volunteer, Fairbury, Nebr.

Mrs. James Roberts, Volunteer, Hastings, Nebr.

Mrs. Frank Vapp, volunteer, Hastings, Nebraska.

Mrs. Wilbur Johnson, volunteer, Columbus, Nebraska.

Sister Maurine Merrigan, volunteer, Lincoln, Nebraska.

Mrs. Monette O'Brien, volunteer, Lincoln, Nebraska.

Mrs. Loyal Payne, volunteer, Lincoln, Nebraska.

Mrs. Albert Schretinger, volunteer, Lincoln, Nebraska.

Mrs. Perry Denna, volunteer, Lincoln, Nebraska.

Mrs. John Krin, screener, Beatrice, Nebraska.

Mrs. Mable Olson, screener, Beatrice, Nebraska.

Mrs. Don Brittain, coordinating council, Wichita, Kansas.

Mrs. George Hariman, convener, Grand Forks, North Dakota.

Mrs. Robert Rosenwald, volunteer, Kansas City, Missouri.

Mrs. Louis Vaughan, assistant project director, Kansas City, Missouri.

Mrs. Dorothy Gill, volunteer, Sisseton, South Dakota.

Mrs. Laverna Ostroot, State coordinator, Sisseton, South Dakota.

Mrs. Howard M. Mason, project director, Vernal, Utah.

Mrs. Frances Camizzi, volunteer, Cedar Rapids, Iowa.

Mrs. Ruth Snyder, volunteer, Perry, Iowa.

Mrs. Jack Watson, State coordinator, Des Moines, Iowa.

Mrs. W. T. Johnson, project director, Des Moines, Iowa.

Mrs. Betty Berrie, project director, Dubuque, Iowa.

Mrs. Jean Gillespey, volunteer, Des Moines, Iowa.

Mrs. Darlene Blunk, volunteer, Des Moines, Iowa.

Mrs. Kay Bly, volunteer, Des Moines, Iowa.

Mrs. Kenneth Roberts, volunteer, Des Moines, Iowa.

Mrs. Rosemary Drey, volunteer, Des Moines, Iowa.

Mrs. Genevieve Dutt, volunteer, Des Moines, Iowa.

Mrs. Loris Thomason, volunteer, Des Moines, Iowa.

Mrs. Phoebe O'Reilly, volunteer, Des Moines, Iowa.

CARBONDALE, ILL.,  
April 26, 1969.

Senator GAYLORD NELSON,  
Washington, D.C.:

Your support in prevent closing of Crab Orchard Job Corps project would be appreciated.

JENNIE JONES.

DENVER, COLO.,  
April 23, 1969.

Senator GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR NELSON: I have been greatly distressed to learn of the proposed closing of Job Corps Centers. I have personally been working with Job Corps women through WCCS, and with JCYA girls through the Denver YWCA, and have seen school dropouts who were unemployable become competent, self reliant, self supporting young women with a purpose in life. Without Job Corps training, these girls would be on the relief rolls, probably for most of their lives, so the budget savings resulting from closing the

centers would only bring additional welfare costs.

I understand that there is a plan to establish new urban "mini" centers. However, for rural girls from areas where education is poor or non-existent and job opportunities nil, residential centers are the only hope. I strongly urge that women's residential centers be continued for the vast rural area of the north central region. The location of the Clinton Center is ideal.

I also protest the closing of any Job Corps Centers before the present residents have had an opportunity to complete their training. These people have been offered a program, and it would be disastrous to give them hope and then withdraw it. This is the kind of thing which results in civil disorders.

Sincerely yours,

Mrs. HELEN H. STOKES.

HORSE SHOE, N.C.,  
April 24, 1969.

Senator GAYLORD NELSON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR NELSON: As a volunteer who has been giving sometimes as many as forty-five hours a week to work in the poverty program with disadvantaged girls, not only in my local town but throughout the state, I have had close contact during the last three years with the benefits that have been derived from the Job Corps.

I have had the privilege of seeing girls desolate with despair, bowed by defeat, leaving for the Job Corps frightened, unsure, sometimes sullen, to come back to graduate with their heads high, full of ambition, well-groomed, well-poised, well-motivated. The transition in some girls has been so great they have been hard to recognize as being the same girls.

It is, therefore, distressing to me to know that centers, that have worked with many problems and are just beginning to function most effectively, are being closed. Two-thirds of our North Carolina girls have gone to the Huntington, West Virginia, and Poland Spring, Maine, Centers. In just the last three months, 245 girls have entered the Job Corps. Last year, 1,275 went so that you can see by this what the closing of these centers means to us because our girls are primarily rural. True, they will have opportunities to go to other centers, and I understand that Charlotte is scheduled for a mini-center, but a mini-center in Charlotte can only serve a very small portion of the girls who need help.

It seems very poor economy to me to close centers that have proven effective and open new centers that have proven ineffective as the pilot program in Baltimore, Maryland. Cheap education has always proven to be the most costly and the most detrimental to the student. It has been my observation as a volunteer, who has worked very closely with the girls and am aware of their problems and have talked with hundreds of them, that the value of the Job Corps is not the skilled training program but the residential aspect where they have to learn to live with other people, where group therapy teaches how to solve problems, without fighting, through discussion, where spare time is channeled into wholesome activities, where a whole new concept of living is developed, where for the first time girls are able to sleep between clean sheets, to have a bedspread, to have curtains at the window, to learn to keep a room tidy, to develop a sense of pride in the way their room looks, and how they look themselves. No mini-centers can give this.

It has been my experience that most girls need an opportunity to get completely away from the environment that has caused their despair and their maladjustment. The residential Job Corps program gave them this opportunity to get out to develop strengths that they could not have developed in an

atmosphere where defeat has always been present. These girls are victims of cheap local education—an education system geared for the college-bound, the middle-class. Are they to be victims again of another cheap education which is less expensive—a residential Job Corps program that helps to rehabilitate the total girl, or a training school for girls, or a chronic welfare recipient?

Do we put a price tag on human dignity, on the development of a productive taxpaying citizen? If you had had the privilege of visiting in homes of Job Corps girls as I have had, you could understand the problems which seem to be unsurmountable and the need for a girl to get away from local pressures which prevented her from being productive.

Today, for instance, a letter came from a girl living in extreme poverty, no way of breaking the cycle except through a residential Job Corps program. In her letter she says, "I sure appreciate your help in getting me in the Job Corps. I will never be able to thank you enough for it. I am doing OK in my work so far, and I am studying very hard so I can make something out of myself." This is the typical attitude of girls who have been given a chance to get away from conditions that have trapped them into poverty.

May I urge you, sir, to carefully weigh the savings in dollars and cents that the mini-centers may realize—to weigh against a high cost in failure and the prevention of thousands of girls being rehabilitated through the residential-type Job Corps program?

Sincerely yours,

JEAN LOUISE KEMPTON.

JOINT ACTION IN COMMUNITY SERVICES,  
Akron, Ohio, April 22, 1969.

Hon. Senator G. NELSON,  
U.S. Senate,  
Washington, D.C.

MY DEAR SENATOR: Our Board of Directors is seriously disturbed by last week's news report that the Administration intends to slash Job Corps by \$100 million (from the \$280 million requested), and to shut down 58 of the 112 training centers.

Members of our Board believe that this is an unwise action to take at this time for several reasons. First, Job Corps, though undoubtedly possessing some faults, has succeeded in providing job training for 230,000 youth—youths who are now able to work at jobs providing a good income, thus furnishing them with a financial incentive to become good citizens.

Second, Job Corps has given new hope to an alienated, unmotivated and hostile segment of this nation's youth, many of whom have known nothing but the poverty, the corruption and the hopelessness of the urban ghetto.

Third, our communities are ill prepared to receive such a sudden influx of disadvantaged and disillusioned youth. Our own local JACS committee, for example, is just now getting organized and underway, aiming to deal with eight or ten Job Corps returnees per month. With such a drastic step as your Administration intends to take, we will probably have several hundred that need assistance all at once!

And finally, Mr. Senator, it does not seem wise to turn all these angry and disappointed young men loose on the streets of our cities (17,500 according to Newsweek Magazine) just as summer begins to swell even further the ranks of our out-of-school youth who are unemployed as well as untrained. Surely this would become another aggravation for those who are already angry with the deplorable conditions in which they live in our central cities.

So we are appealing to you, Mr. Senator, please reconsider this drastic action! Don't shut down the Job Corps centers; investigate them, upgrade them, even close those which

seem irrelevant or inefficient. But please don't eliminate half of them and cripple the other half!

Try to give civic-minded rehabilitation volunteer groups such as ours a chance to function and show what we can do to help the returning Job Corpsmen find jobs and become self-respecting, job-holding, tax-paying citizens with a real stake in American Society. Please give these disadvantaged youth some hope and give groups like ours a chance to help them help themselves. This is all we ask. Please give this matter your prayerful consideration.

Sincerely and hopefully yours,

Mrs. Ann L. Gates, Chairman, Mr. David Nelson, Mr. Eugene Banks, Dr. Gerald Goldstein, Mrs. Elizabeth Wettach, Mr. Albert Cox, Mr. Bud Goldberg, Rev. Earl Mohler, Mrs. Elaine Gulley.

EL DORADO COUNTY OFFICE OF  
EDUCATION,  
Placerville, Calif., April 25, 1969.  
Senator GAYLORD NELSON,  
U.S. Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: Enclosed is a copy of a letter that I recently sent to President Nixon relative to the possible closing of the Sly Park Job Corps Center in our area.

We very much appreciate the strong opposition you have taken to the closing of the Job Corps Centers, and earnestly hope that you will continue your fight.

Sincerely,

HANS A. MAYR,  
County Superintendent.

EL DORADO COUNTY OFFICE OF  
EDUCATION,  
Placerville, Calif., April 24, 1969.  
President RICHARD M. NIXON,  
White House,  
Washington, D.C.

DEAR PRESIDENT NIXON: I am writing this letter as chairman of the El Dorado County Community Relations Council for the Sly Park Job Corps Center in Pollock Pines, California. I am also the County Superintendent of Schools for El Dorado County.

May I first say that I am truly appalled at your decision to close one of the finest programs for the rehabilitation of many young people in our Nation, namely our Job Corps Centers. I am confident that numerous letters have come to your attention recently supporting this position. As one who has worked very closely for over two years with the corpsmen and staff, I have been able to see firsthand the remarkable adjustment, productivity, and change in the entire mental structure of these people. When you realize that these young men have all come from extreme poverty, with very little hope for the future, and suddenly such changes are wrought in their lives, it is difficult to conceive that because of a change in administration, such outstanding work shall come to a sudden end.

It is the opinion and judgment of many citizens that the rehabilitation possibilities for these and thousands of others should not be decided at the whim of any particular administration. Give these young men a chance!

The alternate plans that we are reading about that are being suggested by your administration will in no manner correct the disillusionment and disgust that these young men now feel. Within the past few days, I have met with several of these people, and I have never before seen such disappointment in the eyes of youth. These human beings deserve better treatment.

I should also like to point out that they will be returning to the ghetto areas in their various communities at the beginning of a long, hot summer—ready for anything. I appeal to you to at least delay any action as to the closing of any of the Job Corps Centers, especially our Sly Park facility. I am enclosed

ing some factual background material for your information, and would be most willing to offer any other substantiating statistics if requested.

I have followed your career since your first successful campaign against Representative Jerry Voorhees, and was privileged to hear one of your earliest political speeches before a joint luncheon meeting of all the service clubs in El Monte, California. I have supported you completely throughout these years; I have admired your courage and your philosophy. I hope that you will speak for these young people who, because of lack of economic and social status, cannot speak for themselves. Please reconsider your action.

Sincerely,

HANS A. MAYR,  
County Superintendent.

PENNSBURG, PA.,  
April 25, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR: I am writing to let you know of my support and others too, who believe that the Job Corps centers should not be closed down. Our rural areas too need training and it is not fair to put all the emphasis on inner city work. I wish your friends of Job Corps group the best of success.

Sincerely yours,

H. GEORGE BONEKEMPER.

HOLY FAMILY HOSPITAL,  
Manitowoc, Wis., April 24, 1969.

HON. GAYLORD A. NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR MR. NELSON: This letter is to inform you of our opposition to abrupt closing of Job Corps Centers. We feel that Job Corps Centers should not be closed until adequate and expanded facilities are in operation to guarantee the continuation of programs to train the hard core unemployed and underemployed. To set up replacement facilities in 30 urban centers by July 1 seems unrealistic. Continued withdrawal of promised assistance and opportunity cannot help but make the disadvantaged cynical and disillusioned about the depth of commitment the nation has to overcoming poverty and discrimination.

We urge your opposition to this measure. Thank you for your consideration.

Sincerely,

Sister M. KAREN ANNE,  
Instructor in Medical Surgery Nursing.

LEAGUE OF WOMEN VOTERS  
OF ELM GROVE,  
Elm Grove, Wis., April 24, 1969.

Senator GAYLORD NELSON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: Recently, the Secretary of Labor George P. Shultz announced the closing by July 1 of 59 Job Corps centers and the plans for establishing 30 urban "mini" skill centers to substitute training in urban centers for the Job Corps.

On behalf of the League of Women Voters of Elm Grove, I would bring to your attention our belief that Job Corps centers should not be closed until adequate facilities are in operation to guarantee continuation of programs for training these unskilled and unemployed young people. The League has supported the Job Corps in the past. However, it seems unrealistic to expect replacement facilities in 30 urban centers to be ready by July 1. Therefore, we oppose the abrupt closing of the present centers. As urban centers are developed, they may prove better able to fill the needs of the disadvantaged. The League would not then oppose and perhaps would support the phasing out of the Job Corps.

We feel that the relatively small saving anticipated through the closing of these centers would probably result in the permanent "loss" of most of these young people now in training who would perhaps become disillusioned about the depth and commitment the nation and the government have to overcome poverty and unemployment.

I respectfully ask that you give this matter your attention and perhaps join with others in helping to have this order rescinded.

Yours very truly,

Mrs. RUFUS STACY,  
President.

KINGMAN JAYCEES,  
Kingman, Ariz., April 24, 1969.

HON. GAYLORD NELSON,  
Chairman, Senate Subcommittee on Employment, Manpower, and Poverty, U.S. Senate, Committee on Interior and Insular Affairs, Washington, D.C.

DEAR MR. NELSON: It is the feeling of the Kingman Jaycees that the decision to close the Kingman Civilian Conservation Center is an arbitrary one in the light of the response and cooperation which this community has received from our center.

The community has continually received assistance from the staff and corpsmen of this center at a moments notice. There has been a minimum of unpleasant occurrences related to this center and in most cases the corpsmen were not at fault.

If the records of the Kingman Center and those of the Winslow Center were compared, we are certain that they would show that Kingman is far superior in community involvement and acceptance.

We the Kingman Jaycees strongly urge you and the members of your committee to investigate thoroughly the merits of the Kingman Center and make your recommendation to the administrator in an effort to keep the Kingman Conservation Center alive.

We have operated many projects with the aid of our corpsmen and have reached goals far beyond our expectations due to their enthusiasm along with their newly learned skills and knowledge. Naturally this can be attributed mainly to the outstanding staff of this center.

The Kingman Jaycees as a whole and many, many citizens of our community are strongly opposed to the closing of this center.

Very truly yours,

JAMES R. WESTFALL,  
President.

CARBONDALE, ILL.,  
April 25, 1969.

Senator GAYLORD NELSON,  
Washington, D.C.

Your support in prevention closing of Crab Orchard Job Corp project would be appreciated.

Mayor DAVID KEENE.

WALDPORT HIGH SCHOOL,  
Waldport, Ore., April 22, 1969.

GAYLORD NELSON,  
Chairman, Senate Subcommittee, on Employment, Manpower, and Poverty.

DEAR SIR: As Principal of Waldport High School, I have had numerous opportunities to observe the Angell Job Corps Program in action. I know many of the corpsmen, personally, having met them when they first arrived and followed them through their tenure in the Job Corps. I have seen the tremendous changes in these young men. The development of confidence and their acquisition of educational and work skills. I believe it is a grave mistake to cut back this program.

I hope you will use my name as one who supports the program 100%.

Sincerely,

EUGENE BARBIER,  
Principal.

SOROPTIMIST FEDERATION OF THE  
AMERICAS, INC.

Placerville, Calif. April 24, 1969.

Senator GAYLORD NELSON,  
U.S. Senate Office Building,  
Washington, D.C.

DEAR SENATOR NELSON: During our regular weekly luncheon meeting, the members of Soroptimist Club of Placerville voted against the closing of the Sly Park Job Corps Center.

We feel it is of economic value, that it provides advantages from the standpoint of conservation of human and natural resources.

We believe that the Job Corps is making a contribution to the improvement of our American society.

Yours truly,

LYDIA ROHRKE,  
Acting Corresponding Secretary.

#### EXECUTIVE REPORTS OF A COMMITTEE

Mr. MAGNUSON. Mr. President, as in executive session, from the Committee on Commerce, I report favorably sundry nominations in the U.S. Coast Guard. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

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

Robert C. Herold, and sundry other officers, for promotion in the U.S. Coast Guard; and

Walter R. Wilkinson, and sundry other Reserve officers, to be permanent commissioned officers of the U.S. Coast Guard.

#### EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

##### PROPOSED AMENDMENT OF THE SO-CALLED "IMPORT-EXPORT OVERTIME LAW"

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act of August 28, 1950, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work (with an accompanying paper); to the Committee on Agriculture and Forestry.

##### REPORT OF DEPARTMENT OF DEFENSE

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report of Department of Defense contracts negotiated under the provisions of title 10, United States Code, sections 2304(a)11 and 2304(a)11, for the period July-December 1968 (with an accompanying report); to the Committee on Armed Services.

##### REPORT OF NUMBER OF OFFICERS ON DUTY WITH HEADQUARTERS, DEPARTMENT OF THE ARMY, DETAILED TO THE ARMY GENERAL STAFF

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of the number of officers on duty with Headquarters, Department of the Army and detailed to the Army General Staff on March 31, 1969 (with an accompanying report); to the Committee on Armed Services.

##### REPORT OF OFFICE OF CIVIL DEFENSE

A letter from the Director of Civil Defense, reporting, pursuant to law, on the Federal

contributions program equipment and facilities for the quarter ended March 31, 1969; to the Committee on Armed Services.

**REPORT OF EXPORT-IMPORT BANK OF THE UNITED STATES**

A letter from the Secretary, Export-Import Bank of the United States, reporting, pursuant to law, the amount of Export-Import Bank insurance and guarantees issued in March 1969 in connection with U.S. exports to Yugoslavia; to the Committee on Banking and Currency.

**REPORT ON DEPARTMENT OF DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS**

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms for the period July 1968 to January 1969 (with an accompanying report); to the Committee on Banking and Currency.

**PROPOSED REPEAL OF SECTION 201 OF THE REVENUE AND EXPENDITURE ACT OF 1968**

A letter from the Director, Bureau of the Budget, Executive Office of the President, to eliminate the limitation on the number of civilian officers and employees in the executive branch (with accompanying papers); to the Committee on Finance.

**REPORT OF SEMIANNUAL CONSOLIDATED BALANCES OF FOREIGN CURRENCIES ACQUIRED WITHOUT PAYMENT OF DOLLARS**

A letter from the Secretary of the Treasury transmitting, pursuant to law, a semiannual consolidated report of balances of foreign currencies acquired without payment of dollars, as of December 31, 1968 (with an accompanying report); to the Committee on Foreign Relations.

**PROPOSED GRANT CONSOLIDATION ACT OF 1969**

A letter from the Director of the Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation, to amend title 5, United States Code, to authorize consolidation of Federal assistance programs, and for other purposes (with accompanying papers); to the Committee on Government Operations.

**THIRD- AND SIXTH-PREFERENCE CLASSIFICATION FOR CERTAIN ALIENS**

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third- and sixth-preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

**SUSPENSION OF DEPORTATION OF CERTAIN ALIENS**

A letter 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 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.

**REPORT OF THE IMMIGRATION AND NATURALIZATION SERVICE, FOR YEAR ENDED JUNE 30, 1968**

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting the 1968 annual report of the Immigration and Naturalization

Service (with an accompanying report); to the Committee on the Judiciary.

**REPORT ON THE ADMINISTRATION OF THE ALLIED HEALTH PROFESSIONS PERSONNEL TRAINING ACT OF 1966**

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on the administration of the Allied Health Professions Personnel Training Act of 1966 (Public Law 89-751) (with an accompanying report); to the Committee on Labor and Public Welfare.

**REPORT OF THE ADVISORY COUNCIL ON STATE DEPARTMENTS OF EDUCATION**

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of the Advisory Council on State Departments of Education, March 1969 (with an accompanying report); to the Committee on Labor and Public Welfare.

**PROPOSED LEGISLATION TO ADJUST THE POSTAL REVENUES AND TO AFFORD PROTECTION TO THE PUBLIC FROM SEXUALLY ORIENTED MAIL MATTER**

A letter from the Postmaster General, transmitting a draft of proposed legislation to adjust the postal revenues and to afford protection to the public from intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

**PETITIONS AND MEMORIALS**

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

**By the PRESIDING OFFICER:**

Two concurrent resolutions of the Legislature of the States of Oklahoma; to the Committee on Labor and Public Welfare:

**"ENROLLED SENATE CONCURRENT RESOLUTION 33**

"A concurrent resolution pointing out some accomplishments of the Hodgens Job Corps Center; memorializing President Nixon to order that the Hodgens center be kept in full operation; and directing distribution

"Whereas, pursuant to recommendations by the President of the United States, certain job corps training centers have been ordered to close; and

"Whereas, among those to be closed is the Hodgens Job Corps Center at Hodgen, near Heavener, Oklahoma; and

"Whereas, operation of the Hodgens Center has resulted in tremendous strides of progress in the surrounding area; and

"Whereas, part of the regular work program at the Hodgens Center has consisted of developing picnic and camping areas and laying roads in the Kiamichi Mountains, the Ouachita National Forest and carrying out various conservation programs such as planting thousands of trees in the Talimena Drive and instruction to the trainees in various vocational and technical fields; and

"Whereas, in today's troubled times when America's youth is rebelling at every turn and the welfare programs are meeting with ever-increasing demands from their recipients, the Hodgens Center offers numerous opportunities for young men who want to learn how to get and hold a job, presenting work projects in welding, masonry, building construction, heavy equipment operation, carpentry, sign building, cooking, equipment maintenance and other areas, with prevocational training to aid the youth in selection of an appropriate field to match his aptitudes or interests; and

"Whereas, the corpsmen have become valuable assets to the surrounding communities and have demonstrated their inclina-

tion in city clean-up campaigns; mowing the municipal airport grounds each year; hosting Christmas parties for needy children and giving toys they have collected and repaired, using their own money for expenses; assisting in fighting range fires; planting trees along the street leading to the center; cleaning the roadway of debris at regular intervals; and

"Whereas, the cost of operation of the center is small when compared to the value of the work done for the State of Oklahoma by the corpsmen and is even smaller when considered as the cost of saving a boy and making a man.

"Now, therefore, be it resolved by the Senate of the first session of the Thirty-Second Oklahoma Legislature, the House of Representatives concurring therein:

"SECTION 1. The President of the United States, Richard M. Nixon, is hereby respectfully requested to reconsider his decision to close certain job corps centers, and particularly the Hodgens Center at Hodgen, Oklahoma, and to order that the Hodgens Center be kept in full operation to continue the good it has been doing for the community, Le Flore County, the State of Oklahoma, the nation, and, most of all, the corpsmen.

"SECTION 2. That duly authenticated copies of this Resolution be distributed to the President of the United States, Richard M. Nixon, the United States Senate, The United States House of Representatives, and each member of the Oklahoma Congressional Delegation.

"Adopted by the Senate the 28th day of April, 1969.

"JOHN R. \_\_\_\_\_,

*Acting President of the Senate.*

"Adopted by the House of Representatives the 28th day of April, 1969.

"DONALD W. BEAUCHAMP,

*Acting Speaker of the House of Representatives.*

**"ENROLLED HOUSE CONCURRENT RESOLUTION 1024**

"A concurrent resolution pointing out some accomplishments of the Arbuckle Job Corps Center; memorializing President Nixon to order that the Arbuckle center be kept in full operation; and directing distribution

"Whereas, pursuant to recommendations by the President of the United States, certain job corps training centers have been ordered to close; and

"Whereas, among those to be closed is the Arbuckle Job Corps Center at Sulphur, Oklahoma; and

"Whereas, operation of the Sulphur Center has resulted in tremendous strides of progress in the surrounding area; and

"Whereas, part of the regular work program at the Arbuckle center has consisted of developing picnic and camping areas and laying roads in the Lake of the Arbuckles Recreation Area, carrying out various conservation programs such as planting 10,000 trees in Platt National Park, and laying water lines to the new Travertine Nature Center in the National Park; and

"Whereas, in today's troubled times and when America's youth is rebelling at every turn and the welfare programs are meeting with ever increasing demands from their recipients, the Arbuckle Center offers numerous opportunities for young men who want to learn how to get and hold a job, presenting work projects in welding, masonry, building construction, heavy equipment operation, carpentry, sign building, cooking, equipment maintenance and other areas, with prevocational training to aid the youth in selection of an appropriate field to match his aptitudes or interests; and

"Whereas, the corpsmen have become valuable assets to the surrounding communities and have demonstrated their inclination to become worthwhile citizens by partici-

pating in city clean-up campaigns, mowing the municipal airport grounds each year; hosting Christmas parties for needy children and giving toys they have collected and repaired using their own money for expenses; turning out in large groups to donate blood to the Murray County Blood Bank each time it comes to town; clearing an area in Sulphur to be used as a playground; assisting in fighting range fires; planting trees along the street leading to the center; cleaning the roadway of debris at regular intervals; and by volunteering for the heartbreaking task of searching for the bodies of drowning victims in the Lake of the Arbuckles; and

"Whereas, the cost of operation of the center is small when compared to the value of the work done for the community by the corpsmen and is even smaller when considered as the cost of saving a boy and making a man.

"Now, therefore, be it resolved by the House of Representatives of the first session of the thirty-second Oklahoma Legislature, the senate concurring therein:

"Section 1. The President of the United States, Richard M. Nixon, is hereby respectfully requested to reconsider his decision to close certain job corps centers, and particularly the Arbuckle Center at Sulphur, Oklahoma, and to order that the Arbuckle Center be kept in full operation to continue the good it has been doing for the community, the Platt National Park, and most of all, the corpsmen.

"Section 2. That duly authenticated copies of this Resolution be distributed to the President of the United States, Richard M. Nixon, the United States Senate, the United States House of Representatives, and each member of the Oklahoma Congressional Delegation.

"Adopted by the House of Representatives the 22nd day of April, 1969.

"REX PRIVETT,

"Speaker of the House of Representatives.

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

"FINIS SMITH,

"President of the Senate."

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Finance:

"HOUSE CONCURRENT RESOLUTION 1051

"A concurrent resolution memorializing the Congress relating to taxation of state and local government bonds,

"Whereas, Equity among taxpayers is essential to popular confidence in the Federal revenue system; and

"Whereas, The Ways and Means Committee of the United States House of Representatives has conducted extensive hearing on proposals for equitable reform of the Federal personal income tax; and

"Whereas, Spokesmen for the National Governors' Conference, the National Legislative Conference, the National Association of Attorneys General and the National Association of State Treasurers, Auditors and Comptrollers have endorsed the objective of tax reform while urging the committee to refrain from changes which would weaken the capacity of the states to meet the needs for state services: Now, therefore,

"Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That this legislature commends the Ways and Means Committee of the United States House of Representatives for its efforts to improve the equity of the Federal personal income tax.

"Be it further resolved: That the legislature of the state of Kansas records its concurrence with the testimony on behalf of other state officials, to wit:

"(a) That no change be made which would deprive state and local government obliga-

tions, other than Industrial Revenue Bonds of their traditional immunity from Federal taxation;

"(b) that no change be made which would result in constriction of the market for bonds issued by the states or local governments;

"(c) that no change be made which would interpose Federal judgments relating to the policies of the states or local governments; and

"(d) that no change is acceptable which would subject borrowing by the states and local governments to the uncertainties of the appropriation processes of the Congress.

"Be it further resolved: That a duly attested copy of this resolution be immediately transmitted by the secretary of state to the Speaker of the United States House of Representatives, President of the United States Senate, and to each member of Congress from this state.

"CALVIN A. STROWIG,

"Speaker of the House.

"L. O. HAZEN,

"Chief Clerk of the House.

"JAMES H. DECOURSEY, Jr.,

"President of the Senate.

"RALPH E. ZARKER,

"Secretary of the Senate."

A concurrent resolution of the Legislature of the State of Kansas; to the Committee on Public Works:

"HOUSE CONCURRENT RESOLUTION 1057

"A concurrent resolution memorializing Congress to designate Interstate Highway No. 70 as the Dwight D. Eisenhower Interstate Highway

"Whereas, President Eisenhower was the father of the interstate highway system and lists its creation among the great achievements of his administration; and

"Whereas, Interstate Highway No. 70 which reaches from coast to coast passes just outside of Abilene, Kansas, the hometown and final resting place of Dwight D. Eisenhower; and

"Whereas, Interstate Highway No. 70 is also the interstate route from Washington toward Camp David, the presidential retreat which the President named: Now, therefore,

"Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature of the state of Kansas respectfully requests that Congress initiate and adopt legislation designating Interstate Highway No. 70 as Dwight D. Eisenhower Interstate Highway.

"Be it further resolved: That a duly attested copy of this resolution be immediately transmitted by the secretary of state to the secretary of the senate of the United States, the clerk of the house of representatives of the United States and to each member of the congress from this state.

"CALVIN A. STROWIG,

"Speaker of the House.

"L. O. HAZEN,

"Chief Clerk of the House.

"JAMES H. DECOURSEY, Jr.,

"President of the Senate.

"RALPH E. ZARKER,

"Secretary of the Senate."

A resolution adopted by the Kochinda Municipal Council, Okinawa, concerning request for return of Okinawa to Japan; to the Committee on Foreign Relations.

#### REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

S. 1177. A bill to authorize the documentation of the vessel *West Wind* as a vessel of the United States with coastwise privileges (Rept. No. 91-164); and

S. 1590. A bill to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned tasks (Rept. No. 91-165).

#### 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. FANNIN:

S. 2049. A bill to require the withholding of Federal assistance to colleges and universities that refuse to cooperate in the defense effort; to the Committee on Labor and Public Welfare.

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

By Mr. SCOTT:

S. 2050. A bill to provide for increased and improved air navigation facilities to increase the safety of the Nation's Airways; to the Committee on Commerce.

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

By Mr. HOLLINGS:

S. 2051. A bill for the relief of Chan Sui Sin and Yam Tung Kung;

S. 2052. A bill for the relief of Dr. Hari Singh; and

S. 2053. A bill for the relief of Joyce Shiela John; to the Committee on the Judiciary.

By Mr. TOWER (for himself and Mr. HATFIELD):

S. 2054. A bill to establish the National Oceanographic Agency; to the Committee on Commerce.

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

By Mr. COTTON:

S. 2055. A bill to provide that institutions of higher education that have failed to take necessary steps to maintain a reasonable degree of discipline upon their campuses shall be ineligible to receive Federal contracts; to the Committee on Labor and Public Welfare.

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

By Mr. BIBLE:

S. 2056. A bill to amend title 11 of the District of Columbia Code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund of amounts paid for such annuity; to the Committee on the District of Columbia.

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

By Mr. BAYH:

S. 2057. A bill to prohibit the use of the mails to send material harmful to minors and to regulate the use of the mails to send material which is sexually provocative; to the Committee on Post Office and Civil Service.

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

By Mr. YOUNG of North Dakota:

S. 2058. A bill for the relief of Michele Dell'osso; to the Committee on the Judiciary.

By Mr. BROOKE:

S. 2059. A bill to extend the United States Fishing Fleet Improvement Act and to increase the annual authorization for such act; to the Committee on Commerce.

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

By Mr. MONDALE (for himself, Mr. CRANSTON, Mr. DODD, Mr. EAGLETON, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HOLLINGS, Mr. HUGHES, Mr. INOUE, Mr. KENNEDY, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCGEE, Mr. MCGOVERN, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mr. PELL, Mr. RANDOLPH, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of Ohio):

S. 2060. A bill to provide for an expanded Head Start child development program within the Office of Economic Opportunity; to the Committee on Labor and Public Welfare.

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

By Mr. MONDALE:

S. 2061. A bill for the relief of Mrs. Nancy Yuan; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 2062. A bill to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. JACKSON (by request):

S. 2063. A bill to amend the act entitled "An act to authorize the partition or sale of inherited interests in allotted lands in the Tulalip Reservation, Wash., and for other purposes," approved June 18, 1956 (70 Stat. 290); to the Committee on Interior and Insular Affairs.

By Mr. CANNON (for himself and Mr. BIBLE):

S. 2064. A bill to provide for the establishment of a national cemetery in the State of Nevada; to the Committee on Interior and Insular Affairs.

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

By Mr. HOLLAND:

S. 2065. A bill to clarify the liability of national banks for certain taxes; to the Committee on Banking and Currency.

By Mr. FANNIN:

S. 2066. A bill to provide for the transfer of lands to the Navajo Tribe of Indians and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAVEL:

S. 2067. A bill to authorize the conveyance of certain property to the city of Nome, Alaska; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS of New Jersey (for himself, Mr. CASE, Mr. CRANSTON, Mr. EAGLETON, Mr. HUGHES, Mr. JAVITS, Mr. KENNEDY, Mr. MONDALE, Mr. NELSON, Mr. PELL, Mr. RANDOLPH, and Mr. YARBOROUGH):

S. 2068. A bill to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees; to the Committee on Labor and Public Welfare.

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

By Mr. NELSON:

S. 2069. A bill for the relief of Mr. Jean Idriss; to the Committee on the Judiciary.

By Mr. BENNETT:

S.J. Res. 106. A joint resolution proclaiming the week of May 24 through 30 as National Memorial Week; to the Committee on the Judiciary.

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

By Mr. McCARTHY (for himself, Mr. BROOKE, Mr. JAVITS, and Mr. TYDINGS):

S.J. Res. 107. A joint resolution to authorize and direct the Franklin Delano Roosevelt Commission to raise funds for the construction of a memorial; to the Committee on Rules and Administration.

**S. 2049—INTRODUCTION OF A BILL TO REQUIRE THE WITHHOLDING OF FEDERAL ASSISTANCE TO COLLEGES AND UNIVERSITIES THAT REFUSE TO COOPERATE IN THE DEFENSE EFFORT**

Mr. FANNIN. Mr. President, I introduce, for appropriate reference, a bill which would require the withholding of Federal assistance to colleges and universities that refuse to cooperate in the defense effort by extending to the Armed Forces, defense contractors, and Government agencies a reasonable opportunity to recruit on campus or which terminate ROTC programs or the giving of credit for such programs without the express approval of the military department concerned.

In recent weeks it has become increasingly apparent that school administrators and faculties are unable or unwilling to protect the rights of the majority of American students who desire an opportunity to be interviewed by these prospective employers or who welcome an opportunity to participate in a voluntary Reserve Officers Training Corps program.

It is in America's interest that this bill become law. Because of our unique constitutional safeguards for the rights of the individual, it may be necessary for America to tolerate certain abuses by a small minority of students and school administrators. But it is not necessary for the vast majority of Americans, who work hard and pay their taxes, to continue to finance institutions which are guilty of these abuses and which refuse to assist in the defense of freedom.

Recently, it has become fashionable to defend inaction or appeasement by college and university administrators as "institutional autonomy" or "academic freedom." I believe it is time for the intellectual and the academician to concern himself with the preservation of the Nation that guarantees him these freedoms.

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

The bill (S. 2049) to require the withholding of Federal assistance to colleges and universities that refuse to cooperate in the defense effort, introduced by Mr. FANNIN, was received, read twice by its title, and referred to Committee on Labor and Public Welfare.

**S. 2050—INTRODUCTION OF THE AIRWAYS SAFETY DEVELOPMENT ACT OF 1969**

Mr. SCOTT. Mr. President, last Christmas Eve, a commercial propjet aircraft with 47 persons aboard crashed while trying to land in a snowstorm at Bradford Regional Airport in the hilly region of northwestern Pennsylvania. Twenty of those aboard were killed.

Unbelievably and tragically, the accident was repeated only 13 days later—same type of aircraft, same airport, same weather conditions and same nature of crash on approach. In the second crash, 11 people were killed. The fact that this airport operated for nineteen and a half years without an accident suddenly meant nothing in the face of a double catastrophe that took 31 lives.

There is no final determination yet as to what caused these crashes, but there is nearly universal agreement that Bradford Airport should have had equipment which it lacked, known to flyers as an instrument landing system—ILS. And there is widespread belief that at least one of the crashes could have been prevented with such a system installed and operating. Thus, a sad tragedy becomes an object lesson in outrage and frustration: Why was there no ILS equipment at Bradford? How many more Bradfords and how many more deaths are required before every airport and every runway that should have ILS gets it?

Mr. President, the two Bradford crashes, and the loss of 31 lives had led me to restudy the problem of air safety and air navigation equipment. I have concluded that we are outrageously under-equipped to have as many airplanes flying into as many airports as we have today. It is one of the shames of our Nation that we are years behind in safety requirements, not only in terms of ILS, but in terms of control towers, radar, lighting systems, and a host of aids which could have prevented deaths at Bradford and elsewhere.

With that conclusion in mind, Mr. President, I introduce today, for appropriate reference, the Airways Safety Development Act of 1969. It is a bill designed to insure that America catches up on her air navigation equipment needs with utmost haste, and then keeps up with her needs and anticipates them without requiring tragic air crashes to move future administrations and Congresses to act. I propose that Congress this year establish a trust fund, solely to provide increased and improved air navigation facilities.

My bill concentrates on improvement of the airways of the Nation, with full knowledge that there are many who have proposed and will propose legislation to enlarge the airport system of the country. I may even join in one of these bills, but I feel that our first duty is to insure safety on the existing airways, those invisible paths in the sky, artificially created by beacons, radio beams, and other devices, which are crowded and all too frequently ill defined for the bad-weather conditions and other handicaps which flyers encounter. Safe airways depend on the system which keeps aircraft apart as they each travel from origin to destination, and which guides aircraft on takeoff and landing, and during that crucial time as they circle over airports waiting to land. It is largely electric and electronic in nature, it ranges from inexpensive tiny beacons and lights to complex and costly computers and radar.

Indispensable to the system are the air traffic controllers, men who watch radars, radio to aircraft and whose heavy responsibility matches and frequently exceeds that of the pilot himself. I have joined my able and distinguished colleague from Massachusetts, Senator BROOKE, in his bill to create a Commission on Air Traffic Control. We must be certain that the manpower needs for our airways system is met. But we also desperately need equipment.

Mr. President, I think you will see why I believe action is needed—indeed, tragically overdue—to create an air safety trust fund, if we examine but one component of the airways, the instrument landing system.

Let us begin with Bradford, where I began. The Federal Aviation Administration, which has the responsibility for maintaining the airways of the Nation, and which allocates funds for ILS systems and other air navigation equipment, had determined that Bradford should have an ILS installed by mid-1970. Bradford had been asking for such a system for some 10 years, when the first of the two tragedies occurred on December 24, 1968. But the FAA, pleading poverty and a need to assign priorities, decreed through the years that Bradford was not as needy as many other airports where more instrument approaches were made per year. It is painfully clear now that priorities were badly askew. Much money which was going into airports or other FAA programs, should have been going into instrument landing systems to install them at every—or nearly every—already existing airport in the Nation. Instead, after 15 years of acknowledged need and capacity to install such systems, some 300 of the 550 airports served by commercial aircraft in the United States still do not have an instrument landing system. Ideally, of course, every runway would have ILS.

ILS does not, as one Pennsylvania writer points out, stand for infallible landing security. It is not the cure-all for air crashes and air deaths. But an instrument landing system does raise the odds against a landing tragedy by several hundred to one, according to some experts.

An ILS is an aid to finding the end of the runway in bad weather when visibility is obscured. The system will guide a pilot down a predetermined path to meet the centerline of the runway, with the help of several devices on the ground, called localizers and markers, and a scope set in the cockpit of the plane, on which the pilot can adjust crosshairs to maintain a safe glide to the runway.

It is circumstantial evidence, of course, which points the tragic finger at missing ILS installations in a series of recent fatal accidents, but it is evidence of a sort nevertheless: Of eight landing crashes nationwide since last summer in which dozens of persons were killed, there were no operating ILS installations at the sites of seven. That should be enough to move Congress to get instrument landing systems built and installed across this Nation.

Depending on their complexity, instrument landing systems can cost less than \$70,000, or more than \$150,000. Compared to multimillion-dollar airplanes and the incalculable cost of human lives threatened every time a pilot lands in bad weather at an unequipped runway, that cost pales. Yet, the money must be put aside, to insure that it will be spent for an instrument landing system, and not for a host of other needs, obviously real, but also diversionary of money that should go into ILS equipment.

But of course the problem does not stop with landing systems. The FAA for 2 years now has stopped building control towers at airports, because there are more urgent needs for the funds. And yet, control towers are undeniably needed at many of our smaller, but extremely busy airports from Pennsylvania to California.

There are radars in use which were built for military needs, but are doubling in a civilian air control role for which they were not designed and do not serve well. There are systems and equipment which use computers and are still in the development or prototype stage which could be used to excellent advantage as our skies become increasingly crowded.

Mr. President, I do not exaggerate when I say that our airways are unguarded and threatened today, and will become tragically cluttered and perilous tomorrow. Airline traffic in 1968 increased more than 15 percent over the 1967 level. It is plain that we are not keeping up with that kind of growth in our air traffic, as we budget funds for air navigation systems. Indeed, FAA figures show that expenditures for facilities and equipment, as they term navigational aids, has lagged distressingly behind operations at controlled airports except for a period containing two peaks between 1957 and 1962. The two peaks of expenditure represented the Grand Canyon and Maryland midair collisions which shocked all of America. I hope to eliminate the need for such monstrous tragedies to spur a proper level of spending for safety.

The trust fund approach to financing should only be used in very special cases, I feel, situations in which a clear relationship between revenue production and revenue use can be established, and where past experience has shown that inadequate resources for public health or safety are provided from General Treasury revenues.

I believe these conditions are met, to justify and even compel a trust fund approach in this instance.

The bill as drafted is very specifically aimed at increasing necessary equipment installations.

I realize there is, and will be, much discussion and debate over the question of user charges, whether and in what amount to approve them. But I most vehemently do not believe that prolonged debate should hold up equipment which could and would prevent death in the Nation's airways.

With that in mind, I have singled out

what I feel to be the most intense need, and have proposed a modest user charge, only enough to cover the necessary installations, plus research and development. Also, I attempt to enact a charge which is easily visible as the same charge to all airway users.

The result is a proposed charge of 2 cents per gallon of aviation fuel, whether gasoline or jet fuel, whether purchased by commercial or general aviation.

The current 2-cent-per-gallon tax on gasoline used in aircraft is transferred now to the highway trust fund from the Treasury. This revenue would, under this bill, be placed in the new airway safety trust fund. There is absolutely no logic nor justification for any aviation fuel tax to be used for any other purpose when the revenues could be, and should be used to reduce death in the air.

Estimates of the revenues to be gained from a 2-cent-per-gallon tax on all aviation fuels, including the shift of gasoline aviation tax from the highway trust fund and the imposition of new taxes on jet fuels, vary somewhat, according to the estimator. But the range is between \$185 million and \$200 million in fiscal year 1970, to an approximate total of \$250 million in 1974.

Again, this figure is for acquisition or production, and installation of new equipment, and for research and development of future equipment. It does not purport to cover operation and maintenance of the equipment. There is provision for annual reports to the Congress by the Secretary of the Treasury, after consultation with the Secretary of Transportation, with the thought that Congress could make whatever adjustments to the legislation which practical experience in the operation and use of the fund dictated.

My bill, if enacted, leaves much room for further debate on the subject of user charges and how far they should extend into the transportation field, including more employment of such charges in the airport/airways field.

But the very minimum use of such charges should cover the protection of lives borne aloft into our Nation's airways.

And that is the minimum—a life-saving and very necessary minimum—that I ask before extended debate submerges the need for navigation aids.

I ask unanimous consent that certain pertinent news articles and correspondence, and the text of my 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, articles and correspondence will be printed in the RECORD.

The bill (S. 2050) to provide for increased and improved air navigation facilities to increase the safety of the Nation's airways, introduced by Mr. SCOTT, was received, read twice by its title and referred to the Committee on Commerce, as follows:

S. 2050

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

## SHORT TITLE

SECTION 1. This Act may be cited as the "Airways Safety Development Act of 1969".

## FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby finds—

(1) that the Nation's system of air navigation facilities fails to provide adequate safety for the public throughout the United States;

(2) that the primary hindrance to overcoming the unsafe condition and inadequate facilities is lack of funds;

(3) that a trust fund is the most certain continuing source of funds; and

(4) that the users of the airways are capable of increasing their contribution to meeting air safety needs.

(b) It is therefore the purpose of this Act to establish a trust fund solely to provide increased and improved air navigation facilities.

## AIR NAVIGATION FACILITIES AUTHORIZATION

SEC. 3. (a) The Secretary of Transportation is authorized to use amounts in the Airways Safety Trust Fund, established pursuant to section 4, for acquiring, establishing, and improving air navigation facilities pursuant to section 307(b) of the Federal Aviation Act of 1958 and for research and development for the purpose of improving such facilities pursuant to section 312(c) of such Act.

(b) The Secretary of Transportation shall include in his annual report to the Congress a complete report of his activities pursuant to this Act.

## AIRWAYS SAFETY TRUST FUND

SEC. 4. (a) There is hereby established in the Treasury of the United States a trust fund to be known as the Airways Safety Trust Fund, hereinafter in this section called the trust fund. The trust fund shall consist of such amounts as are appropriated to the fund pursuant to this section.

(b) There is hereby appropriated to the trust fund out of any money in the Treasury not otherwise appropriated amounts equivalent to—

(1) 100 per centum of the taxes received in the Treasury after June 30, 1969, under the provisions of section 4042 of the Internal Revenue Code of 1954; and

(2) 2 cents a gallon for each gallon of gasoline taxable under section 4081 of the Internal Revenue Code of 1954 which is used after June 30, 1969, as fuel in an airplane.

The amounts appropriated pursuant to this subsection shall be transferred at least monthly from the general fund of the Treasury to the trust fund on the basis of estimates by the Secretary of the Treasury of the amounts received in the Treasury under the provisions of such section of the Internal Revenue Code of 1954. Proper adjustments shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(c) It shall be the duty of the Secretary of the Treasury to hold the trust fund, and (after consultation with the Secretary of Transportation) to report to the Congress not later than the first day of March of each year on the financial condition and the results of the operations of the trust fund during the preceding fiscal year and on its expected condition and operations during each fiscal year thereafter. Such report shall be printed as a House document of the session of the Congress to which the report is made. It shall be the duty of the Secretary of the Treasury to invest such portion of the trust fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such

obligations may be acquired (A) on original issue at par, or (B) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the trust fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. Such special obligations shall be issued only if the Secretary of the Treasury determine that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest. Any obligation acquired by the trust fund (except special obligations issued exclusively to the trust fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest. The interest on, and the proceeds from the sale or redemption of, any obligations held in the trust fund shall be credited to and form a part of the trust fund.

(d) Amounts in the trust fund shall be available, without further appropriation for making expenditures after June 30, 1969, pursuant to section 3 of this Act.

## IMPOSITION OF TAXES ON AVIATION FUEL

SEC. 5. (a) Subchapter E of chapter 31 of the Internal Revenue Code of 1954 (relating to special fuels) is amended by renumbering section 4042 as 4043, and by inserting after section 4041 the following new section:

"SEC. 4042. AVIATION FUEL.

"There is hereby imposed a tax of 2 cents a gallon upon any liquid (other than any product taxable under section 4081)—

"(1) sold by any person to an owner, lessee, or operator of an airplane, for use as a fuel in such airplane; or

"(2) used by any person as a fuel in an airplane unless there was a taxable sale of such liquid under paragraph (1)."

(b) (1) Section 4041(b) of the Internal Revenue Code of 1954 (relating to tax on special motor fuels) is amended by striking out "motor vehicle, motorboat, or airplane" each place it appears therein and inserting in lieu thereof "motor vehicle or motorboat".

(2) The heading of section 4041 of such Code is amended by striking out "IMPOSITION OF TAX" and inserting in lieu thereof "DIESEL FUEL; SPECIAL MOTOR FUELS".

(3) The table of sections for subchapter E of chapter 31 of such Code is amended to read as follows:

"Sec. 4041. Diesel fuel; special motor fuels.

"Sec. 4042. Aviation fuel.

"Sec. 4043. Cross reference."

(c) (1) Section 6416(a)(2)(A) of the Internal Revenue Code of 1954 is amended by inserting after "special motor fuels)" the following: "or the tax imposed by section 4042 (2) (use of aviation fuel)".

(2) Section 6416(b)(2) of such Code is amended—

(A) by striking out the period at the end of subparagraph (R) and inserting in lieu thereof a semicolon, and

(B) by adding after subparagraph (R) the following new subparagraph:

"(S) in the case of a liquid taxable under section 4042, sold for use as fuel in an airplane, if the vendee used such liquid otherwise than as a fuel in an airplane."

(d) The amendments made by subsections (a), (b), and (c) shall apply with respect to fuels sold or used after June 30, 1969.

## AMENDMENT TO HIGHWAY TRUST FUND

SEC. 6. Section 209(f) of the Highway Revenue Act of 1956 (relating to expenditures from the Highway Trust Fund) is amended by adding at the end thereof the following new paragraph:

"(7) Transfers from trust fund for gasoline used in airplanes.—The Secretary of the Treasury shall pay from time to time from the Trust Fund to the Airways Safety Trust Fund the amounts appropriated to the Airways Safety Trust Fund under section 4(b) of the Airways Safety Development Act of 1969 with respect to gasoline used as fuel in airplanes."

The material, furnished by Mr. SCOTT, follows:

U.S. SENATE,

Washington, D.C., February 3, 1969.

HON. JOHN A. VOLPE,  
Secretary of Transportation,  
Washington, D.C.

DEAR MR. SECRETARY: First, let me tell you how pleased I was at your presentation on Meet the Press yesterday. I thought all three of you put the new cabinet's best possible foot forward, and I was especially gratified to note the priority you place on air transportation problem-solving.

As you may recall, at our meeting in my office on January 15 we discussed the urgent need for cooperative action to prevent the sort of aircraft accidents that claimed 31 lives in two recent and nearly identical crashes near the Bradford Regional Airport in Northwest Pennsylvania. At the time, I indicated that we would be in touch again on that subject.

It is my intention to pursue legislative action in the coming weeks and months to help correct apparent navigational safety shortcomings at airports, especially at airports in such harsh weather and terrain locations as that of Bradford. In addition, I think the Commerce Committee should investigate the entire subject of air safety, in hopes that we can fashion bills, and/or authorize the necessary funds to meet our mutual concern for safe air travel. I would welcome your suggestions in this pursuit.

Since our last discussion, Federal Aviation Administrator Thomas has informed me that his administration requested bids on January 28 to purchase 10 commercial instrument landing systems in an effort to expedite delivery and installation of these vital safety devices at Bradford and nine other locations. I applaud the responsiveness and flexibility reflected in this move by the F.A.A. I would hope that the request for bids and the actual delivery do proceed as indicated in Mr. Thomas' letter, so that Bradford, a location of harsh weather and terrain, will not have to go through another winter of peril and sharply reduced air traffic.

At the same time, however, I feel it would be most helpful if you could initiate a request for additional funds for instrument landing systems, to be included in the new Administration's budget amendments for fiscal year 1970. I was shocked to see that, coming on the heels of the recent air tragedies involving landings at runways without instrument landing systems, the budget message of former President Johnson requested a decreased appropriation of \$4,900,000 in fiscal 1970 for instrument landing systems, compared with the estimated \$7,392,000 to be spent for these systems in fiscal 1969. Any additional 1970 funds for these and certain other navigational aids were said to depend on enactment of legislation authorizing user charges as a fund-raising device to meet many Federal Aviation Administration needs.

I do not believe we can wait for the user-charge issue to be settled before we provide money to install systems which could

save lives—or which might have saved lives at Bradford and elsewhere.

It is not a mere matter of economics, though economics enter into the problem; since the Bradford crashes, nearly all of the commercial aircraft serving airports without I.L.S. equipment in Pennsylvania have curtailed drastically their service to these airports because of new—and quite proper—restrictions against landing during bad weather. With I.L.S. equipment, landings and takeoffs in widely varied weather conditions could be restored, and so could much vital transportation.

But it is the lives of future passengers and the confidence of the public as a whole in aviation safety which is at stake.

I urge you to consider seriously a funding request, not only to permit acquisition of the desperately needed systems, but to permit a dramatically shorter span of time between the date of ordering an I.L.S. package, and the date of its installation at the designated airport.

While I am not in a position to specify the amount of money needed to accomplish that task, I am convinced the amount must be more, not less than the 1969 level, when we consider the tragedies of recent weeks.

I have taken the liberty of enclosing an article from the January 13, 1969, Aviation Week & Space Technology issue, which underscores my personal appeal for a renewed and massive effort to install adequate navigational aids at our Nation's airports as swiftly as possible.

I am certain we can work in close harmony to ascertain, then act on, the current and future requirements of air safety. I suggest that a higher budget request for navigational aids than submitted by President Johnson—backed in Congress by those of us vitally interested in air safety—should be a good beginning.

Where appropriate, I would appreciate being the one to introduce air safety proposals that your Department and I can agree are in the national interest.

It was a real pleasure to talk to you in the office last month. I look forward to our next meeting.

With best wishes and high personal regard,  
Sincerely,

HUGH SCOTT.

THE SECRETARY OF TRANSPORTATION,  
Washington, D.C., February 26, 1969.

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

DEAR SENATOR SCOTT: Thank you for your thoughtful letter of February 5. I appreciate your kind remarks.

Your interest and comments on Airport/Airways legislation are very timely. At this time the Department is reviewing the entire subject and is planning to submit legislation to the Congress in the near future. We will be glad to work with you on this legislative proposal and your views will receive every consideration.

In regard to the Instrument Landing Systems, the FAA has now received responses to its request for bids for 10 commercial ILS's. The bids are now being evaluated and the contract will be awarded in the immediate future. According to present schedule, an ILS will be installed at Bradford this fall.

Your suggestion about further requests for ILS's, as well as many other equipment needs in the current budget, has been reviewed. At this time, it is our judgment that these total needs can only be effectively met by the enactment of user charge legislation. As you know, the current budget does include \$116 million for Facilities & Equipment which is contingent upon the enactment of user charges. This figure includes a number of ILS's. In addition, I

think it should be pointed out that FAA currently has a request for bids out for procurement of 115 additional ILS's from funds already appropriated by the Congress. An award for this procurement will be made late this spring.

I look forward to our next meeting and hope we may discuss this matter in the near future.

Sincerely,

JOHN A. VOLPE.

[From Aviation Week & Space Technology,  
Jan. 13, 1969]

FAA FACES INCREASING ILS CRISIS  
(By Philip J. Klass)

WASHINGTON.—Federal Aviation Administration is facing a rising crisis in the field of bad weather landings. In the past 13 months, there have been six major airline accidents during instrument approaches, with 168 fatalities.

The total could have been much higher except for the fact that a Japan Air Lines McDonnell Douglas DC-8-62 landed in shallow water near the San Francisco airport on Nov. 22 without loss of life.

The current problems and fatality figures are almost certain to escalate as the airlines introduce larger aircraft and as they attempt more landings under the lower Category 2 minimums, with a 1,200-ft. runway visual range.

The present situation results in part from the FAA's past practice of buying ILS landing equipment on a piecemeal basis in an effort to save money. Another factor is that top agency officials have been so preoccupied with air traffic problems and the supersonic transport that they have largely ignored the instrument landing problem.

Two of the instrument landing accidents that produced nearly 100 of the fatalities, at Cincinnati and Charleston, W. Va., occurred while the glide path portion of the ILS system was inoperative. Only last month, the glide path facilities at 13 midwest airports became inoperative as a snowstorm swept across the area—a time when ILS may be sorely needed. (Snow in the air and on the ground can cause spurious activation of ILS monitors to shut down the facility even when it may be usable).

Two of the six airline instrument approach accidents were being made at airports which did not even have ILS, forcing the pilot to use VOR for an instrument approach. Another one of the six, at Chicago O'Hare airport, occurred during a missed approach and is not directly traceable to the ILS system, so far as is now known.

The eight Category 2 ILS facilities now commissioned and the 15 other sites currently planned, use vacuum-tube type equipment, most of it built a decade or longer ago. Despite the fact that newer, more reliable solid-state ILS hardware is now available from U.S. and foreign manufacturers, the FAA has none on order for primary instrument runways at major U.S. airports.

The FAA has ordered 20 of the Mark-1 ILS systems, using solid-state construction from Wilcox Electric, but these are not designed to meet Category 2 requirements.

For four months, the new glide slope facility at Atlanta Airport was inoperative because the FAA's flight inspection personnel said it did not meet specifications. When the FAA called in an outside consultant, Dr. Richard McFarland of Ohio University, he found that inspection personnel had not allowed for unusual terrain features at Atlanta in setting up their equipment. The glide slope did in fact meet specifications and has recently been commissioned.

The ILS system was developed in the U.S., and many of the ILS facilities installed around the world were built by U.S. companies. But past FAA procurement practices have so fragmented ILS expertise within the

U.S. avionics industry that there is a good possibility future ILS systems installed in this country may be purchased from British or French manufacturers.

The construction of large hangars, to accommodate the McDonnell Douglas DC-10, the Lockheed L-1011 and the Boeing 747, is already threatening to introduce errors in the ILS localizer beam at Los Angeles, San Francisco and Chicago O'Hare airports. The problem, which arises because of radio energy reflected off the large structures will be encountered at other airports.

The FAA's "solution" has been to warn the airlines and the airports that it will hold them responsible for correcting any problems caused by new buildings. But the agency is not able to provide specific technical guidance to building contractors on how to design or locate the structures to avoid such problems. After United Air Lines had spent several million dollars in building a new hangar at O'Hare, it decided to hire a private consultant, Scanwell Laboratories, which also helped American Airlines with its construction problems at the San Francisco airport.

There is also growing concern about the adverse effect on ILS beams from the presence of T-tailed aircraft and the new giant jets on the runways and taxi-ways. But so far as is known, the FAA has not yet conducted quantitative tests to enable it to realistically define critical areas where such aircraft can not be permitted during ILS approaches.

The FAA plans to award a contract to International Business Machines Corp. to develop a computer-based technique to forecast the effect of new airport structures on the ILS beams. This would enable the topographical and electromagnetic profiles for any airport to be fed into the computer to predict the consequences of new structures. But the award currently is bogged down in the labyrinth of FAA procurement channels.

One observer familiar with the laborious FAA process of getting approval for any procurement, even for low-cost studies, jokingly suggests that if the agency's headquarters building were burning down "it would take the lawyers at least three months to approve the expenditure of 10 cents to call the fire department."

The technique that IBM is to develop is an outgrowth of one devised by Scanwell Laboratories with company funds and used in its American and United studies. A Scanwell spokesman says that while the use of a computer will speed up the analysis, it will still require considerable human judgment and expertise to apply.

Many of today's problems can be traced to the FAA's past policy of buying "bits and pieces" of all the ILS equipment from individual suppliers on a low-bid basis. The winning bidder would merely build a component, such as a modulator or transmitter, to the FAA design. In most cases, there was no incentive for the company to develop an in-house competence in over-all ILS technology because it probably would not be the low-bidder on the next procurement.

This is in sharp contrast to the situation in Britain and France where each government has a single source for the entire ILS system. In Britain, it is Standard Telephones and Cables, an ITT affiliate and in France it is CSF. Both are large companies with considerable resources.

In the U.S., most large avionics companies do not even seek FAA business because they find it so unprofitable.

Airborne Instruments Laboratory (AIL) has long been active in the field of instrument landing systems. But it lost so much money in competing for the Mark-1 ILS procurement, which finally went to Wilcox Electric as the lowest bidder, that AIL officials are considering withdrawing from the field. Another of the U.S. pioneers in the ILS field,

ITT, was the highest bidder in the Mark-1 competition. The company seldom competes for FAA business because of its low profitability.

Scanwell Laboratories, which also lost out because of price in the Mark-1 competition, specializes in ILS antennas and systems. The company has two Category 2 solid-state systems installed at Tromso, Norway, and at Freeport, Grand Bahama. But the company is a small one, with fewer than a hundred employees. For this reason, it cannot afford to maintain a sizable company-funded research and development program, especially since there is little hope of recouping its investment in the highly competitive ILS hardware procurements.

One airline pilot, commenting on the FAA's emphasis on price in selecting its hardware suppliers, says: "It is hardly reassuring to be making an instrument approach in a \$10 million airplane with 150 passengers aboard and know that everything depends upon the quality built into the ILS by a manufacturer who is trying to squeeze a few pennies profit out of his low bid."

The FAA says it is required to accept the lowest bid from a "qualified supplier." But an agency spokesman concedes that "procurement policies set up to protect the taxpayer when buying typewriters and carbon paper may not be valid for ILS systems where so much depends on quality and reliability."

In contrast to the military services, which have been able to establish and support areas of technical competence in industry, partly through award of research and development contracts, FAA today finds itself sorely in need of such industrial competence in the ILS field.

FAA spokesmen admit that the agency should have more in-house technical competence in ILS, especially at its National Aviation Facilities Experimental Center (NAFEC). But it simply has not been able to attract and hold such people with civil service salaries and the uncertainties that have beset the FAA budget for the last few years.

During the past three years, the FAA has had an average of only \$150,000 per year to award for outside research and development aimed at ILS improvements. For Fiscal 1969, the Transportation Dept. has resorted to reprogramming to put together a \$330,000 budget for outside research and development in ILS technology. While this is considerably more than the funds available for the previous several years, it is a tiny fraction of the \$40 million that the airlines have already invested in improving the bad-weather landing capability of their aircraft. The figure is expected to reach \$65 million by January, 1970.

#### URGENCY SEEN

"If and when a \$25-million Boeing 747 crashes during an ILS approach, killing several hundred people, the FAA will suddenly discover that it can afford to spend millions of dollars per year on ILS improvement and implementation," one airline pilot says. "It is a pity that they cannot make this discovery now." The total FAA investment in about 280 systems now installed is approximately \$60 million.

Some observers speculate that the increased Fiscal 1969 budget for ILS research and development is a direct result of recent landing accidents at Charleston and Cincinnati, and the agency's fear that it might be charged with contributory negligence.

One area to which the FAA is giving increased emphasis is the development of improved monitors. These, it is hoped, will be able to detect a short-circuit or open-circuit in any one of the radiating elements in a glide slope or localizer antenna array.

The technical problems which must be solved to make the ILS system suitable for Category 2 and eventually for Category 3 operators are not of gigantic proportions, according to those familiar with the situation. But the solutions require persons skilled in

ILS technology, capable of giving special attention to antenna and radiation problems.

For example, a solution to the problem of stray reflection from large airport buildings is to use very large, aperture-antenna arrays which produce a narrower localizer beam. But if the localizer beam width is squeezed down too much, then it cannot provide the "clearance" function, i.e., guidance to direct the aircraft toward the beam.

Standard Telephone and Cables (STC) has developed a technique for transmitting a clearance signal in quadrature phase with the main beam, without the need for using a separate clearance signal antenna array. The technique currently is in use at an STC system installed at Heathrow airport in Britain, and the FAA plans to evaluate the British system at NAFEC early next year.

For several years the FAA has supported a modest program at Ohio University to investigate the effects of weather conditions and snow on the accuracy of a glide-slope beam and VOR navigation signals. The funding has averaged about \$80,000-100,000 per year. One result of this work has been in analytical technique, to predict site effects on the quality of a glideslope beam, prior to actual construction.

But a university spokesman says that "when we find things that ought to be done, but which we cannot do under the limited funds in our FAA contract, we often dip into university funds." Last year, for example, Ohio University supplied about \$30,000 of its own money in the FAA program, he says.

The Northeast Airlines accident during an instrument approach to Lebanon, N.H., on Oct. 25, in which the pilot began his let-down after receiving a spurious indication that he was over a VOR station, has been tentatively attributed to signal reflections from the nearby mountains and a VOR receiver design which was susceptible to such reflected signals. The reflection of VOR signals may also pose problems for area navigation service.

Ohio University scientists have devised techniques which they believe can reduce this unwanted effect, but so far the FAA has not been able to find funds to support the effort.

Ohio University would like to expand its activities in ILS research and development to fill the present void. A new airport is being built at Athens, where the university is located, and the university would like to have it equipped with a full ILS system. The present general aviation airport has only a glide slope installed for its present FAA work.

McFarland, who directs the Ohio University project, suggests that several universities and industry might participate in an arrangement patterned after the Atomic Energy Commission's Argonne Laboratory in Chicago. He stresses that he does not propose that Ohio should try to duplicate the extensive instrumented facilities already installed at FAA's NAFEC facility.

One FAA spokesman says that the proposal to make Ohio University into a "sort of National Instrument Landing Laboratory is a bit pretentious." But he admits that the agency is not likely to find a bigger institution with qualified people which is willing to undertake the job at a price the FAA can afford.

#### FUNDS NEEDED

McFarland, a veteran pilot as well as an electrical engineer, says he has additional ILS-experienced and qualified persons in the Electrical Engineering Dept. who could go to work on ILS problems if more funds were available.

The FAA hopes to find funds to support a continuing, modest-level program at Ohio University, although it is not accustomed to committing itself to a five-year program, such as the university has proposed. But the

FAA is not enthusiastic about making Ohio a national laboratory for ILS technology.

This has prompted Ohio University to discuss its ideas with several airlines and with avionics manufacturers in an effort to find financial support. Although everyone agrees that something needs to be done, they also believe that FAA should provide the funds, not private industry. As a last resort, the university is now seeking funds from the Ohio State Aviation Div. to outfit its new airport with a full ILS system.

[From Aviation Week & Space Technology, Jan. 13, 1969]

#### GEM NAVID

LONDON—New navigation system for ground effect machines (GEM) will be designed and built by Elliott-Automation under a \$480,000 contract from the British Ministry of Technology. Delivery of the new system is scheduled for 1970.

The system will comprise a navigator, digital computer, radar, Doppler and compass. Supplies include Decca Navigator Co., Decca Radar, Ltd., and S. G. Brown, Ltd.

In addition, Decca Systems is studying a high-speed navigation and collision-avoidance system for ground effect machines under a U.S. Commerce Dept. contract.

[From the McKean County (Pa.) Democrat, Feb. 6, 1969]

ILS: WHAT DOES IT MEAN AND HOW DOES IT WORK FOR AIR SAFETY?

The initials ILS have dominated headlines here since two crashes at Bradford Regional Airport claimed 31 lives in late December and early January.

ILS will be operational here in late fall, the Federal Aviation Administration has promised Sen. Hugh Scott (R-Pa.), if all goes well with bidding from manufacturers.

But what is ILS? What do the initials mean and how does it operate?

ILS does not stand for "infallible Landing Security," as some people think. It does stand for Instrument Landing System—and while it does not guarantee there will never be another crash, it does raise the odds against such a tragedy by several hundred to one, experts in the field say.

Mainly, ILS is a pilot's "helper" in finding a runway with accuracy in heavy weather. It tells him direction and whether or not his plane is "lined up" with the sides of the runway, and it confirms his height above the ground, as he comes down the "glide slope."

An ILS system is expensive, just how expensive it is not presently known, for there are ILS systems and there are ILS systems. A complete ILS system can run in excess of \$150,000, including a high intensity approach lighting system. A partial ILS system can be considerably less expensive, officials noted.

In 1964 an experimental type of ILS was installed at the Bradford Regional Airport by the FAA on a test basis. While the system worked, various technical troubles led to its being removed. A similar system at Jamestown Municipal Airport, N.Y., worked out better and has been retained.

Briefly, an ILS system will guide an airplane down a predetermined glide path that will meet the centerline of the runway. One cockpit instrument that looks something like the scope sight on a rifle with its cross hairs, will tell the pilot whether he is high or low or to either side of the set glide path. By keeping the cross lines centered, the pilot can maintain a safe glide down to the runway.

Ground equipment for an ILS system would consist of a localizer, a glide path marker, and an outer and a middle marker.

Let's try an ILS approach and landing at Bradford Regional Airport. According to the Airman's Information Manual published by the Department of Transportation, FAA, the

following procedures (in layman's language) would apply:

Assume you are the pilot of an airliner approaching Bradford Regional Airport. You have notified the field of your whereabouts and you have completed your pre-landing cockpit checks. As you leave your final turn and head toward the runway, you would hear a certain tone in your earphones and a purple light would flash on the panel in front of you. You have just passed through the outer marker field and you would fix your attention to the ILS instrument. If you wandered to the left side of the glide path, the vertical line would move to the right and you would turn toward the wayward line and bring it back to the center. If you got too high or low above the glide path, the horizontal line on the instrument would show your error and you would correct.

The point where you intercepted the outer marker tone would have been about five miles beyond the end of the runway. Now you are on the correct glide path. Continuing, you pass through the 3,500 foot mark from the end of the runway, hear a higher pitched tone and see an amber light flash on the panel. You then would know that you had just flown through the middle marker. Now you are about 200 feet in the air and still following the cross lines on the instrument. You know the glide path will carry you over the end of the runway, and when you can see the concrete, you will land your plane.

Put very simply, that is an ILS approach. There are, of course, many ramifications to the described procedure. It is a very precise business, for the limits of movements above, below, and to each side of the glide path are only one degree total movement up and down and five degrees from one edge to the other, says the manual. It takes a skilled pilot to make a good ILS approach. All airline pilots are schooled in the procedure and all airliners carry the necessary instruments.

But not all airports have the ground equipment.

According to Robert L. Zande, FAA equipment maintenance specialist at Bradford Regional Airport, it is possible to install and use only the localizer which will give a pilot the correct heading to the centerline of the runway.

It is not, however, possible to operate the glide path equipment alone because it must be combined with the localizer to insure a safe approach over suitable terrain. It is possible to fly the glide path indicated to a runway from any direction, but if the glide path intersects say, a mountain, then the plane will intersect the same mountain. The two units must either be operated together, or the localizer alone.

In other words, said Mr. Zande, if the localizer unit is out of commission, the airport's entire ILS system must shut down.

An ILS system, he pointed out, is good for only one runway at an airport and for only one direction on the runway. And pilots are not required by law to use the ILS system, if they do not desire to do so, Mr. Zande said. It is there for their use, and it is a valuable safety aid to the final stages of a flight, but it does not guarantee anything.

The installation of an ILS system at Bradford Regional Airport would greatly enhance the operations of the field. Such a system would insure that many "over-flights" now made here would become landings, and passengers and cargo would be discharged and picked up. An ILS at the local airport would be an undoubted benefit not only to the aircrews but to the passengers, the community, and the entire region that depends on the airport.

An ILS system is entirely automatic in operation. It needs no people to watch over it, except for periodic checks. It is expensive, it is a precision system, it is necessary, and it is

perhaps the finest system for getting aircraft safely down to the point where the pilot can land them that has been devised.

But it is not infallible.

#### S. 2054—INTRODUCTION OF A BILL ESTABLISHING A NATIONAL OCEANOGRAPHIC AGENCY

Mr. TOWER. Mr. President, I introduce today, for appropriate reference, a measure which is designed to establish an independent agency to be known as the National Oceanographic Agency charged with the responsibilities of coordinating the Nation's programs of research in this area. Currently, there are a vast number of agencies conducting projects, but there is absolutely no overall coordination among them. Likewise, when new projects are considered, it is almost impossible to say who should carry them out, and they often die for want of a home.

This new National Oceanographic Agency—NOA—would be to the field of ocean research what the National Aeronautics and Space Administration—NASA—is to the exploration of outer space. Such a proposal was made by the President's Commission on Marine Science, Engineering, and Resources late last year. In the United States and the world the need for progress in this most vital area is becoming ever more evident. Our Nation's coastal areas and our great inland oceans, the Great Lakes, are becoming ever more polluted. Our Nation's fisheries potential is on the decrease: we were once an exporter of fish but we now import nearly 60 percent of the fish that are consumed in the United States. Although many of our coastal areas are affected by the condition and actions of the oceans, we know so little about these oceans that we are not only unable to do much about the current situation, but we are unable to plan for our future use of this great resource.

I do not intend to sound alarmist but time for reacting to these problems is running out. Breeding grounds in the ocean are being destroyed every day, and they may never be reestablished. Tides are eroding vast areas of our beaches that could and should be used for the pleasure and relaxation of the future generations. Likewise, thousands upon thousands of acres of fertile land are being left untilled or are being tilled at an extremely high risk because they are not protected from the ravages that can come quickly from the seas.

I am pleased to join with my colleague in the House of Representatives, Congressman Bob Wilson, in calling for the establishment of the National Oceanographic Agency. A strong, united, revitalized program of oceanographic research is vital to our effort for progress in this area. I ask the support of my colleagues to achieve this end.

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

The bill (S. 2054) to establish the National Oceanographic Agency, introduced by Mr. Tower (for himself and Mr. Hatfield), was received, read twice by its title, and referred to the Committee on Commerce.

#### S. 2056—INTRODUCTION OF A BILL TO AMEND THE DISTRICT OF COLUMBIA JUDICIAL RETIREMENT ACT OF 1964

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to amend title 11 of the District of Columbia Code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund of amounts paid for such annuity.

This bill is designed to remedy an inequitable situation that exists under survivorship annuity provisions of the District of Columbia Judges Retirement Act of 1964.

The retirement act in question provides an elective system of contributory survivorship annuities. If a judge elects this coverage, he contributes 3 percent of his salary—through payroll deductions—to a District of Columbia judicial retirement and survivors annuity fund, and upon his death in service or after retirement the judge's widow and dependent children become entitled to an annuity.

For purposes of this survivor's annuity, the statute defines the term "widow" as a surviving wife who was married to the judge for at least 2 years immediately preceding his death, or who is the mother of issue born of her marriage to the judge and who has not remarried. A "dependent child" means an unmarried child who is under 18 years of age or one who because of disability is incapable of self-support.

These are the only categories of persons eligible to receive a survivors annuity.

A problem exists, because under the present law the election to provide a survivors annuity is irrevocable. Notwithstanding the fact that the judge's wife may have predeceased him and all his children may have grown up, married, and gone their own ways there is no provision in the law permitting the judge to terminate this coverage. He must continue his contributions to the survivors annuity fund even though no one remains who would be eligible to receive the annuity.

In such a case, present law provides that on the death of the judge such contributions, plus interest at stated rates compounded annually, must be paid—in the following order of priority—to a beneficiary designated by the judge, to his adult children or their heirs, to the judge's parents if living, or to the judge's estate.

It seems to me highly inequitable to require one to make continued payments toward a survivor's annuity when no eligible survivors exist. Also, it makes little sense to require the accumulation of such payments only to have them paid out with interest to nondependents following the judge's death.

Once there has been a failure of beneficiaries, I think the judge should be permitted to terminate his survivorship coverage. This would be compatible with the Federal civil service retirement system, which permits a Federal employee to elect not to provide for a survivors annuity at the time he retires from the

service, which he or she may do even though there may be eligible survivors.

These judges should also be able to withdraw their contributions to the survivorship fund. It makes no sense at all to authorize a refund of these payments to others after the judge's death, and not make them available to the judge himself during his lifetime.

Mr. President, the bill I am proposing today will cure this inequity. It would permit any judge who has elected to bring himself within the survivorship coverage of the District of Columbia Judges Retirement Act, and who is unmarried and without dependents to terminate such coverage, and to have his contributions toward a survivors annuity refunded to him, with interest.

I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of these remarks.

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. 2056) to amend title 11 of the District of Columbia Code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund of amounts paid for such annuity, introduced by Mr. BIBLE, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD as follows:

S. 2056

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (4) of subsection (b) of section 11-1701 of title 11 of the District of Columbia Code is amended by adding at the end thereof the following: "Any judge who elected to bring himself within the purview of this subsection and who after making such election is unmarried and has no dependent child may elect—*

*"(A) to terminate the deductions and withholdings from his salary under paragraph (2) of this subsection and any installment payments elected to be made under paragraph (3) of this subsection, and*

*"(B) to have any amounts credited to his individual account under this subsection, together with interest at 4 per centum per annum to December 3, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of his election under this sentence, returned to him.*

*Any election under the preceding sentence shall be made in writing and filed with the Commissioner in such manner and at such time as he shall prescribe."*

S. 2057—INTRODUCTION OF A BILL TO CURB MAIL-ORDER PORNOGRAPHY

Mr. BAYH. Mr. President, the growing permissiveness in our society has caused increasing concern among the citizenry regarding just how far the exploitation of sex will be permitted to go. The biggest box office successes in our cities today are films which expose in graphic detail all phases of normal and abnormal sexual relationships. On television, ad-

vertisements for numerous products employ provocative statements and gestures designed to sell the merchandise. Sex and nudity are being blatantly displayed, openly in the theater regardless of whether or not they contribute anything to the plot. Recently, young people in a major southern city were exposed to a display of male nudity and an act of homosexuality by members of a singing group who were paid to entertain these teenagers.

I do not believe that there are any parents in America who are not concerned about the influence this pervasiveness and permissiveness could have on his child. While parents can exercise some control over the movies their children see, TV programs they watch, magazines they read, and records they listen to, there is one area widely used for the distribution of pornographic literature which the Federal Government, in my estimation, has a special obligation to regulate.

Today I am introducing, for appropriate reference, a bill to curb the abuse of the mails to disseminate obscene materials. In recent months, I have received dozens of letters from irate mothers and fathers who have received into their homes pornographic advertisements for pictures, manuals, movies, records, and devices which have been addressed to them or to their children. No doubt many of my colleagues have received similar communications from disturbed parents in their States. Admittedly, there is a difference between literature and movies which are voluntarily purchased or attended by an adult, in contrast to these materials which are sent unsolicited through the mails to individual homes. I firmly believe that no one should be forced against his will to receive hardcore pornography into his home.

Several of my colleagues and the administration have recognized this problem and numerous bills have been introduced in an attempt to halt this abuse of the mails. Unfortunately, because of first amendment safeguards and the guidelines established by the Supreme Court, there is serious question about the effectiveness or constitutionality of some of these measures. After studying this problem in depth, I have arrived at what I believe is a constitutional and most feasible legislative means of stopping this traffic in smut.

Briefly, my bill would do three things: First, prohibit the use of the mails to send any sexually provocative material to a minor if the State in which he resides has a law prohibiting its sale to minors; second, require dealers in mail-order pornography first to inform the addressee that his name is on their mailing list and to give him the opportunity to decline such material before it is sent; and, third, provide for the removal of names already on the mailing list.

In several cases, the Supreme Court has considered the question of the Federal power to define the term "minor" and establishing guidelines on what is fit for the consumption of minors. The court has adhered to the view that the States, not the Federal Government, has the authority to define this term. My bill

would prohibit the mailing of obscene materials to persons who are minors as defined by State law, in States which have statutes prohibiting the sale of such material to minors. Under present Federal law, a minor residing in New York, a State which now forbids the sale of pornography to minors, can still receive this material through the Federal mails. My bill would help reinforce the police power of the States, and hopefully encourage those States without such statutes to adopt them.

Congress by law in 1967 provided for the removal of an individual's name from an objectionable mailing list upon that individual's request, but this does not stop the initial mailing of obscene material. The bill I am introducing would require dealers in mail-order pornography to first inform the addressee that his name is on their mailing list. Notification would be made by a card or letter which contained the following:

First. State whether you desire to receive advertisements, material or devices pertaining to nudity, sexual conduct, sexual excitement, or sadistic sexual abuse.

Second. Give your name, address and the month, day, and year in which you were born.

Third. Sign your name.

The letter, notice, or card mailed by a sender of such material must contain no literature, graphic illustrations or device or other language except as the Postmaster General may otherwise deem necessary. Failure to return the card automatically removes the addressee's name from the mailing list. No ads or materials may be sent without the permission of the addressee.

A third provision of the bill would provide for the removal of one's name from a mailing list much in the same way as now provided by the pandering act. This would permit an individual who is receiving material and who decides later that he no longer wants it, to remove his name from the company's mailing list.

I believe that this bill is a reasonable and workable approach to protecting the American public from being exposed to unsolicited smut. Other procedures which have been suggested are unwieldy, ineffective, or unconstitutional. It seems to me that Congress has a responsibility to see that the Federal mails are not used for the peddling of smut. Too long have the dealers in pornography hidden behind the protection of the first amendment. It now is time to protect the right to privacy.

Mr. President, I ask unanimous consent that the full text of the bill be printed at this point in the CONGRESSIONAL RECORD.

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

The bill (S. 2057) to prohibit the use of the mails to send material harmful to minors and to regulate the use of the mails to send material which is sexually provocative, introduced by Mr. BAYH, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

## S. 2057

A bill to prohibit the use of the mails to send material harmful to minors and to regulate the use of the mails to send material which is sexually provocative

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 51 of title 39, United States Code, is amended by adding at the end thereof the following new section:

"§ 4011. Mailing sexually provocative material

"(a) A sender shall not deposit in the mails, or have deposited in the mails, any sexually provocative material—

"(1) if such material is addressed to a minor in a State which has a law prohibiting the dissemination of such material to minors; or

"(2) unless such material is addressed to a person to whom a letter, notice, or card has been sent in accordance with subsection (b) of this section, and who has requested such material and has furnished the information specified by such subsection; or

"(3) if information or notice of the type referred to in subsection (c) of this section has been received.

"(b) (1) Prior to sending any sexually provocative material to an addressee, a sender shall send or have sent to such addressee a letter, notice, or card containing the following:

"1. State whether you desire to receive advertisements, material, or devices pertaining to nudity, sexual conduct, sexual excitement, or sado-masochistic abuse.

"2. Give your name and address, and the month, day, and year in which you were born. (If you are acting as an officer, agent, or employee of a corporation, company, partnership, firm, joint venture, society, association, or other organization, give your own name and address and the name and address of your organization and the month, day and year of your birth.)

"3. Sign your name."

"(2) A letter, notice, or card mailed by a sender shall be sent to an addressee only in the name of an individual or in the name of an organization. Such letter, notice, or card shall contain no other language, literature, graphic illustration, or device, except as the Postmaster General may otherwise deem necessary.

"(3) For the purposes of subsection (a) (1) of this section, the sender is entitled to rely upon information furnished by the addressee concerning the age of the addressee unless the sender has in his possession information which conflicts with the information furnished by the addressee.

"(c) If a sender of sexually provocative material—

"(1) receives information that an addressee is a minor and ineligible to receive such material because the State in which he lives has a law prohibiting dissemination of such material to minors; or

"(2) receives notice from an addressee that he no longer desires any such material; such sender shall immediately remove the name of any such addressee from his mailing list, and cease distribution of such material to the addressee.

"(d) The Postmaster General shall have authority to promulgate rules and regulations to carry out the provisions of this section.

"(e) As used in this section—

"(1) 'nudity' means the showing of the human male or female genitals, pubic area, or buttocks with less than a full opaque covering, the female breast with less than a fully opaque covering of any portion below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state;

"(2) 'sexual conduct' means acts of masturbation, homosexuality, sexual intercourse, physical contact with a person's clothed or unclothed genital, pubic area, or buttocks, or, in the case of a female, physical contact with her breast;

"(3) 'sexual excitement' means the condition of human male or female genitals in a state of sexual stimulation or arousal;

"(4) 'sado-masochistic abuse' means flagellation or torture by or upon a person clad in undergarments, a mask, or bizarre costume, or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed; and

"(5) 'sender' means a person who mails for himself, or on whose behalf there is a mailing; and

"(6) 'sexually provocative material' means any material which—

"(A) is tangible, including any device, and used or adapted, or capable of being used or adapted, to depict or arouse (through readings, sound, touch, or observation) interest in nudity, sexual conduct, sexual excitement, or sado-masochistic abuse; or

"(B) solicits or offers to send matter of the type described in subparagraph (A) of this paragraph."

(b) The analysis of chapter 5 of title 39, United States Code, immediately preceding section 4001, is amended by adding at the end thereof the following new item:

"4011. Mailing sexually provocative material."

SEC. 2. (a) Chapter 71 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 1466. Mailing sexually provocative material

"(a) A sender who deposits in, or causes to be deposited in, the mails any sexually provocative material in violation of section 4011 of title 39, or knowingly takes the same from the mails for the purpose of circulating or disposing of or aiding in the circulation or disposition of the same, shall be fined not more than \$50,000 or imprisoned not more than five years, or both.

"(b) The terms 'sender' and 'sexually provocative material' shall have the same meaning given them in section 4011 of title 39."

(b) The analysis of chapter 71 of title 18, United States Code, immediately preceding section 1461, is amended by adding at the end thereof the following new item:

"1466: Mailing sexually provocative material."

### S. 2059—INTRODUCTION OF A BILL TO IMPROVE AND EXTEND THE FISHING FLEET IMPROVEMENT ACT

Mr. BROOKE. Mr. President, I introduce today a bill to improve and extend the Fishing Fleet Improvement Act of 1964 and to increase its annual authorization.

The fishing industry in this Nation is in a state of desperate decline. This country has fallen from second place among the fishing nations of the world to sixth place in a little over one decade. The number of fishing vessels in operation is decreasing while their average age is increasing. In New England alone, for example, nearly one-third of the boats presently in operation were built before World War II, while another 43 percent of the vessels were constructed during the decade of the 1940's.

The age and inefficiency of our fishing fleet, combined with lack of sufficient research and incentives to improve the

quality and efficiency of fishing operations, have allowed foreign imports to take over an increasing share of the American market. Imports now account for 71 percent of the total domestic market, as compared with only 33 percent in 1957.

Mr. President, throughout its history the United States has been a maritime nation. We are bounded by the sea on three sides, and enjoy the benefits of extensive lake and river facilities as well. The United States provides the world's largest market for fish and fish products. It is inexcusable, therefore, that the present decline in the fishing industry should be allowed to continue. Yet the fishermen of this country are not in a position to overcome the problems themselves. Fishing is very often a family enterprise, and in most fishing families the supply of capital is limited. The average age of the fishermen—57 years—also militates against modernization. And in some areas, particularly New England, large, modern, foreign fishing operations are depleting the supply of traditional species of fish, thereby reducing the catch and income of the local American fishermen.

Even if a fisherman is willing to learn new techniques and invest all of his resources in the construction of a new and more modern vessel, he is still faced by a myriad of complicating factors. First of all is the relatively higher cost of vessel construction in American shipyards. If a fisherman, in the interests of economy, wanted to purchase a less expensive vessel in Canada or Great Britain, United States law would prohibit him from landing his catch in any American ports; therefore, this alternative is closed to him.

There is a fishing vessel construction subsidy program presently in operation, but the procedure requires a complex determination of reasonable cost based upon costs of construction in both domestic and foreign shipyards, and the percentage of Federal participation is often so low as to make it uneconomical to apply for the program. For those who do apply, an expensive public hearing is required by law before the subsidy can be granted. And delays in processing and implementation often drive the estimated cost of construction even higher. As a result, only 19 vessels have actually been constructed under the vessel subsidy program, with 11 more in process of construction. Nearly 60 applications have been approved, however, out of a total of 99 requests.

One major factor holding back further construction at this point is a simple lack of funds in the vessel construction budget. Out of \$6-million appropriated last year for the program, nearly all went into subsidies for the construction of two badly needed factory ships, the *Atlantic Seafreeze* and the *Pacific Seafreeze*. Given the large share of the appropriation which these two vessels required, present estimates that the \$6-million requested for fiscal 1970 will cover the cost of subsidizing 42 new vessels seem optimistic in the extreme.

For these reasons, I am introducing today a bill which, if enacted, would not

only make more funds available for fishing vessel construction, but would also make it easier for fishermen to participate in the vessel construction subsidy program.

First of all, this bill would double the authorization for fishing vessel construction from \$10 to \$20 million. This would permit subsidies to be granted for construction of long-range trawlers and factory ships, of which this country has none in operation with the exception of the two recently launched *Seafreeze* sister ships. At the same time, under this bill, sufficient funds would be available to meet the requests to subsidize the construction of smaller vessels as well.

The proposed legislation would also abolish the complicated formula for determining the share of Federal Government subsidy, based upon construction costs in foreign as well as domestic ports. Since American fishermen cannot purchase foreign-constructed vessels if they intend to land their catch in American ports, the cost of vessel construction in other countries seems irrelevant. Under the formula suggested in this legislation, construction costs would be studied by the Maritime Administrator and a national cost average determined. The Secretary of the Interior would then be authorized to grant subsidies ranging from a minimum of 40 percent to a maximum of 50 percent of the actual construction cost proposed by the lowest bidder in a geographically convenient shipyard.

The third point which this proposed legislation would cover is to make public hearings optional rather than mandatory. In 85 percent of the cases in which hearings have been held, no opposition to the construction of a new vessel has been raised. Nevertheless, it has cost the Government roughly \$20,000 per year to hold these hearings, not to mention the costs both in time and money, to the interested parties. I believe that, except in cases where the construction proposal is challenged, the costly hearing process should be abolished.

Finally, this legislation would extend the Fishing Fleet Improvement Act until 1974. The present legislation expires on June 30, 1969. Mr. President, I believe that this proposed legislation is in the best interests of the Nation as well as of the fishing industry. It does not purport to solve all of the problems of the fishing industry. But it is a step, and a badly needed one, in the direction of encouraging our fishermen to modernize their fleet to meet the Nation's needs.

I ask unanimous consent that this measure be printed at this point in the RECORD, and I urge its prompt and favorable consideration.

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. 2059) to extend the United States Fishing Fleet Improvement Act and to increase the annual authorization for such Act, introduced by Mr. BROOKE, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD,

S. 2059

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United States Fishing Fleet Improvement Act Amendments of 1969."*

SEC. 2. Section 3 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1403), is amended by changing the words "after notice and hearing," to "after notice and opportunity for public hearing."

SEC. 3. Section 5 of the United States Fishing Fleet Improvement Act" (46 U.S.C. 1405) is amended to read as follows:

"SEC. 5. Beginning after the date of enactment of the United States Fishing Fleet Improvement Act Amendments of 1969, the amount of the construction subsidy which the Secretary may pay with respect to any fishing vessel for which an application is approved under section 3 of this Act shall not be less than 40 percent nor more than 50 percent of the lowest responsible bid for the construction of such vessel in a geographically convenient shipyard of the United States, as determined and certified to the Secretary by the Maritime Administrator, excluding the cost of any feature incorporated in the vessel for national defense uses which costs shall be paid by the Department of Defense in addition to such subsidy."

SEC. 4. (a) Section 12 of the United States Fishing Fleet Improvement Act (46 U.S.C. 1412) is amended by striking out "\$10,000,000" and inserting in lieu thereof "\$20,000,000".

(b) The amendment made by subsection (a) of this section shall apply to fiscal years beginning after June 30, 1969.

SEC. 5. Section 13 of the United States Fishing Fleet Improvement Act (46 U.S.C. 1413) is amended by striking out "1969" and inserting in lieu thereof "1974".

**S. 2062—INTRODUCTION OF A BILL TO PROVIDE FOR THE DIFFERENTIATION BETWEEN PRIVATE AND PUBLIC OWNERSHIP OF LANDS IN THE ADMINISTRATION OF THE ACREAGE LIMITATION PROVISIONS OF FEDERAL RECLAMATION LAW**

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill which would clarify in the body of Federal reclamation law the intent of the Congress concerning the applicability of the acreage limitation provisions to lands in public ownership.

The acreage limitation provision limits the amount of land for which a single owner may receive irrigation water from a Federal reclamation project. The Department of the Interior, in administering the reclamation program, has interpreted the limitation to be applicable to lands which are owned by States or subdivisions of States. The body of law is complex, and the legality of the Department's position has been challenged. In fact the Department is not entirely consistent in its interpretation of the limitation and has exempted State-owned lands from the limitation when they are acquired and operated for wildlife conservation purposes in connection with a water resource project. In all other situations, however, the lands owned by any State which are included within reclamation developments may receive water only to the extent that the lands owned by any single private individual might.

The limitation conflicts with the objectives of the States in furthering public purposes. In some cases, the States wish to receive water for the direct use of the State lands for nonprofit, institutional purposes such as hospital and prison farms or agricultural research stations. In other cases, the States wish to sell or lease the lands to prospective irrigators to obtain revenues for public purposes.

The bill which I am introducing would define the applicability of the acreage limitation to State-owned lands to permit water service through reclamation projects to assist such public purposes. It would in no way amend or impair the applicability of the acreage limitation to private owners.

The excess land provision of reclamation law originates in the provision of the Reclamation Act of 1902 that "No right to the use of water for land in private ownership shall be sold for a tract exceeding 160 acres to any one landowner." The present statutory form of the excess land law is contained in the Omnibus Adjustment Act of 1926 (44 Stat. 479, as amended) which provides the following:

First. All land in private ownership in excess of 160 irrigable acres—excess land—must be appraised in a manner to be prescribed by the Secretary.

Second. The appraisal shall determine the land's value without reference to the reclamation project—in essence its value as dry land rather than as irrigated or potentially irrigated land.

Third. No excess land may receive project water unless its owners execute a valid recordable contract agreeing to sell the land at a price not to exceed the appraisal price.

Fourth. Until half the construction charges are paid, no sale of excess lands carries the right to receive water unless the price is approved by the Secretary.

Fifth. Upon proof of fraudulent representation as to the true consideration involved in such a sale the Secretary is authorized to cancel the water right attaching to the land involved.

The Department of the Interior has held that the expression "in private ownership" as used in the statute provisions concerning excess lands is properly read to mean any non-Federal ownership. As a result, lands on reclamation projects which are in State, municipal, or similar non-Federal ownership are held to be in excess except for 160 acres for each State or other entity.

My bill has three sections which provide as follows:

Section 1 would exempt from the limitation those State-owned lands which are farmed for primarily nonprofit, public functions such as agricultural research.

Section 2 would permit the State to sign recordable contracts to sell excess lands within 10 years, but at appreciated values—such as by auction—and to receive project water in the interim.

Section 3 would permit the State to retain ownership over excess lands and lease them to farmers for revenue purposes. If this were done, however, each lessee would then be subject to the same

acreage limitation as would a private owner.

I wish to point out that there are other measures pending which propose to amend the basic provision of the acreage limitation. This bill does not have that objective. It is concerned only with clarification of the existing legislation to remove a number of instances in which the limitation is hampering the administration of State lands for public purposes.

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

The bill (S. 2062), to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes, introduced by Mr. JACKSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

**S. 2064—INTRODUCTION OF A BILL TO PROVIDE FOR THE ESTABLISHMENT OF A NATIONAL CEMETERY IN THE STATE OF NEVADA**

Mr. CANNON. Mr. President, on behalf of myself and Senator BIBLE, I introduce, for appropriate reference, a bill to establish a national cemetery in the State of Nevada. At present there is no national cemetery in Nevada to provide for the burial of deceased veterans. Although national cemeteries came into being during the Civil War to provide for the burial of soldiers who had died in service, most of them are situated where battles occurred and therefore are not evenly distributed in the various States. For this reason the western part of the United States has few national cemeteries, and the many veterans who served during World War II have no place within reasonable proximity to their domicile for burial. During the last world war we had approximately 16 million men under arms, and when you consider their dependents we have a total of about 50 million people who are eligible for burial. Due to the inexorable march of time, the need for this legislation is increasing in urgency. I therefore urge that this bill be given serious consideration.

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

The bill (S. 2064) to provide for the establishment of a national cemetery in the State of Nevada, introduced by Mr. CANNON (for himself and Mr. BIBLE), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

**S. 2068—INTRODUCTION OF A BILL TO AMEND THE LABOR RELATIONS ACT OF 1947**

Mr. WILLIAMS of New Jersey. Mr. President, today we face a problem which has critical and far-reaching implications; that is, the need to provide adequate care for children of working mothers.

Industry, more than ever before, is opening its doors to women, enabling many more of them to become responsi-

ble members of America's labor force. The Federal Government, in an effort to reduce its welfare rolls, is putting more emphasis on work-training programs for women, as well as for men. In short, industry and government are working together to meet the needs of America's labor force by encouraging women to enter the labor market.

Unfortunately, as more women leave home in order to work, more children are left without adequate supervision. There were 14 million working women in the United States last year with school age or preschool age children. As juvenile delinquency rates increase, we begin to realize the effects on a generation growing up without minimal parental supervision. While other countries recognize the necessity of providing day care for children of working parents, we stumble along year after year spending excessive time, money and effort on the problems of juvenile delinquency and crime. For once, we should treat the cause instead of the effect.

Last year 32 million women were responsible for 37 percent of all goods and services produced in the United States. Our working mothers are needed in the jobs they fill and we can no longer expect these women to seek shelter for their children among friends, relatives and strangers. The bill which I am proposing would amend section 302(c) of the Labor Management Act of 1947 to permit employers, through the collective bargaining process, to contribute to trust funds for the establishment of day care centers for children of employees.

As day care centers are established, several immediate benefits will accrue to the business community through reduced absenteeism, reduced personnel turnover and reduced tardiness. Women who previously quit their jobs after the arrival of children or who remained at home because of inadequate day care facilities in their area, will have the alternative of working, with the knowledge that their youngsters are being provided for.

The second portion of my bill provides for employer contributions to jointly administered trust funds to finance scholarships for employees and their dependents. Trust funds which provide a financial pool through which workers and their families have access to higher education make advanced schooling a real possibility for many young people.

Let me stress that this proposed amendment does not authorize Federal funds, nor does it affect existing statutory obligations of labor and management under the act. The amendment seeks only to remove legal impediments which prevent collective bargaining for the establishment of trust funds for the care and schooling of children.

A fact sheet prepared in the Department of Labor provides significant background data on the child day care problem, indicating both the types of programs presently in operation and the need for further efforts—including joint efforts by unions and management which the bill would permit. In view of its relevance to this problem, I ask unanimous consent to have this fact sheet printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the fact sheet will be printed in the Record.

The bill (S. 2068) to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees, introduced by Mr. WILLIAMS of New Jersey (for himself and others), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The material, presented by Mr. WILLIAMS of New Jersey, follows:

**DAY CARE FACT SHEET**

A growing trend toward the employment of women with children has focused attention on a rising need for day care services. The number of working mothers has increased more than sevenfold since 1940 and has more than doubled since 1950. Greater growth is expected in the future.

**DAY CARE NEED**

*Working mothers and their children*

Projections for 1980 indicate that 5.3 million mothers aged 20 to 44 with children under age 5 will be in the labor force. This will represent a 43 percent increase between 1970 and 1980. However, the increase may be considerably larger in light of such recent developments as the Work Incentive Program (WIN) provided by the 1967 amendments to the Social Security Act and the Concentrated Employment Program (CEP). These programs will enable many low-income women not now in the labor force to seek training and employment.

About 10.6 million mothers with children under 18 years of age were workers in March 1967. Almost 2 out of 5 of these mothers had children under age 6, totaling 4.5 million youngsters of this age.

While employment of the mothers is the main reason many children need day care services, these services also are needed for such imperative reasons as illness or death of the mother, mental or physical handicaps, emotional disturbances, poor family relationships, and slum living conditions with no place to play.

*Capacity of facilities ("Spaces")*

According to the latest estimates, day care in licensed centers and family homes is available for only 531,000 children.<sup>1</sup> It is estimated that several million children need this service.

*Child care arrangements made by working mothers*

To determine the extent of the need for day care, the Women's Bureau of the Department of Labor and the Children's Bureau of the Department of Health, Education, and Welfare in 1965 cosponsored a national survey of child care arrangements made by mothers who worked 27 weeks or more, either part time or full time, in 1964 and who had at least one child under 14 years of age living at home. These 6.3 million mothers had a total of 12.3 million children under 14 years; of these, 3.8 million children were under 6 years.

Less than one-half of the preschool children were cared for in their homes; not quite a third, in someone else's home; a little more than 5 percent, in group care centers; and the rest, under other arrangements. Some were cared for by their mother while she

<sup>1</sup> March 1968 data.

worked and others, "latch-key children," cared for themselves.

The proportion of children who looked after themselves were considerably larger among those of school age than among preschoolers, while among those cared for in group care centers, the larger proportion was made up of preschool youngsters. In addition, almost all of the children whose mothers worked only during school hours were of school age.

#### GOVERNMENT PROGRAMS

##### Legislation<sup>2</sup>

A major advance in Federal child welfare legislation was made by the enactment of the 1962 amendments to the Social Security Act which authorized Federal grants-in-aid to State public welfare agencies for day care services. This stimulated the States to improve standards for day care facilities and to develop broader day care plans.

The 1967 amendments to the Social Security Act authorized the Work Incentive Program (WIN), a manpower development program to train persons on welfare rolls for permanent jobs at decent pay. The law specifies that child care services must be furnished the trainee. Regulations issued by the Social and Rehabilitation Service, Department of Health, Education, and Welfare provide further that day care services must be maintained until the trainee is reasonably able to make other satisfactory child care arrangements.<sup>3</sup>

Other provisions in the act include grants for special projects to train personnel for work in the field of child welfare, including day care.

Under the Economic Opportunity Act (EOA), grants are available for the development, conduct, and administration of day care projects within community action programs (CAP). The largest single program developed under the EOA is Head Start, which provides day care for numerous disadvantaged children. In addition, funds may be used for day care of children of migratory and seasonal farm workers, for work training and employment programs relating to day care in highly concentrated low-income urban areas, and for work training programs which include day care as a supportive service. Grants may be used to train young men and women as day care workers or aides. Economic opportunity loans to establish a day care center are available to eligible persons or to small business concerns in areas where there are many unemployed or low-income persons. Administration of the manpower programs is under the Department of Labor, and that of the loan program is under the Small Business Administration.

Under the Elementary and Secondary Education Act of 1965, funds are available for day care programs for preschool children, including children of migrant farm workers. Funds may be used for research, surveys, and demonstrations relating to day care centers.

Under the Vocational Education Act of 1963, funds may be used to provide training in occupations involving knowledge and skills in home economics subjects. This may include training of aides and assistants to directors of day care centers.

Several other acts provide Federal aid for various programs relating to day care. These include nursing services and other health services for migrant children in day care centers; research and training programs for persons whose roles or functions may be related to mental health; continuing education in mental health for child care workers; and grants for construction, renovation, or acquisition

of community mental health center facilities (a child care center may be part of a mental health center) and for staffing these centers. Also included are programs that provide for the development of centers (for low- and moderate-income persons) to house health, recreation, social, and other community services, including day care centers; loans for construction or acquisition of low-rent housing in which space is provided for a day care center; and day care projects within a model cities program. In addition, there are lunch, breakfast, and milk programs designed to safeguard the health and well-being of children, including those in day care centers.

It is estimated that the present Federal annual outlay is about \$150 million.

##### Federal panel on early childhood

The Federal Panel on Early Childhood was established in 1968 by the Secretary of Health, Education, and Welfare, at the request of the White House, as a first step to improve and expand all early childhood programs financed by Federal funds. The Panel includes representatives from agencies that have a primary concern for services to families and children—the Departments of Labor; Agriculture; Commerce; Interior; Housing and Urban Development; and Health, Education, and Welfare; the Office of Economic Opportunity; and the Bureau of the Budget.

The primary function of the Panel is to develop plans for the most effective use of operating, research, training, and technical assistance funds available to each of the Departments and agencies, in ways which will strengthen every program.

One of the Panel's first priorities was the development of Federal Interagency Day Care Requirements. These standards apply to all major federally assisted day care programs and establish minimum requirements for facilities, education, social, health, and nutrition services; staff training; parent involvement; administration; coordination; and evaluation.

The Panel has been charged with drawing up a plan to coordinate all programs that provide services to children and their families at all levels of operation. A plan of this type, called the Community Coordinated Child Care (4-C) Program, has been developed recently by the Panel. The 4-C program is an effort to coordinate all organizations within a local community in order to provide better child care services by combining available resources and establishing a suitable coordinating mechanism such as a council, agency, or committee. Guidelines have been prepared, Federal Regional 4-C Committees (FRC) have been formed, and several States and communities are moving ahead in creating 4-C working units.

##### INCOME TAX DEDUCTION FOR CHILD CARE EXPENSES

The Revenue Act of 1954, as amended (title 26, sec. 214 of the Internal Revenue Code—Expenses for Certain Dependents), permits a deduction of up to \$600 for the care of one child and up to \$900 for two or more children under 13 years of age provided the child care enables a working woman and other specified persons to be gainfully employed. Widows, widowers, and separated and divorced persons may deduct up to these amounts regardless of income. However, a married woman or a husband whose wife is incapacitated, in order to claim the deduction, must file a joint return with the spouse; if the combined adjusted gross income exceeds \$6,000, the deduction is reduced \$1.00 for each dollar of income above that amount. A deserted wife who cannot locate her husband may take the deduction for child care expenses. Other exceptions are also possible.

##### INNOVATIONS IN THE PUBLIC AND PRIVATE SECTORS

A few Federal agencies are exploring the possibility of providing day care services for

the children of their employees. Following are two agency programs currently in operation.

##### U.S. Department of Labor Day Care Center

In October 1968 the Department of Labor opened an experimental day care center for 30 preschool children of its employees. Half of the children were selected from new employees who could not accept employment unless low-cost child care was available, and half were selected from other Department employees in all grade levels.

The project is operated by a nonprofit private organization and funded in part by the Department. Parents pay on a sliding scale basis.

The purpose of the program is to show both public and private employers the usefulness and feasibility of such centers. An evaluation study will be made at the end of a year's operation.

##### U.S. Department of Agriculture Day Care Center

In May 1968 a day care center with a capacity for 19 children was opened at the Plant Industry Station, Agriculture Research Center, Beltsville, Maryland. It is operated by the employees' welfare and recreation association. Parents pay the operating costs.

##### Unions and management

The Baltimore Regional Joint Board of the Amalgamated Clothing Workers of America opened its Child Health Care Center on September 28, 1968, in Verona, Virginia (near Staunton). In mid-January 1969, construction was started on a center in Baltimore. Two others are planned for Hanover and Chambersburg, Pennsylvania. The centers are financed through the jointly administered union and men's clothing industry Health and Welfare Fund. Parents pay a small fee.

The Midwest Regional Joint Board of the Amalgamated Clothing Workers of America is also planning two day care centers.

At least one other union is exploring the feasibility of providing day care for the children of its members.

##### Private industry

KLH Research and Development Corporation, a manufacturer of hi-fi equipment in Cambridge, Massachusetts, operates a day care program for the children of its employees. The program is partially funded by the Children's Bureau of the Department of Health, Education, and Welfare.

Various other companies have set up or are planning to set up day care programs for the children of their employees. Parents pay all or part of the operating costs of these programs.

##### Hospitals<sup>4</sup>

Approximately 100 hospitals operate day care centers for the children of their health personnel. Fifty-one percent of them are in the South, 28 percent in the North Central States, more than 11 percent in the Northeast, and more than 9 percent in the West. About 57 percent of these centers were established within the past 5 years, and 9 percent have been in operation for 15 years or longer.

About 2,550 parents use these services for their more than 2,800 children. More than 60 percent of the parents are nurses. Other health personnel using the services include doctors, dentists, anesthetists, nurses' aides, orderlies, and laboratory technicians. Sixty-seven percent of the centers are in operation 6 or 7 days a week.

More than 90 percent of all the day care programs are subsidized by the hospitals, although the centers charge fees.

<sup>4</sup> From a mail survey conducted in April 1968 by the Women's Bureau. Final report will be available later this year.

<sup>2</sup> These programs, as well as others, are described in *Federal Funds for Day Care Projects*, a Women's Bureau publication.

<sup>3</sup> Chapter II of title 45 of the Code of Federal Regulations.

*Shopping centers\**

There are day care centers in shopping centers in the Los Angeles area and in Westchester County, New York (close to the New York City line). These are designed for children of employees at the shopping centers, but neighborhood mothers also may enroll their children.

In February 1969 several religious and social groups, known as the Market Place Ministries, opened a day care center at the Landmark Shopping Center in Alexandria, Virginia (near Washington, D.C.). The center is called "The School in the Market Place." Although it is essentially for preschool children (ages 3-5) of working mothers, non-working mothers also may use the service.

## NEXT STEPS

All this is just a beginning in fulfilling the vast need for day care services for all children who can benefit. To meet the need would require larger amounts of Federal funds as well as greater financial participation from the States. More action and money would have to come from unions, industry, and other public and private organizations at the national, State, and local levels. There must be concentrated effort by all to provide more and better facilities and to provide training for additional personnel skilled in childhood development.

**SENATE JOINT RESOLUTION 106—  
INTRODUCTION OF A JOINT  
RESOLUTION PROCLAIMING NA-  
TIONAL MEMORIAL WEEK**

Mr. BENNETT. Mr. President, it is a privilege to introduce a joint resolution to proclaim the week of May 24-30 as National Memorial Week. This will be a fitting tribute to the Americans, both living and dead, who have given of themselves to defend the freedom and liberty which we now enjoy. It was originally advocated by Mr. George L. Carey, national service officer for DAV in Salt Lake City. The joint resolution is strongly supported by the Disabled American Veterans, and I consider it an honor to introduce it.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 106) proclaiming the week of May 24 through 30 as National Memorial Week, introduced by Mr. BENNETT, was received, read twice by its title, and referred to the Committee on the Judiciary.

**ADDITIONAL COSPONSORS OF BILLS  
AND JOINT RESOLUTIONS**

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Oklahoma (Mr. HARRIS) be added as a cosponsor of the bill (S. 1997) to provide for the more effective prevention and treatment of alcoholism.

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

Mr. SCOTT. Mr. President, at the request of the Senator from Oregon (Mr. HATFIELD), I ask unanimous consent that, at its next printing, the names of the Senator from West Virginia (Mr. RANDOLPH), the Senator from Utah (Mr. MOSS), the Senator from Ohio (Mr.

YOUNG), and the Senator from Oregon (Mr. PACKWOOD) be added as cosponsors of the bill (S. 1937) to supplement and strengthen voluntary youth service and learning opportunities supported or offered by the Federal Government by establishing a National Youth Service Council and a National Youth Service Foundation, and for other purposes.

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

Mr. JAVITS. Mr. President, on behalf of the Senator from Texas (Mr. TOWER), I ask unanimous consent that, at its next printing, the names of the Senator from Florida (Mr. GURNEY), the Senator from Wyoming (Mr. HANSEN), and the Senator from Massachusetts (Mr. KENNEDY) be added as cosponsors of the bill (S. 364), to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes.

Mr. SCOTT. Mr. President, at the request of the Senator from Oregon (Mr. HATFIELD), I ask unanimous consent that, at its next printing, the names of the Senator from Texas (Mr. TOWER) and the Senator from Connecticut (Mr. DODD) be added as cosponsors of the bill (S. 1801) to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes.

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

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California (Mr. MURPHY) be added as a cosponsor of the bill (S. 1478) for the establishment of a Commission on Revision of the Antitrust Laws of the United States.

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

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California (Mr. CRANSTON) be added as a cosponsor of the bill (S. 1466) to amend the Communications Act of 1934 to provide that certain aliens admitted to the United States for permanent residence shall be eligible to operate amateur radio stations in the United States and to hold licenses for their stations.

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

Mr. JAVITS. Mr. President, at the request of the Senator from Texas (Mr. TOWER), I ask unanimous consent that, at its next printing, the name of the Senator from Oklahoma (Mr. BELLMON) be added as a cosponsor of the bill (S. 1380) to redesignate the position of hearing examiner as administrative trial judge.

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

Mr. SCOTT. Mr. President, at the request of the Senator from Massachusetts (Mr. BROOKE), I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey (Mr. CASE), the senior Senator from Oregon (Mr. HATFIELD), the junior Senator from Oregon (Mr. PACKWOOD), the junior

Senator from New Hampshire (Mr. MCINTYRE), and the Senator from West Virginia (Mr. RANDOLPH) be added as cosponsors of the bill (S. 1721), to promote the orderly adjustment of tobacco production and marketing.

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

Mr. SCOTT. Mr. President, at the request of the Senator from Massachusetts (Mr. BROOKE), I ask unanimous consent that, at its next printing, the name of the Senator from Kansas (Mr. DOLE) be added as a cosponsor of the joint resolution (S.J. Res. 14) designating January 15 of each year as "Martin Luther King Day."

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

Mr. KENNEDY. Mr. President, at the request of the Senator from Minnesota (Mr. MCCARTHY), I ask unanimous consent that, at its next printing, the names of the Senator from Alabama (Mr. ALLEN), the Senator from Virginia (Mr. BYRD), the Senator from Nebraska (Mr. CURTIS), the Senator from Connecticut (Mr. DODD), the Senator from Hawaii (Mr. FONG), the Senator from Oklahoma (Mr. HARRIS), the Senator from Arkansas (Mr. McCLELLAN), and the Senator from Pennsylvania (Mr. SCOTT) be added as cosponsors of the joint resolution (S.J. Res. 61) proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

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

**SENATE CONCURRENT RESOLUTION  
22—SUBMISSION OF CONCURRENT  
RESOLUTION ENCOURAGING SCI-  
ENTIFIC RESEARCH AND TRAIN-  
ING IN AGING**

Mr. PACKWOOD submitted the following concurrent resolution (S. Con. Res. 22); which was referred to the Committee on Labor and Public Welfare:

## S. CON. RES. 22

*Resolved by the Senate (the House of Representatives concurring). That*

Whereas there are over 19 million older Americans 65 and over, and

Whereas the number of older Americans increases by over three hundred thousand per year, and

Whereas by the year 2000, 35 per centum of our population will be 65 and older, and

Whereas the average life span of an American child born today is 70 years as compared with 47 years in 1900, and

Whereas gerontology is a relatively new science, and

Whereas Congress is continually concerned with the well-being of older Americans, said concern having been demonstrated by the establishment of the Administration on Aging (P.L. 89-73), therefore,

It is the sense of Congress that programs of scientific research and training in aging, such as the Ethel Percy Andrus Gerontology Center located at the University of Southern California, be encouraged and supported.

**SENATE RESOLUTION 194—SENSE  
OF THE SENATE RESOLUTION IN  
REGARD TO CHANGES IN THE JOB  
CORPS PROGRAM**

Mr. CRANSTON, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 194) to express the sense of the Senate in regard

\* These are the only day care centers in shopping areas which have come to the attention of the Women's Bureau.

to changes in the Job Corps program, which was placed on the calendar.

(See the remarks of Mr. CRANSTON, previously, when he reported the above resolution, which appear under a separate heading.)

**ADDITIONAL COSPONSORS OF RESOLUTIONS**

Mr. SCOTT. Mr. President, at the request of the Senator from Vermont (Mr. PROUTY), I ask unanimous consent that, at its next printing, the name of the Senator from Connecticut (Mr. DODD) be added as a cosponsor of the resolution (S. Res. 30) to amend the Standing Rules of the Senate relative to the Select Committee on Small Business.

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

Mr. KENNEDY. Mr. President, at the request of the Senator from Oklahoma (Mr. HARRIS), I ask unanimous consent that, at its next printing, the name of the Senator from New Jersey (Mr. WILLIAMS) be added as a cosponsor of the resolution (S. Res. 180) designating May 6, 1969, as "A. Phillip Randolph Day."

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

**NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY**

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Ira De Ment, of Alabama, to be U.S. attorney for the middle district of Alabama for the term of 4 years, vice Ben Hardeman, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Monday, May 12, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

**NOTICE OF HEARINGS ON FEDERAL TAX LITIGATION SYSTEM**

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce hearings for the consideration of reform of the Federal tax litigation system.

The hearings will be held at 10 a.m. on Monday, May 12, 1969, and Tuesday, May 13, in the District of Columbia Committee hearing room 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the RECORD should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

**NOTICE OF HEARINGS ON MAY 14 ON THE "FEDERAL LANDS FOR PARKS AND RECREATION ACT OF 1969"**

Mr. JACKSON. Mr. President, for the information of Senators and the general public, I wish to announce that hearings on S. 1708, the Federal Lands for Parks and Recreation Act of 1969, will be held before the Interior and Insular Affairs Committee, at 10 a.m. on May 14, in room 3110 of the new Senate Office Building.

The purpose of this measure is to make surplus Federal property available to State and local governments for park and recreational purposes at prices which reflect the important role recreation and open spaces play in our contemporary life. The bill would amend the Land and Water Conservation Fund Act by providing that for a period of 5 years after the date of enactment, surplus Federal property could be conveyed to State and local government for park and recreational use at less than the 50 percent of fair market value required under present law.

This bill is of special importance to many of our major metropolitan areas where the need for parks and open spaces is greatly increasing while at the same time the limited land available is being dedicated to other, often incompatible, purposes. If we are to improve the quality of life and surroundings for the residents of our major cities, we will have to take advantage of every future opportunity to acquire land adjacent to where people live for recreational and park purposes.

The bill is of importance for still another reason. The fiscal year 1970 budget proposes a reduction in the revenues available through the land and water conservation fund. This reduction means that little more than one-half of the \$200 million authorized for recreational and park land acquisition will be available. In view of these budget restrictions, I believe it is essential to provide alternative means by which the State and local governments can acquire property to meet burgeoning recreational demands.

If enacted, this bill would assist every State in the Nation which has, or soon may have, surplus Federal property available. Mr. President, I have before me a list of the surplus real property, custodial reserve real property, and related personal property classified for disposal under provisions of the Federal Property and Administrative Services Act of 1949.

This summary was prepared by the General Services Administration and includes all property on hand as of December 31, 1968. It should be noted that 48 States as well as the District of Columbia, Puerto Rico, and the Virgin Islands contain at least one parcel of surplus Federal property.

Mr. President, I ask unanimous consent that this GSA report be included in the RECORD.

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

**REPORT BY GENERAL SERVICES ADMINISTRATION, PROPERTY MANAGEMENT AND DISPOSAL SERVICE**

Surplus real property, custodial (NIR) reserve real property, and related personal property for disposal under provisions of the Federal Property and Administrative Services Act of 1949, as amended:

Properties on hand as of Dec. 31, 1968, listed by GSA control number

[In millions of dollars]		Reported cost
<b>REGION 1—BOSTON</b>		
U-Conn-483: Coast Guard Light Attendant Sta., Portland (.6 acre, includes .02 acre easement, 2 bldgs.)		37
T-Me-448: Whitehead Lifeboat Sta., Whitehead Island (2.8 acres, 6 bldgs.)		31
D-Me-526C: Dow AFB, Bangor (366.654 acres, 351 bldgs.)		13,508
D-Me-526D: Ammunition Storage Annex, Dow AFB, Hampden (.23 acre)		1
G-Me-549: Post Office & Customhouse, Machias (.183 acre, 1 bldg.)		47
D-Me-551: NIKE Hercules Site L-13, Caswell (85.54 acres, 24 bldgs.)		1,618
G-Me-553: U.S. Post Office & Customhouse, Rockland (.62 acre, 1 bldg.)		248
U-Me-555: SRA Fac., Bangor (4 steel towers)		20
U-Me-557: FAA Fac., Hallowell/Manchester (2 bldgs.)		22
H-Me-560: Lot 249, Admiralty Village, Kittery (.206 acre)	( <sup>1</sup> )	
D-Me-562: Nike Hercules Site, Caribou (44.48 acres, includes 23.73 acres easements, 14 bldgs.)		1,021
N-Me-563: Naval Res. Training Center, South Portland (13.9 acres, 5 bldgs.)		343
N-Mass-592: Naval Shipyard, DoD-169, Quincy (38.67 acres, 52 bldgs.) (industrial)		17,595
U-Mass-646A: Fort Heath, Winthrop (.327 acre, utility lines)		11
N-Mass-654: NIR Gear Plant, Lynn (69.06 acres, 36 bldgs.) (industrial)		15,704
D-Mass-655: Springfield Armory, Springfield (218.977 acres)		616
D-Mass-665: Nike Ajax Site B-85, Bedford (2.53 acres easements)		5
D-Mass-666: AF Plant #63, North Grafton (231.63 acres, 21 bldgs.) (industrial)		23,732
G-NH-434: Old Post Office & Court-house, Concord (1.3 acres, 1 bldg.)		523
D-NH-436: Pease AFB, Portsmouth (8.1 acres)		18
D-NH-439: Massabesic Nat'l Guard, Target Range, Auburn (138.62 acres, 4 bldgs.)		56
U-NH-440: Hampton Beach Coast Gd., Sta., Hampton Beach (1 bldg.)		42
Region 1—22 cases		75,178
<b>REGION 2—NEW YORK</b>		
T-Del-415: Fenwick Island Electronic Test & Lifeboat Sta., Selbyville (12.88 acres)	( <sup>2</sup> )	
D-NJ-440C: Raritan Arsenal, Township of Edison (.054 acre, plus easement) (industrial)	( <sup>1</sup> )	

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

REGION 2—continued	Reported cost
D-NJ-463B: Camp Kilmer Mil. Res. Middlesex Co. (14.111 acres, includes 10.02 acres easements)-----	6
D-NJ-484A: Nike Battery NY-88 Wayne TWP (68.95 acres, includes 34.96 acres easements, 12 bldgs.)--	992
I-NJ-488A: Killcohook Nat's Wildlife Refuge, Salem Co. (9.6 acres)---	1
D-NJ-497: Philadelphia Defense Area, Nike Battery PH-49, Pitman (40 acres easements)-----	20
T-NJ-499: Bonds Lifeboat Sta., Beach Haven Heights (1.08 acres, 2 bldgs.)-----	25
N-NJ-505: Todd Shipyard, Hoboken (18.6 acres, 9 bldgs.) (industrial)---	4,385
T-NJ-508: Little Egg Lifeboat Sta., Tuckerton (6.55 acres, 3 bldgs.)---	116
T-NJ-509: Corsons Inlet Lifeboat Sta., Strathmere (4 acre, 4 bldgs.)---	35
X-NJ-510: Wayne Radio Plant, Passaic Co. (22.35 acres)-----	16
D-NJ-511: NY Defense Area, Nike Battery 54, Inst. #4264, Monmouth Co. (3.64 acres)-----	(2)
U-NJ-513: Hereford Inlet Lifeboat Sta., North Wildwood (1.2 acres, 5 bldgs.)-----	88
G-NJ-515: Post Office, Rahway (.72 acre, 1 bldg.)-----	147
W-NY-1A: Lake Ontario Ord. Works, Niagara Falls (79.6 acres, easements)-----	37
R-NY-137: National Lead, Tahawus (2 bldgs.) (industrial)-----	3,969
B-NY-466J: Lake Ontario Storage Area, Lewiston (9.92 acres, easements and concrete water line)---	160
T-NY-538A: Tarrytown Light Sta., Westchester Co. (.72 acre, 1 bldg.)---	7
T-NY-557A: Rockaway Lifeboat Sta., Ft. Tilden (2.78 acres)-----	(1)
GD-NY-567: Mitchell AFB, Hempstead (390.765 acres, includes 181.2 acres easements, 125 bldgs.)-----	8,267
D-NY-572B: Schenectady Army Depot (Voorheesville Area), Guilderland (561.47 acres, includes 1.72 acres easements and 10 acres licenses, 40 bldgs.)-----	21,221
D-NY-572C: Schenectady Army Depot, Inst. #601, Rotterdam (285.99 acres, includes 6.53 acres leased, 65 bldgs.)-----	14,022
U-NY-590C: Int's Flight Svs. Transmitter Sta., Islip (1 bldg.)-----	16
D-NY-594A: N.Y. Defense Area, Nike Battery, Harrison (34.34 acres, includes .18 acre easement, 18 bldgs.)-----	782
D-NY-600A: Nike Battery NY-30, Lido Beach (58.24 acres, 23 bldgs.)---	1,819
D-NY-612: Plattsburgh AFB, AF Facility S-9, Inst. #74.75, Dannemora (260.96 acres, includes 252.01 acres easements, 3 bldgs.)-----	4,999
N-NY-627: New York Vanal Shipyard, Brooklyn (226.231 acres, 163 bldgs.) (industrial)-----	161,080
F-NY-633: Marine Hospital #70, Outpatient Clinic, New York (.13 acre, 2 Bldgs.)-----	306
G-NY-636: Post Office, Kingston (.5 acre, 1 bldg.)-----	309
G-NY-637: 35 Ryerson St., Brooklyn (Portion of bldg.)-----	(2)
D-NY-638: U.S. Army Res. Center, Shawangunk (6.95 acres)-----	1
U-NY-641: Peconic N.Y. MHW Fac., Brookhaven (15.1 acres, includes 6.63 acres easements, tower)-----	27
G-NY-642: Post Office, Oneonta (.47 acre, 1 bldg.)-----	103
D-NY-643: Ft. Totten, Queens Co. (56.4 acres, 37 bldgs.)-----	2,234

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

REGION 2—continued	Reported cost
G-NY-645: U.S. Custom House, Niagara Falls (.16 acre, 1 bldg.)-----	73
U-NY-647: Rock Island Light Sta., Jefferson Co. (4 acres, 5 bldgs.)---	9
D-NY-648: Nike Batteries, Orangeburg (33.29 acres, includes 18.22 acres easements)-----	294
N-NY-650: Twin Industries Corp. Buffalo (Equipment and Related personal property) (industrial)---	2,853
J-Pa-402B: Fed. Prison Camp (Former Susquehanna Sub-Depot of Letterkenny Ord. Depot), Allenwood (169.53 acres)-----	18
V-Pa-440G: VA Hospital Res., Butler (16 acres)-----	4
GD-Pa-521: Philadelphia Army Supply Base, Philadelphia (31.64 acres, 37 bldgs.)-----	13,317
D-Pa-526C: Oilmsted AFB, Middletown (1.82 acres)-----	8,439
N-Pa-541A: Gallery Chemical Co., Gallery (1.085 acres—leased, 2 bldgs.) (industrial)-----	474
D-Pa-579: Letterkenny Army Depot, Chambersburg (34 acres) (industrial)---	6
D-Pa-596A: Nike Battery, McCandless (20.27 acres, Restrictive easements)-----	21
N-Pa-604: Philadelphia Naval Shipyard, Philadelphia (.49 acre, submerged land)-----	(2)
U-Pa-615: Greater Pittsburgh Airport (1 bldg.)-----	12
N-Pa-616: Allis-Chalmers Mfg. Co. York (40 foot vertical boring mill)---	324
D-PR-431A: Ft. Amezquita Mil. Res., Cabras Island, San Juan Harbor (42.3 acres, includes 2.41 acres easements, 5 bldgs.)-----	765
D-PR-436D: Fort Brooks Mil. res., San Juan (6.00 acres, 10 bldgs.)---	1,137
N-PR-438B: Naval Sta., Roosevelt Roads, Puerto Rico (4.73 acres)---	2
N-PR-438C: U.S. Naval Sta., (12.81 acres, includes 6.32 acres easements (1 bldg.)-----	12
D-PR-441B: Ft. Buchanan Mil. Res., San Juan (350.80 acres, 82 bldgs.)---	5,088
N-PR-453A: Santa Maria Grazing & Martineau Tracts, Vieques (1,829 acres)-----	109
N-PR-453B: Santa Maria & Montecanto Resettlement Tracts, Vieques (797.9 acres)-----	40
D-PR-457: Henry Barracks Mil. Res., Cayey (255.63 acres, includes .31 acre easement, 160 bldgs.)-----	3,028
D-PR-461: Ft. Mascaró Mil. Res., Punta Salinas (165.04 acres, includes 1.79 acres easements, 10 bldgs.)-----	1,265
N-PR-462: Naval Fuel Storage Fac., Catano (185.835 acres, 7 bldgs.) (industrial)-----	2,123
D-PR-463: Ramey Petroleum Products Storage Annex, San Patricio (48.32 acres, includes 1.73 acres easements, 1 bldg.) (industrial)---	476
N-VI-420B: UDT Training Fac., St. Thomas (33.32 acres, 3 bldgs.)---	819
Y-VI-425A: Golden Grove, St. Croix (97.87 acres)-----	4
Y-VI-426: Upper Bethlehem, St. Croix (247.077 acres, 2 bldgs.)---	11
Y-VI-427: Upper Love Parcel #7, St. Croix (.292 acre)-----	1
D-Vt-420: Plattsburgh AFB, AF Facility S-3, Inst. #7469, Swanton (263.08 acres, includes 254.13 acres easements, 3 bldgs.)-----	4,964
Region 2—64 cases-----	270,878

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]

REGION 3—WASHINGTON	Reported cost
J-DC-440: Nat'l Training School for Boys, Washington (1.33 acres)---	(1)
N-Md-445P: U.S. Naval Air Test Center, Patuxent River (327.11 acres, 5 bldgs.)-----	2,309
D-Va-505C: Langley AFB, Hampton (.95 acre easements, 2 bridges)---	46
G-Va-510A: Kings Warehouse, Alexandria (1.15 acres, 1 bldg.)-----	nc
N-Va-579A: Naval Weapons Sta., Yorktown (10.09 acres)-----	8
D-Va-582: Community Center Site, Deep Creek (1.2 acres)-----	(2)
U-Va-583: 904 & 908 South Quinn St., Arlington (.23 acre, 2 bldgs.)---	46
D-WVa-470: Guthrie Air Force Sta., Charleston (56.73 acres, 50 bldgs.)---	2,444
Region 3—8 cases-----	4,853
REGION 4—ATLANTA	
D-Ala-495A: Brookley AFB, Mobile (3,041.81 acres, includes 7.32 acres leased, and 1,012.44 acres easements and licenses, 616 bldgs.) (industrial)-----	63,215
U-Ala-527: Compass Locator at Outer Marker, Huntsville, (1 bldg.)-----	7
U-Ala-528: Compass Locator at Middle Market, Huntsville (1 bldg.)---	7
D-Fla-529A: Avon Park AF Range (581.6 acres, 104 bldgs.)-----	1,733
N-Fla-656: U.S. Naval Air Sta., Sanford (1,648.21 acres, includes 165.43 acres easements, 173 bldgs.)---	16,074
J-Fla-660: Fed. Correctional Institution, Tallahassee (471.94 acres)---	(2)
N-Fla-635A: U.S. Naval Sta., Dredgers Key, Key West (1.99 acres)---	28
D-Ga-542: Gold Course and Rec. Area, Hunter AFB, Savannah (221.62 acres)-----	82
D-Ga-543: Andersonville Nat'l Cemetery, Andersonville (43.11 acres)---	1
D-Ga-557: Dobbins AFB, Marietta (110.86 acres)-----	13
D-Ga-567: U.S. Army Res. Center, Hartwell (2.25 acres, 1 bldg.)---	91
V-Miss-445B: VA Gulfport Hospital Div., Biloxi (30 acres)-----	26
V-Miss-445C: VA Hospital Res., Biloxi (52 acres)-----	(2)
C-Miss-470A: Hawkins Field, Jackson (1 bldg.)-----	8
V-Miss-479: VA Center Res., Jackson (104.533 acres, includes 9.043 acres easements, 143 bldgs.)-----	2,831
T-NC-528: Light Attendant Sta., Washington (.5 acre, 4 bldgs.)---	52
U-NC-533B: Elizabeth City Air Sta., North Carolina (4 acres easements, water lines)-----	5
G-UC-535: Post Office, Henderson (.5 acre, 1 bldg.)-----	213
N-NC-540: Stumpy Point Barracks Complex, Dare Co. (1.99 acres, 5 bldgs.)-----	97
D-SC-451C: Myrtle Beach AFB, (4.7 acres)-----	(2)
G-Tenn-563: U.S. Public Health Service Hospital, Memphis (3.212 acres, 4 bldgs.)-----	590
U-Tenn-577: Graham RCAG, Centerville (0.83 acre leased land, 1 bldg.)-----	13
Region 4—22 cases-----	85,086
REGION 5—CHICAGO	
D-Ill-460Y: Scott VOR Annex, Inst. #1291, Scott AFB, Belleville (3,180.6 acres, includes 316.71 acres easements)-----	7

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued  
[In thousands of dollars]

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued  
[In thousands of dollars]

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued  
[In thousands of dollars]

REGION 5—continued	Reported cost
D-Ill-473: Green River Ord. Plt., Dixon (90.7 acres)-----	10
D-Ill-496A: O'Hare Int'l Airport, Ill. (26.04 acres, 11 bldgs.)-----	1,236
D-Ill-536: Sangamon Ord. Plant, Illinois (54.09 acres, 2 bldgs.)-----	215
D-Ill-566: Kropp Forge Company, Chicago (Related personal property) (Industrial)-----	6,400
D-Ind-422: Vigo Ordnance Plant, Terre Haute (50.8 acres)-----	24
D-Ind-430B: Kingsbury Ord. Plant, La Porte (69.719 acres, 17 bldgs.) (Industrial)-----	78
V-Ind-459B: VA Hospital Res., Marion (20.14 acres)-----	3
D-Ind-472C: Bunker Hill AFB, Peru (73.97 acres)-----	187
G-Ind-510: Post Office, Huntington (.385 acre, 1 bldg.)-----	99
D-Ky-432B: Camp Breckinridge, Morganfield (1,109.83 acres, 180 bldgs.)-----	9,910
D-Ky-520: Lock and Dam No. 33, Ohio River, Mason Co. (18.29 acres, 16 bldgs.)-----	64
D-Ky-525: Old Lock and Dam No. 32, Ohio River, Vanceburg (23.9 acres, 11 bldgs.)-----	99
J-Ky-529: Fed. Res., Fed. Youth Center, Ashland (104.12 acres, 3 bldgs.)-----	35
D-Mich-418B: Ft. Custer Mil. Res., Battle Creek (1,334 acres, 542 bldgs.)-----	8,110
V-Mich-451A: VA Hospital Res., Battle Creek (358.7 acres, 12 bldgs.)-----	37
D-Mich-559: Ft. Wayne Mil. Res., Detroit (96.87 acres, 60 bldgs.)-----	3,718
D-Mich-569: Detroit Def. Area, Nike Site D-54-55 C&L, Riverview (15.867 acres easements)-----	29
T-Mich-581: Copper Harbor Range Light Sta., Keweenaw Co. (9.05 acres, 2 bldgs.)-----	4
T-Mich-585: South Fox Island Light Sta., Leelanau Co. (115.04 acres, 7 bldgs.)-----	38
T-Mich-597: Menominee Sta. Site, Menominee (.166 acre)-----	1
D-Mich-603: Selfridge Housing Annex No. 1, Inst. No. 1479, Macomb Co. (29.1 acres, 53 bldgs.)-----	850
D-Mich-603C: Selfridge AFB, Inst. No. 1480, Macomb Co. (27.68 acres)	3
U-Mich-609: Mackinac Island Sta., Mackinac Island (2 bldgs.)-----	22
D-Ohio-539: AF Plant 41, Cleveland (Related personal prop.) (Industrial)-----	1,301
D-Ohio-550A: Cleveland Support Fac., Parma (185.03 acres, includes .23 acre easement, 25 bldgs.)-----	2,257
D-Ohio-580B: Ravenna Army Ammunition Plant, Ravenna (233.73 acres)-----	33
D-Ohio-583: Ft. Hayes Mil. Res., Columbus (66.11 acres, 102 bldgs.)-----	2,131
D-Ohio-644: AF Plant No. 27, Toledo (79.4 acres, 11 bldgs.) (Industrial)-----	20,316
G-Ohio-649: Post Office, Wooster (.5 acre, 1 bldg.)-----	49
G-Ohio-651: Post Office Ashland (.73 acre, 1 bldg.)-----	126
D-Ohio-652: TRW Inc. Cleveland (Property consists of machinery and equipment)-----	52,611
D-Wis-431B: U.S. Disciplinary Barracks, Milwaukee (46.65 acres, 2 bldgs.)-----	1,063

REGION 5—continued	Reported cost
D-Wis-458A: Williams Bay Gap Filler Annex (Z-31F), Wisconsin (.79 acre, 1 bldg.)-----	17
D-Wis-486: Ladish Company, Cudahy (Related personal prop.) (Industrial)-----	9,877
N-Wis-494: Naval Reserve Training Fac., Marshfield (1.25 acres, 1 bldg.)-----	9
Region 5—36 cases-----	121,069
REGION 6—KANSAS CITY	
D-Iowa-448: Offutt AFB, Nike Battery OF-10, Treynor (94.03 acres easements, 1 bldg.)-----	4
D-Iowa-452: Washington Gap Filler Annex, Washington (.49 acre, 2 bldgs.)-----	46
D-Iowa-453: LaMotte Gap Filler Annex, LaMotte (.67 acre, 2 bldgs.)-----	46
D-Iowa-455: AF Facilities Alcoa Plant, Davenport-----	11,331
D-Kan-4204: Schilling AFB, Salina (763.131 acres easements, 28 bldgs.)-----	248
D-Kan-420-00: Schilling AFB (Cast iron water mains and sewer pipe, 7 acres easements)-----	28
D-Kan-422-II: Forbes AFB, S-2, Topeka (232.45 acres easements)-----	5
I-Kan-458E: Otis Helium Plant Kansas (106.2 acres, 45 bldgs.)-----	2,182
V-Minn-402L: Ft. Snelling Hospital Res., Minnesota (162.64 acres, 74 bldgs.)-----	971
V-Minn-422B: VA Hospital Res., St. Cloud (8.52 acres)-----	(1)
V-Mo-421-I: VA Hospital Res., Jefferson Barracks, St. Louis (40 acres, 1 bldg.)-----	2
D-Mo-427C: Ft. Crowder, Missouri (Telephone cable) (Industrial)-----	(2)
D-Mo-427E: Air Force Plant #65, Neosho (39.55 acres, 6 bldgs.)-----	2,919
G-Mo-449A: Fed. Bldg, Kansas City (Portion of bldg.)-----	(2)
G-Mo-460C: 4300 Goodfellow Blvd., St. Louis (Portion of bldg.)-----	(2)
E-Mo-463C: AEC Airport Storage Site, St. Louis, Mo. (21.74 acres, 4 bldgs.)-----	144
G-Mo-497: Post Office & Courthouse, Hannibal (.6406 acre, 1 bldg.)-----	265
G-Mo-506: 9405 Holmes, Kansas City (2 bldgs.)-----	(2)
D-Neb-442EE: Lincoln Ammunition Storage Annex, Lincoln AFB, Nebraska (692.31 acres, includes 691.27 acres easements & 1.04 acres license)-----	16
D-Neb-442-II: Lincoln AFB, Nebraska (752.24 acres, includes 1.88 acres easements & 398.64 acres leased, 348 bldgs.)-----	24,655
D-Neb-442R: Lincoln AF Missile Site No. 3, Nebraska (243.16 acres easements)-----	2,444
D-Neb-447G: Sioux Army Depot, Sidney (Elect., gas, sewer, and water systems)-----	97
D-Neb-470B: Offutt AF Facility Site 1, Mead (350.44 acres, 22 bldgs.)-----	1,734
D-Neb-486: Offutt AFB, Nike Battery OF-60, Louisville (119.02 acres easements)-----	7
D-Neb-487: Offutt AF Fac. S-2, Arlington (456.54 acres, includes 182.71 acres easements, 15 bldgs.)-----	8,258
D-SD-426WW: Ellsworth AF Missile Site #1, S. Dakota (118.31 acres, includes 57.45 acres easements, 2 bldgs.)-----	21,149

REGION 6—continued	Reported cost
D-SD-426XX: Ellsworth AF Missile Site #2, South Dakota (333.52 acres, includes 275.12 acres easements, 2 bldgs.)-----	18,785
D-SD-426YY: Ellsworth AF Missile Site #3, South Dakota (277.76 acres, includes 220.02 acres easements, 2 bldgs.)-----	23,874
D-SD-427P: Oahe Subdivision, Pierre (12.764 acres)-----	129
F-SD-454E: Black Hills Ord. Depot, Igloo (1 bldg.)-----	151
Region 6—30 cases-----	119,490
REGION 7—FORT WORTH	
V-Ark-445D: VA Hospital, North Little Rock (135.47 acres)-----	34
G-Ark-497: Koser Bldg., Marion (Portion of bldg.)-----	(2)
G-Ark-498: Social Security Dist. Office Bldg. Site, Hot Springs (3 bldgs.)-----	(1)
A-Ark-499: Crossett Experimental Forest, Ark. (1 bldg.)-----	9
GD-La-430Q: Chennault AFB, Lake Charles (551.578 acres easements)	275
GD-La-438AA: Barksdale Air Def. Site, Nike Battery BD-50 (94.07 acres easements)-----	2
GD-La-438Z: Barksdale Air Def. Site, Nike Battery BD-10 (69.54 acres easements)-----	4
N-La-453D: Naval Headquarters, New Orleans (20.325 acres, 31 bldgs.)-----	2,208
GN-La-453-I: Old Post Office, Naval Support Activity, New Orleans (1 bldg.)-----	(2)
N-La-466C: Former Naval Ammunition Depot, Belle Chasse (Minerals)-----	(2)
N-La-467B: U.S. Naval Aux. Air Sta., New Iberia (2,511.260 acres, 21 bldgs.)-----	8,428
D-La-488C: Houma Air Force Sta., Houma (6.67 acres, 2 bldgs.)-----	69
G-La-498: Old Post Office, Opelousas (.33 acre, 1 bldg.)-----	131
U-La-501: Alexandria "H" Fac., Louisiana (4.702 acres)-----	3
U-La-505: Overseas Residual Sta., LaCombe (156.1 acres—leasehold, 6 bldgs.)-----	56
G-La-506: New PO & FOB Site, Ville Platte (2 bldgs.)-----	61
GD-Okla-431F: Atlas "F" Missile Site #7, Altus AFB (244.7 acres easement)-----	7
G-Okla-504: 412 West First St., Claremore, 520 sq. ft. leased space)-----	(2)
D-Tex-449: Duncanville Army Air Def. Site, Duncanville (.179 acres)-----	(2)
D-Tex-474AR: Ft. Sam Houston, Tex. (54.50 acres)-----	2
D-Tex-476CL: Carswell AFB, Tex. (26.08 acres easements)-----	(2)
GD-Tex-477AF: Bergstrom Air Def. Site (Nike-Hercules Site BG-80) (200.84 acres easements)-----	32
D-Tex-604G: Atlas "F" Missile Site #4, Dyess AFB, Tex (242.13 acres easements)-----	1,316
GD-Tex-604R: Nike Battery DY-10, Dyess AFB, Abilene (99.69 acres easements)-----	8
GD-Tex-604S: Nike Battery DY-50, Dyess AFB, Abilene (118.93 acres easements)-----	1
D-Tex-605-O: Weather Visibility Annex #1, James Connally AFB, Texas (Related personalty)-----	1

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued

[In thousands of dollars]		Reported cost	[In thousands of dollars]		Reported cost	[In thousands of dollars]		Reported cost
REGION 7—continued			REGION 8—continued			REGION 9—continued		
D-Tex-605Q: Weather Visibility Annex #3, James Connally AFB, Texas (Related personalty)-----	1		A-Colo-520: Colo. Potato Field Sta., Greeley (5 acres, 7 bldgs.)-----	65	D-Cal-933: AF Plant No. 71, Sacramento Co. (5,961 acres, 4 bldgs.) (Industrial)-----	665		
D-Tex-605R: Weather Visibility Annex #4, James Connally AFB, Texas (Related personalty)-----	1		D-NM-430JJ: Walker AFB, Roswell (319 acres, 802 bldgs.)-----	8,894	U-Cal-935: San Francisco Int. Airport, San Mateo Co. (.23 acre—license, 1 bldg.)-----	74		
D-Tex-605S: Weather Visibility Annex #5 James Connally AFB, Texas, (0.1 acre—leased, related personalty)-----	1		I-NM-479: Santa Rosa Fish Hatchery (10.61 acres)-----	( <sup>2</sup> )	U-Cal-939: Pescadero IFSR Facility, San Mateo Co. (332.4 acres, leased land, 2 bldgs.)-----	167		
D-Tex-605T: Weather Visibility Annex #6, James Connally AFB, Texas (.01 acre—leased, related personalty)-----	1		I-NM-480: Picacho Ditchrider's Quarters, Las Cruces (1.38 acres)-----	( <sup>1</sup> )	P-Cal-945: Post Office, Beverly Hills (Mineral Rights—oil and gas deposits)-----	( <sup>2</sup> )		
D-Tex-605U: Weather Visibility Annex #7, James Connally AFB, Texas (Related personalty)-----	1		I-NM-481: Mesquite Camp Site, New Mexico (2 acres)-----	( <sup>1</sup> )	N-Hawaii-745: Manana Veterans Housing Area, Manana, Ewa, Oahu (20,349 acres, 31 bldgs.)-----	880		
D-Tex-605V: Weather Visibility Annex #8, James Connally AFB, Texas (Related personalty)-----	1		I-NM-482: Ditchrider's Quarters, San Miguel (.91 acre, 2 bldgs.)-----	4	N-Hawaii-482: John Rogers Veterans Housing Area, Moanalua, Honolulu, Oahu (18,561 acres, 50 bldgs.)-----	764		
D-Tex-605W: Weather Visibility Annex #9, James Connally AFB, Texas (Related personalty)-----	1		U-NM-483: Milan Flight Service Sta., Grants (2 bldgs.)-----	22	D-Hawaii-498A: Waiawa Nat'l Guard Storage Area, Honolulu (14.62 acres)-----	1		
D-Tex-605X: Weather Visibility Annex #10, James Connally AFB, Texas (Related personalty)-----	1		U-Utah-456: Unimproved land, Moab (357.88 acres)-----	54	D-Nev-402B: Stead AFB, Washoe Co. (415.54 acres, includes 1 acre leased, 13.07 acres easements, 1.47 acres license, 1.38 acres permit, 931 bldgs.)-----	10,338		
D-Tex-605Y: Weather Visibility Annex #11, James Connally AFB, Texas (Related personalty)-----	1		V-Wyo-420: VA Center Res., Cheyenne (30 acres)-----	( <sup>2</sup> )	W-Nev-448: "H" Fac., Tonopah (Power line)-----	4		
N-Tex-608F: U.S. Naval Aux. Air Sta., Outlying Field #55, Kingsville (Mineral estate)-----	( <sup>2</sup> )		N-Wyo-443A: Volt Transmission Line, Natrona Co. (Easements, Trans. Line)-----	11	U-Nev-455: Mina Vortac Fac., Mineral Co. (1 bldg.)-----	6		
GD-Tex-637A: Midland Bombing Range #21, Midland (13.5 acres easements)-----			Region 8—21 cases-----	9,518	Region 9—33 cases-----	124,415		
I-Tex-701R: Excell Helium Plant, Masterson (2 bldgs) (Industrial)-----	15		REGION 9—SAN FRANCISCO			REGION 10—AUBURN		
I-Tex-701S: Excell Helium Plant, Masterson (1 bldg.) (Industrial)-----	3		D-Cal-437C: Air Force Plant #14, Burbank (502.88 acres, includes 284.53 acres easements, licenses and permits, 80 bldgs.) (industrial)-----	41,349	U-Alas-419C: FAA Sta., Cape Yakataga (158.13 acres, 4 bldgs.)-----	345		
W-Tex-761: FAA Air Route Traffic Control Center, San Antonio (5.6 acres—leased, 2 bldgs.)-----	8		V-Cal-514H: VA Center Reservation, Los Angeles (21.8 acres, 6 bldgs.)-----	374	N-Alas-433A: Amaknak Island, Unalaska Island and Hog Island, Alaska (5,143.1 acres, 286 bldgs.)-----	5,847		
D-Tex-787: Eagle Mountain Army Air Field, Eagle Mountain Lake, Texas (415.85 acres—leased, 11 bldgs.)-----	166		V-Cal-531B: VA Res., San Fernando (13.6 acres)-----	2	D-Alas-464S: Elmendorf AFB, Alaska (40 acres)-----	1		
D-Tex-815 Clear Springs Army Airfield, New Braunfels (1,028.9 acres, includes 110.19 acres easements, 3 bldgs.)-----	1,212		D-Cal-557A: Isabella Reservoir, Kern Co. (.306 acre)-----	( <sup>2</sup> )	A-Alas-495: 1550 Gillam Way, Fairbanks (.432 acre, 1 bldg.)-----	53		
I-Tex-820: Ysla Ditchrider's Quarters, El Paso (1.36 acres, 1 bldg.)-----	1		D-Cal-574B: Camp Parks, Alameda Co. (943.983 acres, 176 bldgs.)-----	8,408	I-Alas-497D: Port of Whittier, Alaska (141.05 acres, 77 bldgs.)-----	23,679		
U-Tex-825: "H" Marker Facility, Amarillo (4.48 acres—leased land, 2 bldgs.)-----	15		N-Cal-579B: U.S. Naval Net Depot, Tiburon (23.8 acres, 2 bldgs.)-----	63	D-Alas-542A: Pump Sta. "K", Canol No. 4 Pipeline, Tok Junction (60 acres)-----	37		
Region 7—44 cases-----	14,081		N-Cal-592B: Naval Air Sta., Miramar (8.89 acres)-----	( <sup>1</sup> )	A-Alas-588A: Residences, Palmer (.22 acre—leased, 2 bldgs.)-----	17		
REGION 8—DENVER			N-Cal-694A: U.S. Naval Retraining Command, Camp Elliott, San Diego (3,326.61 acres)-----	40	G-Alas-598A: Fed. Bldg., Ketchikan (Related personalty)-----	1		
D-Ariz-437Y: Davis-Monthan AFB, Tucson (50 acres)-----	5		G-Cal-698B: Fed. Service Center, Bell (9 bldgs.)-----	23	A-Alas-588B: Alaska Agricultural Experiment Sta., Palmer (4 bldgs.)-----	29		
G-Ariz-477: Estate of Gilbert E. Alford, Phoenix (394.25 acres, 1 bldg.)-----	( <sup>2</sup> )		D-Cal-742A: AF Plant #10, Hawthorne (Related personalty) (industrial)-----	16,669	G-Alas-596: Post Office, Courthouse & Jail, Cordova (1 bldg.—portion)-----	( <sup>2</sup> )		
J-Ariz-505: Fed. Youth Camp, Tucson (25 bldgs.)-----	275		D-Cal-747: Benicia Arsenal Mil. Res., Benicia (34.25 acres, plus railroad trackage)-----	1,018	G-Alas-597: Post Office & Courthouse, Wrangell (1 bldg.—portion)-----	( <sup>2</sup> )		
S-Ariz-514: U.S. Bureau of Reclamation Yard, Yuma (1 bldg.)-----	30		GJ-Cal-786: U.S. Penitentiary, Alcatraz Island, San Francisco (22.5 acres, 25 bldgs.)-----	1,675	G-Alas-598: Post Office, Courthouse & Jail, Ketchikan (1 bldg.—portion)-----	( <sup>2</sup> )		
S-Ariz-514A: Office Building, Yuma (1 bldg.)-----	19		N-Cal-789: Preble-Sachem Housing Project, San Diego (33.11 acres)-----	85	G-Alas-599: Post Office & Courthouse, Nome (1 bldg.—portion)-----	( <sup>2</sup> )		
I-Ariz-514B: Int'l Boundary & Water Comm. Property, Yuma (.77 acre)-----	nc		D-Cal-834: Camp San Luis Obispo, San Luis Obispo Co. (1,914.18 acres, 1 bldg.)-----	144	G-Alas-599A: U.S. Post Office, Nome (Related personal)-----	3		
T-Ariz-520: Colonial Espanola Subdiv., Nogales (30 acres)-----	( <sup>1</sup> )		W-Cal-872: Donner Summit Homing (H) Fac., Placer Co. (1 bldg.)-----	1	G-Alas-600: Post Office, Courthouse & Jail, Fairbanks (1 bldg.—portion)-----	( <sup>2</sup> )		
A-Ariz-521: SW Poultry Experiment Sta., Glendale (20 acres, 51 bldgs.)-----	74		G-Cal-878A: Old Mint Bldg., San Francisco (1.09 acres, 1 bldg.)-----	2,431	D-Alas-603A: Seward Army Recreational Site, Seward (.66 acre)-----	5		
D-Colo-441H: Outdoor Firing Range, Denver (559 acres)-----	1		D-Cal-893: Missile Intersite Comm. Cable, AF Fac. C, Butte, Sutter, Placer, and Yuba Counties (74,274 acres easements)-----	691	I-Alas-605: Cordova Admin. Site, Alaska (.38 acre)-----	( <sup>1</sup> )		
D-Colo-460PP: Lowry Comm. Fac. Annex, Lowry AFB, Denver (27.16 acres, 2 bldgs.)-----	36		I-Cal-896: Tule Lake National Wildlife Refuge, Siskiyou Co. (1 bldg.)-----	6	I-Alas-610: Terminal Reserve, Seward Waterfront, Seward (37.9 acres, includes .25 acre easement)-----	( <sup>1</sup> )		
J-Colo-475A: Fed. Corr. Inst. Lands Arapahoe & Jefferson Co. (240 acres)-----	28		W-Cal-899: Beacon Fac., Los Alamos (0.115 acre—leased)-----	2	G-Alas-611: Post Office & Courthouse, Juneau (.046 acre, 1 bldg.)-----	14		
			W-Cal-901: Beacon Fac., Los Pinos (0.115 acre—permit, related personalty)-----	3	D-Alas-612: Chena Annex Mil. Res., Alaska (12.5 acres, 2 bldgs.)-----	920		
			T-Cal-917: Telephone line #12033, Point Arena, Mendocino Co.-----	6				
			G-Cal-919: Post Office, Vacaville (0.3 acre, 1 bldg.)-----	91				
			D-Cal-927: Harvey Aluminum Inc., Torrance, (Related personalty) (Industrial)-----	38,435				

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued  
[In thousands of dollars]

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued  
[In thousands of dollars]

Properties on hand as of Dec. 31, 1968, listed by GSA control number—Continued  
[In thousands of dollars]

REGION 10—continued	Reported cost
U-Alas-613: Original Townsite, Anchorage (.77 acre)-----	5
I-Alas-615: False Pass Airport, Unimak Island, Aleutian Islands (205 acres)-----	(*)
I-Alas-616: Homer Fire Control Sta., Alaska (20 acres, 3 bldgs.)--	39
U-Alas-617: ARR Lots, Anchorage (.69 acre, 4 bldgs.)-----	45
F-Alas-618: PHS, Alaska Native Med. Center & Area Office, Anchorage (Telephone system)-----	23
U-Alas-620: Coal Washing Plant at Eska, Sutton (4 bldgs.) (Industrial)-----	166
A-Idaho-448: Transmission Line, Cottonwood AFB, Idaho (42.14 acres easements)-----	52
D-Idaho-456: Fairchild AFB Fac. S-3, & Radio Relay Annex 5, Worley (224.97 acres easements)-----	4
D-Idaho-457: Mountain Home AFB, AF Fac. S-3, Mountain Home (310.08 acres, includes 255.03 acres easements)-----	18,849
D-Idaho-461: Mountain Home AFB AF Fac. S-1, Bruneau (82.79 acres, includes .29 acre permit, 3 bldgs.)--	21,164
D-Idaho-468: Mountain Home AFB, AF Fac. S-2, Grandview (121.62 acres, includes 1.62 acres easements, 3 bldgs.)-----	20,787
U-Idaho-469: Garage, Salmon (1 bldg.)-----	2
I-Mont-510: 14.4-kv Trans. line between Fairfield & Augusta Tap, & Greenfields Irrigation Dist. Distribution System, Montana-----	13
A-Mont-513: Telephone line from Deadman Gulch to Lolo Hot Springs, Montana-----	6
D-Mont-515: Glasgow Water System, Glasgow (1040.3 acres, 1 bldg.)-----	511
A-Ore-535: Spruce Production Corp., Railroad Right-of-way, South of Waldport (3.575 acres)-----	(*)
D-Ore-561: Port Orford Gap Filler Annex (PIN 4432), Oregon (12.86 acres, includes 12.36 acres easements, 2 bldgs.)-----	61
I-Ore-572: Ankeny National Wildlife Refuge, Salem (3.3 acres)-----	(*)
T-Ore-575: Desdemona Sands Light Res., Clatsop Co. (10 acres)-----	(*)
T-Ore-576: Willamette River Lighthouse Res., Multnomah Co. (.52 acre)-----	(*)
I-Ore-583: Pendleton Substa. Site, Oregon (.64 acre)-----	1
I-Ore-585: 57KV Salem-McMinnville Transmission line, Oregon City-Salem (.005 acre, transmission line)-----	198
D-Ore-586: Baker AF Sta., Oregon (151.60 acres, 59 bldgs.)-----	5,442
I-Wash-401H: Ephrata Army Air Base Ephrata (8.49 acres, 2 bldgs.)--	16
D-Wash-513H: Larson AFB, supporting TVOR Annex & Outer Marker Annex, Moses Lake (3,947.56 acres, 980 acres)-----	39,015
G-Wash-522C: Auburn Depot Mil. Res., Auburn (8.76 acres)-----	143
C-Wash-527B: Weather Bureau Sta., Tatoosh Island, Neah Bay, Washington (5 bldgs.)-----	115
I-Wash-658C: Columbia Basin Project Eltopia (12 bldgs.)-----	47
GS-Wash-662: Mud Mountain Dam Project, Washington (638.1 acres)-----	4
N-Wash-665E: Bremerton Annex Spru, Shelton-Bangor-Bremerton Naval Railroad, Bremerton (2,928 acres, includes .37 acre easements, 2 bldgs.)-----	74

REGION 10—continued	Reported cost
N-Wash-666C: Navy Eastpark Def. Housing Project, Bremerton (17.6 acres)-----	135
N-Wash-673: Manchester Annex, Naval Supply Depot, Seattle (111.17 acres, 27 bldgs.)-----	451
C-Wash-685: U.S. Science Exhibit, Seattle (6.5 acres, 7 bldgs.)-----	6,569
D-Wash-701: Army NIKE-AJAX Site 43, Seattle De. Area (124.22 acres easements)-----	41
D-Wash-701A: Army NIKE-AJAX Site, Seattle (.43 acre)-----	1
D-Wash-704: NIKE-AJAX Site, Seattle (61.12 acres easements)-----	30
D-Wash-712A: John Day Lock & Dam Project, Paterson (1 acre, 3 bldgs.)-----	72
D-Wash-713: Army NIKE-AJAX Site 82, Seattle Def. Area (199.04 acres easements)-----	23
D-Wash-716: Army NIKE-AJAX Site 62, Seattle Def. Area, Kitsap Co. (99.85 acres easements)-----	14
D-Wash-722: Army NIKE-AJAX Site 81, Seattle Def. Area (85.84 acres easements, 1 bldg.)-----	41
D-Wash-723: Army NIKE-AJAX Site 32-33, Seattle Def. Area (102.11 acres easements)-----	17
D-Wash-724: Army NIKE-AJAX Site 20, Seattle Def. Area (110.98 acres easements & .36 acre leased)-----	16
D-Wash: Northwest Relay & (22.55 acres)-----	7
B-Wash-754G: Horn Rapids Triangle, Richland (4,020 acres)-----	40
D-Wash-75: Fairchild AF Fac., S-4 & Radio Relay Annex No. 4, Sprague (239.5 acres easements)-----	48
D-Wash-760: Fairchild AFB Fac., No. 5 & Radio Relay Annex No. 9, Lamona & Harrington (231.96 acres easements)-----	204
D-Wash-761: Fairchild AFB Fac. S-6 & Radio Relay Annex #2, Davenport & Waukon (241.66 acres easements)-----	83
D-Wash-762: Fairchild AFB Fac. S-7 & Radio Relay Annex #8, Wilbur & Creston (2.6 acres leased and 243.9 acres easements, 1 bldg.)-----	252
D-Wash-763: Fairchild AFB Fac. S-8 & Radio Relay Annex #7, Egypt and Davenport (230.04 acres easements, 1 bldg.)-----	42
D-Wash-764: Fairchild AFB Fac. #9 with Radio Relay Annex #1, Reardon (104.62 acres easements and 138.49 acres leased)-----	49
W-Wash-765: Intersite Cable Line for Larson AF Fac. S-1 & S-3, Moses Lake & Othello (42.72 acres easements)-----	11
D-Wash-766: Larson AFB, Fac. S-1, Moses Lake (251.92 acres easements)-----	5
D-Wash-767: Larson AFB AF Fac. S-2, Moses Lake (241.83 acres easements)-----	5
D-Wash-770: Larson AFB, AF Fac. S-3, Othello (258.16 acres easements)-----	12
D-Wash-771: Fairchild Def. Area NIKE Battery 45, Washington (48.03 acres easements)-----	2
D-Wash-772: Fairchild Def. Area NIKE Battery 87, Spokane (67.54 acres easements)-----	4
P-Wash-781: Post Office-Fed Bldg., Port Townsend (1 bldg.)-----	1
U-Wash-784: Point No Point Light Sta., Hansville (12.55 acres)-----	1

REGION 10—continued	Reported cost
I-Wash-788: Portion of Covington Tap to Chief Joseph-Snohomish #1 line (4.1 acres—right-of-way)-----	4
I-Wash-791: Columbia Basin Project, Westlake (2 bldgs.)-----	19
I-Wash-792: Columbia Basin Project, Mesa (2 bldgs.)-----	17
Region 10—81 cases-----	145,949
Total all regions—361 cases--	970,517
Industrial (28)-----	437,005
Nonindustrial (333)-----	533,512
Source: Operational records.	

<sup>1</sup>Entry carried reference <sup>a</sup> for which no explanation was supplied.  
<sup>2</sup>Entry carried designation "nc," possibly denoting "no cost."

GENERAL SERVICES ADMINISTRATION, PROPERTY MANAGEMENT AND DISPOSAL SERVICE, HOLDING AGENCY CODES  
A GSA control number is assigned to each report of excess real property. The control number in each case shows the holding agency code letter, the State, Territory or Insular Possession in which the property is located, and the serial number. (e.g. I-Okla-405) Holding agency codes are as follows:

- DEPARTMENTS AND AGENCIES
- Code:
- A—Agriculture, Department of
  - B—Atomic Energy Commission
  - C—Commerce, Department of
  - D—Defense, Department of (except Navy)
  - E—Executive Office of the President (including emergency agencies)
  - F—Health, Education, and Welfare, Department of
  - G—General Services Administration
  - H—Housing and Urban Development, Department of
  - I—Interior, Department of
  - J—Justice, Department of
  - K—Civil Service Commission
  - L—Labor, Department of
  - M—Federal Maritime Commission
  - N—Navy, Department of (including Marine Corps)
  - O—Selective Service System
  - P—Post Office Department
  - S—State, Department of
  - T—Treasury Department
  - U—Transportation, Department of
  - V—Veterans Administration
  - W—Federal Aviation Agency (Control Nos. 401 and above for properties reported excess prior to 7/1/67).
  - Z—All other agencies

WHOLLY OWNED CORPORATIONS  
R—Reconstruction Finance Corporation  
Y—All other Wholly owned Corporations

EXECUTIVE SESSION  
Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate go into executive session.  
The PRESIDING OFFICER. Without objection, it is so ordered.

2 DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
4 Mr. KENNEDY. Mr. President, I ask that the Senate turn to the consideration of the nomination of James E. Allen, Jr. of New York, to be Commissioner of Education.

The PRESIDING OFFICER. The nomination will be stated.

The bill clerk read the nomination of James E. Allen, Jr., to be Commissioner of Education.

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

Mr. HOLLAND. Mr. President, I was asked last Thursday by several Senators to request that this matter be put over until today. For that reason I shall insist that the quorum call be a live quorum. I have no other means of communicating with the several Senators who approached me. I have no objection to the matter being called up at this time and finally passed on by the Senate. However, I ask that the quorum call be a live quorum call.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll, and the following Senators answered to their names:

	[No. 27 Ex.]	
Alken	Gurney	Pell
Allen	Harris	Prouty
Allott	Hart	Russell
Anderson	Holland	Saxbe
Baker	Jackson	Schweiker
Bellmon	Javits	Scott
Boggs	Kennedy	Stennis
Byrd, Va.	Mansfield	Stevens
Case	McCarthy	Symington
Church	McGee	Talmadge
Cook	McGovern	Thurmond
Cotton	McIntyre	Tydings
Cranston	Metcalf	Young, N. Dak.
Curtis	Mondale	Young, Ohio
Dominick	Murphy	
Eastland	Nelson	

Mr. KENNEDY. I announce that the Senator from Missouri (Mr. EAGLETON), and the Senator from New Mexico (Mr. MONTROYA) are absent on official business.

I also announce that the Senator from West Virginia (Mr. BYRD), the Senator from Indiana (Mr. HARTKE), the Senator from Iowa (Mr. HUGHES), the Senator from Hawaii (Mr. INOUYE), the Senator from Utah (Mr. MOSS), the Senator from Maine (Mr. MUSKIE), the Senator from Rhode Island (Mr. PASTORE), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Alabama (Mr. SPARKMAN), the Senator from Virginia (Mr. SPONG), the Senator from Texas (Mr. YARBOROUGH), the Senator from North Dakota (Mr. BURDICK), and the Senator from Tennessee (Mr. GORE) are necessarily absent.

Mr. SCOTT. I announce that the Senator from Kansas (Mr. DOLE), the Senator from Hawaii (Mr. FONG), the Senator from New York (Mr. GOODELL), the Senator from Michigan (Mr. GRIFFIN), the Senator from Oregon (Mr. HATFIELD), the Senator from Nebraska (Mr. HRUSKA), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. KENNEDY. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms is instructed to execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Bayh	Fulbright	Mundt
Bennett	Goldwater	Packwood
Bible	Gravel	Pearson
Brooke	Hansen	Percy
Cannon	Hollings	Proxmire
Cooper	Jordan, N.C.	Randolph
Dirksen	Jordan, Idaho	Smith
Dodd	Long	Tower
Ellender	Magnuson	Williams, N.J.
Ervin	McClellan	Williams, Del.
Fannin	Miller	

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). A quorum is present.

The question is, Will the Senate advise and consent to the nomination of James E. Allen, Jr., of New York, to be Commissioner of Education?

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

The yeas and nays were ordered.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. JAVITS. Mr. President, will the Senator yield to me momentarily?

Mr. DOMINICK. I yield.

Mr. JAVITS. Mr. President, I greatly appreciate the willingness of the Senator from Colorado to open the debate, as I was momentarily off the floor, but he has been kind enough to yield to me because Dr. James E. Allen, Jr., is, as everyone knows, the New York State Commissioner of Education, and a man in whom we take very great pride, not simply because he served thus in New York, but also and primarily because he is really an outstanding and distinguished educator. Our experience with him has been specially satisfactory.

Mr. President, I have no idea what the opponents of this nomination will argue.

I believe very deeply in emphasizing the positive. And the record of Dr. Allen in terms of higher education goes back for well over 20 years. During World War II when he served as education consultant to the War Department; and since then he has served in New York and in other States, including his birth State of West Virginia. He has had a most extraordinary career as a leading administrator of education.

It is very interesting that he comes with very high credentials in terms of a very extended list of honorary degrees, to which I invite the attention of the Senate on page 3 of the hearing record. These degrees are from a whole host of most distinguished educational institutions in the country.

These take him from the middle of 1955 down to the last degree received from Manhattan College in 1968.

Mr. President, Dr. Allen also has had an extraordinary education. He has a degree of doctor of education which he earned over 20 years ago from Harvard. He is also very well studied in economics and public finances.

It is very rare to get a man of such distinction and such quality in the educational community of the country to give up a position in which he has had full play for his powers and facilities in a

rare, agreeable atmosphere, and ask him to assay the tremendously thorny path which represents higher office in this field, especially at this time in the United States.

Mr. President, there are two points I would like to emphasize aside from inviting Members to read, as I said from page 3 of the record and a few pages thereafter, the extraordinary stature which Dr. Allen has attained.

I should like very much to ask the Senators to consider two points which are of critical importance to me. One is Dr. Allen's position in respect of the teachers' strike in New York in which he proved to be the key, central figure in a situation of the utmost tension and difficulty in which passions were most violent. Dr. Allen is especially noteworthy for his handling of the problems in the New York teachers' strike in which he inspired extraordinary confidence from all parties to the dispute, a dispute involving the highest tensions and deepest emotions among all parties.

Indeed, it is charged that the teachers' strike in New York was responsible for a wave of racial tension which was very dangerous. I know it was true because I encountered it last year in my campaign for reelection. It was a threat to the security and tranquility of the whole city. Dr. Allen was the one personality in the field who commanded the respect of all parties and was ultimately the critically important factor in bringing the matter to a conclusion.

Second, in respect of the most vexing problems involving school decentralization and the handling of school systems on the lower level, Dr. Allen has been an extraordinarily gifted leader. He is very highly regarded, not only in the State of New York, but also throughout the country.

These are critical problems which will vex the whole national educational system in this very vexing problem of university education as it deals with campus disruption about which we spoke earlier today.

Mr. President, in Dr. Allen we have an extraordinarily gifted leader with a sure hand and with great objectivity and skill.

The one thing that has been thrown at him in respect of his ability to serve, as I understand it—but we will hear about that more, I am sure, from those who oppose his confirmation—is the most vexing question of busing. However, that question must be considered in two lights. It must be considered in the light of the law of New York State, and it must be considered in the light that he has never sought to justify anything that he has done on that subject on grounds other than the highest demands of education itself. Pedagogy is all that he has ever advocated.

His opponents in the State of New York and elsewhere have sought to make it appear that the busing he was responsible for was done to create racial balance. However, Dr. Allen has proven on a thousand battlefronts, including those in the State of New York, his ability to sustain his position on the ground of the best education of our children, and in the fact that there is a

great deal of busing in New York without regard to any other factor because we have central school systems in our rural areas and in our city areas. Educational centers are established there to encourage the best form of education under the surrounding circumstances for the children of the State.

Mr. President, I reserve the right to comment later on in the debate upon such points as are made by the opponents to the confirmation.

I did, however, wish to open the debate. The Senator from Colorado (Mr. DOMINICK) was very kind in yielding to me in my capacity both as the ranking minority member of the Committee on Labor and Public Welfare and as the senior Senator from New York, so that I might speak of the tremendous attributes which make this nomination a very strong nomination for the Senate to consider.

If Dr. Allen is confirmed today, or on whatever day the vote occurs, in my judgment we will have a historically effective and capable Commissioner as well as Assistant Secretary.

I hope very much that the Senate will most carefully at this time examine his background as it is spelled out in full and get some concept of the grasp and the achievement and the distinction possessed by Dr. Allen.

Mr. President, I thank the Senator for yielding.

Mr. DOMINICK. Mr. President, I was very happy to yield to my distinguished colleague, the ranking minority member of the Committee on Labor and Public Welfare, who is also the distinguished senior Senator from New York and a very great exponent and advocate of Mr. Allen.

It is only proper that the senior Senator from New York should open the debate. I was somewhat concerned that he might make an error of judgment as a lawyer. However, I was happy that he did not. I should have known the Senator from New York never would avoid a mistake of that kind, that is, the effort to anticipate an opponent's arguments and argue them for him.

I shall support the nomination of Mr. Allen to be Commissioner of Education and an Assistant Secretary of Health, Education, and Welfare.

When Mr. Allen appeared before the Senate Committee on Labor and Public Welfare, the members of that committee, including myself, discussed a number of issues. I commend the hearing record to all Senators.

There are two principal areas which we discussed which I think are particularly timely and will be of interest to the Senate. I might say they were conclusive in my decision to support Mr. Allen.

First is the issue of Headstart. Last year the Senate voted overwhelming approval of my amendment to move the Headstart program, together with increased funding, over to the Department of Health, Education, and Welfare.

The amendment was added to the 1968 Vocational Education Bill by a rollcall vote in the Senate with the aid and assistance of many Senators who are present on the floor today. It was then killed in a conference committee. I thought

the chairman of the House committee acted in a most unfair manner. Holding a pocket full of proxies from absent Democrats, he took the position that either we would eliminate the Headstart provision or get no vocational education bill at all.

This year the President announced his intention to delegate Headstart, under authority now existing in the OEO Act, to HEW.

I understand legislation to make Headstart a permanent legislative program at HEW may come to the Hill from the President in the coming months. This is something which I feel will be very helpful.

I was therefore very pleased when, in response to my question, Mr. Allen stated, at page 32 of the hearing record:

I am glad to see that the program is in the Department of Health, Education, and Welfare. I had hoped eventually it might be more closely integrated into the programs of the Office of Education. But I think the important thing here is to see that the values that exist in Headstart are continued, because it is more than an education program, it also involves health, welfare and nutrition and other activities and programs.

With this observation of Mr. Allen on the Headstart program, I fully concur; and I might say that this is in contradistinction to the statements which had been made by the previous Commissioner of Education and by the previous Secretary of Health, Education, and Welfare.

On the subject of the busing of students, I feel that the Commissioner and I probably are not completely in accord. Prior to the hearing, I had asked to have a position statement from the Department of Health, Education, and Welfare on the law regarding the busing of students either to overcome racial imbalance or to achieve a balance. The letter and enclosure which I received from the Secretary's office appear in the hearing record at page 30. Because I am sure that busing will be one of the subjects brought up, and because I am not as skilled a legal expert as my distinguished colleague, the Senator from New York, I am going to anticipate some of these questions, and I am going to make some reference to them.

The first is a letter to me, dated March 25, 1969, signed by Leon E. Panetta, then Assistant to the Secretary. It appears at page 30 of the hearing record and reads as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF THE UNDER SECRETARY,

Washington, D.C., March 25, 1969.

HON. PETER H. DOMINICK,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR DOMINICK: Thank you for your inquiry regarding the Federal City College as well as the law on busing.

The office for Civil Rights has not received any complaints from the students or faculty alleging possible violation of Title VI of the Civil Rights Act, 1964, and have at the present time no knowledge of any such violation. It is the policy of this department to investigate all alleged violations of Title VI and to require corrective action where appropriate. Please be assured that we are following the situation at Federal City College closely and will keep you informed should administrative action be required.

On the question of busing, the law is quite specific in forbidding the Federal Government from requiring busing to achieve racial balance. The Secretary recently directed a letter to Mr. Neal Sullivan, Commission of Education in Massachusetts, regarding this subject and enclosed is a copy of that letter.

If there is any additional information you may require in either of these areas, we will be most pleased to provide such assistance.

Sincerely yours,

LEON E. PANETTA,  
Assistant to the Secretary.

The letter to Mr. Sullivan is found on pages 30 and 31. The important comments, it seems to me, are those in reference to sections 409 and 410 of the Department of Health, Education, and Welfare Appropriations Act for 1969. On these, Secretary Finch says:

Finally, in Sections 489 and 410 of the HEW Appropriation Act for 1969, the following language appears:

"Sec. 409. No part of the funds contained in this Act shall be used to force busing of students . . . in order to overcome racial imbalance.

"Sec. 410. No part of the funds contained in this Act shall be used to force busing of students . . . in order to overcome racial imbalance as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school . . ."

Thus, as I stated in my interview, the law clearly forbids the Federal Government from requiring busing to achieve racial balance.

He goes on then with some caveats, saying that he was not entirely sure that local officials might not do something along these lines in any event.

I asked Mr. Allen these specific questions on page 29 of the hearing record:

Senator DOMINICK. And you understand, do you not, that the Federal Law is quite specific in forbidding the Federal Government from requiring busing to achieve racial balance?

Mr. ALLEN. I do understand that.

Senator DOMINICK. Is this Federal Law going to create any problems in your philosophy and in your administration of education?

Mr. ALLEN. Not at all. I think these responsibilities rest largely with the States in the first instance. The question of how you do this ought to be left to the States and the localities, wherever possible. I would hope that I can give my attention here to the more positive side of this, that is, to seeking ways in which we can use the title IV provisions and funds to assist the States and localities in our country in dealing with this very difficult problem.

Mr. President, we have a very explosive problem right now in my own State on this particular question. In the State of Colorado we probably had the No. 1 or No. 2 fair housing law in the entire country. I participated actively in the passage of the Colorado law when I was in the State legislature, and more recently, supported the Federal fair housing law we passed last year. I was criticized by some for doing this, congratulated by others.

Among other reasons why I supported fair housing, and will continue to support it, is that it should lay the basic legislative groundwork so that busing for racial purposes is no longer necessary. Once you have an opportunity for a person to live wherever he feels he can within his economic means, then you have totally undermined the basis of the

argument that you have to bus in order to get equal educational opportunity.

I could give a concrete example in my State, and will do so. When Colorado passed this fair housing law—and I worked for its initial passage in 1959—many of our black people, very fine people, moved into a highly distinguished and highly qualified educational area inside Denver. The area is maintained beautifully. But, unfortunately, so many black people moved into the same area that many of the whites moved out, and they are just beginning to return.

So now we have a school system which has the same school facilities we had before, and in many cases the same teachers. Negro leaders have come to my office and said to me, "We must bus children into these schools to maintain a racial balance, or we must bus black students out of these schools to others, to maintain racial balance."

I asked, "Why?"

They replied, "Because we are not getting the education we deserve."

My answer to that is that if we have the same schools, the same teachers, the same facilities, and just as good a tax base as before, then if they take that position they are saying a Negro child cannot be as well educated as a white child, and I do not agree with that. I think that is just wrong.

It is perfectly possible to maintain a neighborhood school system with a Fair Housing Act and have integrated schooling as required by law by the Supreme Court. This would avoid the entire issue of busing, where children are suddenly dislocated from their homes and neighborhoods by the action of a school authority and sent away only to satisfy somebody's sense of sociological justice.

The Fair Housing Act, it seems to me, totally negates that position.

I also think there are questions of constitutionality involved, so I wrote to the Department of Justice and asked if it were in any way possible for Federal funds to be used for the purpose of busing in order to overcome racial balance. I have received a letter from the Department of Justice under date of May 3, 1969. The letter is signed by Mr. Leonard, who is the Assistant Attorney General in the Civil Rights Division. I ask unanimous consent that the letter may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.  
(See exhibit 1.)

Mr. DOMINICK. Mr. President, this is an interesting letter. In effect, it says that by law the Supreme Court has required integration of schools. By statute Congress has prevented the use of Federal funds for the purpose of overcoming racial imbalance. But where there is de facto racial imbalance the local authorities, in general, have a right to decide what should be done and then, of course, the question comes in, How do you trace the funds? This is what it really comes down to.

In my own judgment, if local authorities use Federal funds for the purpose of busing, it would be illegal under the law.

I am authorized to say on behalf of my colleague from Colorado (Mr. AL-

LOTT), who serves on the Appropriations Committee which approved sections 409 and 410 that he concurs in the viewpoint I have expressed today.

However, if Federal funds are used to help out in the general administration of the school and the school uses its local funds for the purpose of busing the children, then the question is, Has the law been violated when local funds are used for the purpose of busing and Federal funds are used for general administrative purposes?

Mr. President, I get no satisfaction on either side of this question from the letter I have received from the Department of Justice. For purposes of the debate I think it is well to have the letter printed in the RECORD.

On pages 4 and 5 of the hearing record there is a listing of various organizations and associations to which he belonged. If he went to even one of these organizations per hour he would never have time to do anything else over a 24-hour period. There are about 60 of these organizations listed. I asked him what he was going to do about that. He stated that he was already in the process of resigning from most of them, and that most of them are honorary appointments from State organizations he belongs to. He recognized that this is a difficult job and one to which he will have to devote full time.

I am satisfied from having listened to Mr. Allen, having reviewed his qualifications, being certain he is interested in the best possible schooling for children, and knowing that we have a Federal fair housing law, that at this point this man should be and probably will be confirmed in the nomination.

Mr. President, I ask unanimous consent to have printed in the RECORD questions which I asked of the nominee and his replies, beginning on page 29 of the hearing record through the sixth paragraph on page 33.

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

(See exhibit 2.)

EXHIBIT 1  
DEPARTMENT OF JUSTICE,  
Washington, May 3, 1969.

HON. PETER H. DOMINICK,  
Committee on Labor and Public Welfare, U.S.  
Senate, Washington, D.C.

DEAR SENATOR DOMINICK: Deputy Attorney General Kleindienst has asked me to reply to your letter to him of March 25 wherein you asked for comments on the constitutional and other legal implications of busing school children as a means of achieving school desegregation.

Since your question was not directed at any particular fact situation I can give you only some fairly general comments. Moreover, this should not be regarded as a formal opinion of the Department. You will recall that under the governing statutes of the Attorney General and his assistants are limited to furnishing opinions to the President and to the heads of the Executive departments on questions of law arising in the administration of their departments. 28 U.S.C. (Supp. III) 511-512.

As you know, in 1954 the Supreme Court held in *Brown v. Board of Education*, 347 U.S. 483, that the Constitution forbids state and local authorities to maintain school systems segregated on the basis of race. Since that decision there has been much dispute and litigation over the implementation of

the requirement that schools previously segregated by law be desegregated. How that requirement shall be implemented depends to a considerable extent on the facts of each case, but the Supreme Court has stated that where state-enforced segregation has existed, the local authorities are "charged with the affirmative duty to take whatever steps might be necessary to convert to a unitary system in which racial discrimination would be eliminated root and branch." *Green v. County School Board*, 391 U.S. 430, 437-38 (1968). This is true whether the segregated system was maintained by outright assignment of pupils on the basis of race or by more subtle means. See *United States v. School District 151*, 404 F. 2d 1125, 1135 (C.A. 7, 1968). This Department has, as you know, broad litigating responsibilities under the Civil Rights Act of 1964, § 407, 42 U.S.C. 2000c-6, to seek, where appropriate, court action to compel adherence to this constitutional requirement. The Department of Health, Education, and Welfare also has the responsibility, under Title VI of the Civil Rights Act, 42 U.S.C. 2000d et seq., of enforcing adherence to this requirement by schools which receive Federal financial assistance.

Distinct from the problem of elimination of *de jure* segregation, as required by the *Brown* decision, is the problem of dealing with *de facto* segregation or racial imbalance, the situation in which schools in a given school system have become nearly entirely Negro or nearly entirely white, not through any deliberate policy of local authorities, but because of residential patterns and other factors over which such authorities have no control. Congress has made it clear in the Civil Rights Act, §§ 401(b), 407(a), 42 U.S.C. 2000c(b), 2000c-6(a), and elsewhere, that it does not desire the Federal Government to compel, whether by litigation or administrative action, local authorities to act to eliminate or to minimize racial imbalance as distinguished from *de jure* segregation, in the schools. On the other hand, I do not know of any provision of Federal law which prohibits local authorities from exercising their discretion to devise school attendance plans which operate to lessen rather than to increase racial imbalance in the schools. As the Court of Appeals for the Second Circuit recently stated, "That there may be no constitutional duty to act to undo *de facto* segregation, however, does not mean that such action is unconstitutional. \* \* \* What is prohibited is use of race as a basis for unequal treatment." *Offermann v. Nitkowski*, 378 F.2d 22, 24 (1967).

It is in this context that the question of busing must be considered. Busing is, in itself, constitutionally neutral. Most school systems use buses to some extent to transport children to and from school. Greater use of buses permits school authorities more flexibility in drawing attendance zones, but such flexibility might be used to achieve a greater or a lesser degree of racial integration in the schools.

As I have stated, the Supreme Court has held that local authorities must take whatever steps are necessary to eliminate *de jure* segregation "root and branch." This does not seem to me to imply any requirement that the concept of neighborhood schools be abandoned. However, application of this principle may in some circumstances require more busing, while in others it may require less. Similarly, where local authorities seek to eliminate racial imbalance, the resulting attendance plan is perhaps likely to involve more busing than the plan previously in effect, but in some cases it may involve less. Because of the many variables, therefore, it is extremely difficult to express any judgment with respect to the legal implications of busing apart from a particular factual context.

Mr. Speltz of your staff has called our attention to sections 409 and 410 of the

Departments of Labor, and Health, Education and Welfare Appropriation Act, 1969, P.L. 90-577. These sections provide as follows:

"Sec. 409. No part of the funds contained in this Act may be used to force housing of students, abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance.

"Sec. 410. No part of the funds contained in this Act shall be used to force busing of students, the abolishment of any school or the attendance of students at a particular school in order to overcome racial imbalance as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school: \* \* \*"

The general thrust of these provisions is that the funds appropriated in the Act shall not be used, whether through threats to withhold assistance or otherwise, to compel local school authorities to adopt certain means of overcoming racial imbalance in the schools. It is clear that those sections impose no limitation on administrative efforts pursuant to Title VI of the Civil Rights Act to require local school boards to adhere to constitutional standards, whatever affirmative steps such adherence might entail. This distinction between requiring school boards to comply with the constitutional requirements and requiring them to overcome racial imbalance was well understood by Congress at the time those sections were enacted. See CONGRESSIONAL RECORD, volume 114, part 22, pages 29442-29451.

It has been further suggested that section 409 may have the effect of preventing a local school board, acting entirely on its own initiative, from using Federal funds "to force busing of students \* \* \* in order to overcome racial imbalance." The language of the section appears to us somewhat ambiguous on this point. We might note that Congressman Whitten, the author of sections 409 and 410, stated that they were directed at compulsion by the Federal Government and did not restrict the actions of local school officials. See CONGRESSIONAL RECORD, volume 114, part 22, page 29447, and part 14, page 18928. On the other hand, both sections were revised in the Senate Appropriations Committee, where the words "in order to overcome racial imbalance" were added, and the Committee report appears to indicate that the restriction on the use of funds would apply to the local authorities, as well as to the Federal Government, S. Rept. No. 1484, 90th Cong., 2d Sess. 89. However, the Senate amendments were aimed primarily at easing the restrictions voted by the House on the Department of HEW's activities in enforcing Title VI of the Civil Rights Act, and it might be anomalous to interpret the Senate's amendment of section 409 as imposing additional restrictions on the use of funds by local school authorities. We find no indication in the subsequent Congressional debates that this was the anticipated effect of the Senate amendment. I note that Secretary Finch has taken the position that sections 409 and 410 do not inhibit local authorities from using Federal grant funds for busing.

I hope that these comments have been responsive to your question. If I can be of any further assistance, please do not hesitate to call upon me.

Sincerely,

JERRIS LEONARD,  
Assistant Attorney General, Civil  
Rights Division.

#### EXHIBIT 2

Senator DOMINICK. Dr. Allen, just to follow up on what Senator Javits mentioned regarding the neighborhood school problem, there have been instances in various States and localities where busing has been used to

create racial balance or to overcome an imbalance which is inherent in a particular neighborhood school.

It is my understanding that you have supported busing to overcome racial imbalance.

Mr. ALLEN. Let me say this: In New York State I have a judicial function to perform and anyone who feels himself aggrieved may appeal to the Commissioner of Education for adjudication of that grievance. Under this authority I have had over the last 10 years a number of cases brought by parents and others against local school boards that, in the opinion of these parents, were not dealing adequately with segregated schools. And in a few cases I have supported these parents and directed that the local school authorities eliminate or correct the inequities.

I have never actually per se, directed them to bus children.

The results of some of the directions which have been given do require some degree of busing, but I would emphasize again when I said a while ago that if it is a choice between poor education, if it is a choice between segregated schools and busing, and there was no other way in which this could be corrected, then I would not deny to a local school system the right to bus.

Senator DOMINICK. And you understand, do you not, that the Federal Law is quite specific in forbidding the Federal Government from requiring busing to achieve racial balance?

Mr. ALLEN. I do understand that.

Senator DOMINICK. Is this Federal Law going to create any problems in your philosophy and in your administration of education?

Mr. ALLEN. Not at all. I think these responsibilities rest largely with the States in the first instance. The question of how you do this ought to be left to the States and the localities, wherever possible. I would hope that I can give my attention here to the more positive side of this, that is, to seeking ways in which we can use the title IV provisions and funds to assist the States and localities in our country in dealing with this very difficult problem.

Senator DOMINICK. Mr. Chairman, I have a letter received March 25th in my office, from an assistant to Secretary Finch of HEW, together with enclosure, in response to my inquiry which I would like included at this point in the record.

The CHAIRMAN. It will be ordered printed. For identification, you gave the date but what is the name?

Senator DOMINICK. It is from Leon E. Panetta, Assistant to the Secretary.

The CHAIRMAN. The document is ordered printed, as requested by the Senator from Colorado.

(The document referred to follows:)

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,  
OFFICE OF THE UNDER SECRETARY,  
Washington, D.C., March 25, 1969.

HON. PETER H. DOMINICK,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR DOMINICK: Thank you for your inquiry regarding the Federal City College as well as the law on busing.

The office for Civil Rights has not received any complaints from the students or faculty alleging possible violation of Title VI of the Civil Rights Act, 1964, and have at the present time no knowledge of any such violation. It is the policy of this department to investigate all alleged violations of Title VI and to require corrective action where appropriate. Please be assured that we are following the situation at Federal City College closely and will keep you informed should administrative action be required.

On the question of busing, the law is quite specific in forbidding the Federal Government from requiring busing to achieve racial balance. The Secretary recently directed a letter to Mr. Neal Sullivan, Commission of

Education in Massachusetts, regarding this subject and enclosed is a copy of that letter.

If there is any additional information you may require in either of these areas, we will be most pleased to provide such assistance.

Sincerely yours,

LEON E. PANETTA,  
Assistant to the Secretary.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,

Washington, D.C., March 18, 1969.

Mr. NEIL V. SULLIVAN,  
Commissioner of Education, the Commonwealth of Massachusetts, Boston, Mass.

DEAR COMMISSIONER SULLIVAN: I am greatly concerned over the apparent misunderstanding that has developed from your letter to me regarding my remarks in the March 10 interview in U.S. News & World Report. I fear that recent press reports of this communication have served to undermine the efforts of dedicated school officials throughout this Nation and further confuse the already complex and delicate issue of school busing. I am most hopeful that the response will rectify this situation and help resolve whatever misunderstandings you may have regarding the law and the position of the Department of Health, Education, and Welfare on this matter.

First of all, let me make clear what the federal law is with regards to busing to achieve racial balance. Section 401(b) of the Civil Rights Act of 1964, 42 U.S.C. 2000c (1964) defines "desegregation" for purposes of Office of Education Programs aiding desegregation authorized by Title IV of the Act:

Desegregation means the assignment of students to public schools and within such schools without regard to their race, color, religion or national origin, but desegregation shall not mean the assignment of students to public schools in order to achieve racial balance.

In addition, Section 704 of the Elementary and Secondary Education Act of 1965, 20 U.S.C. 584, states the following:

Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States . . . to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

Finally, in Sections 409 and 410 of the HEW Appropriation Act for 1969, the following language appears:

Sec. 409. No part of the funds contained in this Act may be used to force busing of students . . . in order to overcome racial imbalance.

Sec. 410. No part of the funds contained in this Act shall be used to force busing of students . . . in order to overcome racial imbalance as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school . . .

Thus, as I stated in my interview, the law clearly forbids the Federal Government from requiring busing to achieve racial balance.

At the same time, however, the law in no way limits or forbids State or local school officials from deciding that busing may be necessary to the educational needs of their students. Surely, any local decision involving a sincere determination that busing is essential to the achievement of equal and improved educational opportunities for all cannot be quarreled with. Indeed, federal funds may be used for this purpose where communities have made this decision. This is why my concern regarding the use of busing has pertinence only in those instances where ". . . it may be detrimental to the level of education."

I am keenly aware of your courageous efforts in Berkeley to provide quality education for all students and commend you for your work in this area. Your commitment

to equal educational opportunities must be shared by all Americans . . . I can assure you that it is shared by this public servant.

Sincerely,

ROBERT H. FINCH, Secretary.

Senator DOMINICK. And accompanying that is a letter from the Secretary to Commissioner Sullivan, which I think should also be a part of the RECORD.

The CHAIRMAN. It is ordered printed as part of the RECORD.

Senator DOMINICK. I ask this question for this reason: I have supported every civil rights bill since I have held public office, both in my State and here, and I feel very strongly about legislative equality of opportunity that is needed.

We enacted in the State of Colorado probably the number one or number two fair housing bill. I was then a member of the State legislature and participated in its preparation.

Shortly afterwards many of our very fine colored people moved into a magnificent area, which was toward the airport. It was one of our very good school areas. Unfortunately, when this happened, they moved in such large numbers that many of the whites moved out. I think this was a bad mistake, but they did. The school system thereby became predominantly Negro. I have had delegations now saying that although they have the same schools and they have the same teachers that they had before, they are not getting an adequate education. I have great difficulty in understanding this type of approach. And many of the school people in my State are now saying that in order to overcome the Negro majority in this particular area that we should bus other children in to create a racial balance.

What they are saying, in effect, is that even with equal school facilities and the teachers they had before, which was an area of very fine educational opportunity, they can't get an equal education when the students are all black. I don't believe that.

Do you find this a problem in other areas as well?

Mr. ALLEN. Well, certainly you can provide quality education in a school that is all black, just as you can provide quality education in a school that is all white. But if our goal in this country is to remove the attitudes that have brought about some of the discriminatory practices we have, it seems to me we have to go beyond this as a goal toward finding ways in which children can learn to live together very early and respect each other without regard to race, color, or creed.

Senator DOMINICK. With a fair housing law they can move anywhere they want.

Mr. ALLEN. I am saying that is an education problem. On the education issue, I believe that separate but equal is not equal. The Supreme Court has enunciated and I feel very strongly that as a part of good education in the long run we must work toward an integrated school program.

Senator DOMINICK. I don't want the record to reflect I favor separate but equal facilities, because I am very much against that idea. But what I am talking about is a neighborhood school system where the people themselves, by virtue of their own motion, created this problem. They are still free to move to other areas if they don't like it.

Mr. ALLEN. Well, I think you have to examine each of these cases in terms of its own merits and the conditions that are there. I would say with respect to the neighborhood school that it is one of the great traditions in this country and has great value. The relations between school and the community and the parts is very important for good education. But when the neighborhood school becomes exclusive and when good education cannot take place in a neighborhood school, or when children feel that they are being treated as inferior individuals because they

are required to go to a school that is all of one race, then I think we have to reexamine the neighborhood school policy in that particular case.

In other words, it seems to me the overriding consideration here is how do you provide a good education for every boy and girl? And I believe that this can be best provided in terms of the principles for which we stand in this country, in an integrated setting, and we ought to work a little toward that goal.

Senator DOMINICK. This is exactly the point that I was trying to bring up before. Does your philosophy encompass the idea that we should have forced transportation systems from one area to another in order to get a racial balance in all the schools?

Mr. ALLEN. Well, I hope we do not have to do it that way. I hope, through getting an understanding here we do not have to force, because I have learned in New York that forced direction has not always achieved the goal that you are after. The important thing is to get understanding of this in terms of how it affects boys and girls. This is the direction which I would like to give my attention.

Senator DOMINICK. I started several years ago and last year the Senate approved my bill to transfer the Headstart program from OEO to the Office of Education in HEW. The President has now indicated that he would like Headstart to be under a newly created Office of Child Development at HEW. I understand coordination of Headstart with the school systems will depend to some extent on the so-called 4-C program.

Do you have any feeling that there is going to be difficulty in this coordination?

Mr. ALLEN. Well, I have not been close to the change that has taken place here. I am glad to see that the program is in the Department of Health, Education, and Welfare. I had hoped eventually it might be more closely integrated into the programs of the Office of Education. But I think the important thing here is to see that the values that exist in Headstart are continued, because it is more than an education program, it also involves health, welfare and nutrition and other activities and programs.

I will be, I am sure, very closely associated with this program even though it may not be directed in the Office of Education. I will be brought in to be given, I am sure, an opportunity to evaluate it and discuss how best it should be eventually located or assigned.

Senator DOMINICK. The Westinghouse Corp. has finished a rather controversial study of the value of Headstart for OEO.

They concluded in summary that it was insignificant to date. Do you have any comment on that?

Mr. ALLEN. I have not read the Westinghouse report yet. I think the problem here is to look at the ways in which we can improve Headstart. Improve the planning for it and improve the involvement of parents and others in it.

I would hope at the moment we don't take that report and the announcement of its findings as meaning that we must throw out the Headstart program at this stage.

Mr. HOLLAND. Mr. President, there is no question at all about the fact that this nominee has had a distinguished career as an educator, and I do not question that fact. The hearing record abundantly shows that to be the fact.

The thing that bothers me about the nominee has to do with the explosive issue mentioned by both Senators who have preceded me, the explosive issue of his official acts in disturbing the integrity of the neighborhood school and his assault on the principle of freedom of choice.

I have followed closely the argument

of my distinguished friends from New York and Colorado. I certainly am not going to differ in great measure with either of them.

I do think, however, that the distinguished Senator from Colorado (Mr. DOMINICK) has left out of his emphasis in his exchange with Mr. Allen when he was being interrogated in the confirmation hearing those portions of his questions and Mr. Allen's answers which reflect the clearest showing as to how he feels about busing to overcome segregation in the schools. Beginning with the third paragraph on page 32, I shall read two questions asked by the Senator from Colorado and two answers thereto by Mr. Allen which I think reflect most clearly upon his attitude in this particular matter.

We all know that his career in New York has included the matter of busing of students who, I think, were bused clearly for the purpose of creating a better balance racially in the schools.

The first question asked by the Senator from Colorado was:

Senator DOMINICK. I don't want the record to reflect I favor separate but equal facilities, because I am very much against that idea. But what I am talking about is a neighborhood school system where the people themselves, by virtue of their own motion, created this problem. They are still free to move to other areas if they don't like it.

Mr. ALLEN. Well, I think you have to examine each of these cases in terms of its own merits and the conditions that are there. I would say with respect to the neighborhood school that it is one of the great traditions in this country and has great value. The relations between school and the community and the parents is very important for good education. But when the neighborhood school becomes exclusive and when good education cannot take place in a neighborhood school, or when children feel that they are being treated as inferior individuals because they are required to go to a school that is all of one race, then I think we have to reexamine the neighborhood school policy in that particular case.

In other words, it seems to me the overriding consideration here is how do you provide a good education for every boy and girl? And I believe that this can be best provided in terms of the principles for which we stand in this country, in an integrated setting, and we ought to work a little toward that goal.

Senator DOMINICK. This is exactly the point that I was trying to bring up before. Does your philosophy encompass the idea that we should have forced transportation systems from one area to another in order to get a racial balance in all the schools?

Mr. ALLEN. Well, I hope we do not have to do it that way. I hope, through getting an understanding here we do not have to force, because I have learned in New York State that forced direction has not always achieved the goal that you are after. The important thing is to get understanding of this in terms of how it affects boys and girls. This is the direction which I would like to give my attention.

Mr. President, it is clear from those two exchanges that Mr. Allen does not rule out entirely the busing of pupils. He makes it very clear that he hopes he does not have to use forced busing in order to bring about integration, but that he does not rule that out, and he also makes it clear that in his opinion the important thing is to get the best educational results for the boys and girls,

this notwithstanding the fact that in some cases, he says "when the neighborhood school becomes exclusive and when good education cannot take place in a neighborhood school, or when children feel that they are being treated as inferior individuals because they are required to go to a school that is all of one race, then I think we have to reexamine the neighborhood school policy in that particular case."

Mr. President, I ask unanimous consent to have that quotation printed in the RECORD again.

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

When the neighborhood school becomes exclusive and when good education cannot take place in a neighborhood school, or when children feel that they are being treated as inferior individuals because they are required to go to a school that is all of one race, then I think we have to reexamine the neighborhood school policy in that particular case.

Mr. DOMINICK. Mr. President, will the Senator from Florida yield at that point?

Mr. HOLLAND. I yield.

Mr. DOMINICK. I wish to say to the Senator that that is why I said I did not feel, necessarily, that Dr. Allen's feelings on busing on a racial basis were compatible with mine. I do not believe that we should bus on a racial basis on anything, whether it is to school or anything else. I think that is the wrong way to go about it. But I do feel that he is well aware of the fact that in the Federal law there is a prohibition against the use of Federal funds for that purpose. I think he did demonstrate that, which answers my question.

Thus I believe that the Senator is to the point when he talks about the neighborhood school system.

Mr. HOLLAND. I thank the Senator. I noted the words in his former statement. I put them down here, and I think they are the words he used, that his philosophy and that of Mr. Allen's were "probably not in accord."

If I may say so, with all respect, I think that the use of those words was an understatement of the situation, because I think that the positions of the two distinguished gentlemen, the Senator from Colorado and the nominee from New York, are not at all in accord on that one question.

Now I do not believe I have ever quoted in any debate, heretofore, the words of any witness of the Liberty Lobby. It happens in this case that they are words used by a witness of that organization which so clearly state the situation which exists in my State and even in the county in which I live, that I must quote briefly from the statement of Mr. Michael D. Jaffe, general counsel, Liberty Lobby, which is as follows:

American parents and taxpayers are up in arms over the Federal assault on freedom of choice, the neighborhood school, and the right of our children to secure the best possible education free from the blighting influence of the social planners.

Dr. James Allen believes, as his record

makes clear, that the purpose of education is total racial integration. But the average American, in all sections of the Republic, believes that the purpose of education is to educate children. And this can best be done by local people, familiar with local conditions. The Office of Education was never meant to be a "national school board." By rejecting the nomination of Dr. Allen, this committee can perform an extremely valuable service to all Americans, who want superior education for their children and who do not confuse learning with busing.

Mr. COTTON. Mr. President, will the Senator from Florida give me the page number on which he is reading?

Mr. HOLLAND. It is on page 38, near the bottom of the page. I will wait a moment for the Senator to find that quotation.

Mr. COTTON. I have found it. I thank the Senator.

Mr. HOLLAND. Mr. President, I read that excerpt again for emphasis:

American parents and taxpayers are up in arms over the Federal assault on freedom of choice, the neighborhood school, and the right of our children to secure the best possible education free from the blighting influence of the social planners.

Mr. President, that does happen to be the situation in my own county which has been practicing reasonable integration, for a good long time and which has noted a situation under which the colored children prefer to go, in most instances, to their colored schools and particularly, if I may say so, for objectives which they hold dear, one of them being the maintenance of continued excellence in athletics.

In my own hometown, the Negro high school, Union Academy, has frequently won the championship of the schools in that class all over the State. They like to continue in that course of dealing. They have now, I believe, four of their alumni serving as professional football players in either the American or the National Football League. Another reason why they like to preserve their unity and their existence as a colored school is that when some of their better students have moved over to the previously all-white schools, they have noted that the level of education in their school necessarily suffers. They think that under the freedom-of-choice plan, some of their best students have moved over to schools which were previously all white. I think it is sound to say that in my own hometown that paragraph just quoted from Dr. Jaffe would apply with great force.

Likewise, in other cities in our county, and in other counties in the State of Florida, not all of them by any means, but not only in the Old South counties, the same feeling applies on the part of the parents and the taxpayers—and, I might say, on the part of the children themselves. I am speaking now of children of both races.

So, Mr. President, in spite of the excellent record in the educational profession made by this nominee, on all other points, so far as I am concerned, I could not possibly vote to confirm him for this important position without going against the very determined opposition of large numbers of my own people, and without

going against a policy which is bringing confusion and disruption into long peaceful relations in the school system of my county and other areas in my State.

Mr. President, without reflecting in the slightest upon this nominee, because no doubt he was carrying out what he regarded as the philosophy of the great majority of the people in the State which he was serving, so far as I am concerned, in my State, that philosophy is not the philosophy of our people. It is not helpful to the people in many areas where it has been adopted. It has been adopted through the efforts of the prior commissioner of education under the guidelines laid down by him and under the rulings of at least one of our district judges in the Federal district courts.

Mr. President, I yield the floor.

Mr. THURMOND. Mr. President, it is with great reluctance that I announce my intention to vote against the confirmation of Dr. James E. Allen to be Commissioner of Education. While I have many times in the past opposed many individuals for various Federal posts, I am generally of the opinion that a new administration should be given wide latitude in its choice of personnel. In this particular case, however, I feel compelled to take exception to Dr. Allen primarily because I believe his views and his record on the use of busing schoolchildren to achieve a racial balance are not in the best interest of this Nation. I also believe that his views conflict with those of President Nixon as enunciated during the campaign. Mr. Nixon said:

I think that busing the child—a child that is two or three grades behind another child and into a strange community . . . I think that you destroy that child. The purpose of a school is to educate. That is what we have to do.

At another point in the campaign he said:

The purpose is education. I oppose busing because I'm for education. When you pick up children and cart them across town, you don't help their education. You hurt them.

Dr. Allen's record on this important issue is well known, particularly in the city of Mount Vernon, N.Y. His activities in this regard were so unpopular in New York State that on March 26 the New York Assembly voted 104 to 41 to ban busing of students to correct racial imbalance in schools. This bill was subsequently passed by the New York Senate and signed by the Governor. I should like to quote a paragraph from the New York Times of March 27, 1969:

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. . . .

Mr. President, I think this makes it clear that the act of the New York Legislature was a direct result of popular opposition to Dr. Allen's activities. If his policies have created such opposition in New York State, which is probably the most liberal State in the Nation, I be-

lieve it would be most unwise for him to make policy for the entire Nation.

I wish to make it clear that I do not know Dr. Allen personally and I have no reason to believe that he is anything other than a man of integrity. It is his policies, not his person, that I oppose. I cannot in good conscience support his confirmation, and I ask that I be recorded against it.

Mr. PROUTY. Mr. President, I hope very much that the Senate will confirm the nominations of Dr. James E. Allen, Jr., as U.S. Commissioner of Education and as an Assistant Secretary of Health, Education, and Welfare.

The positions to which the President has nominated Dr. Allen do involve areas of controversy, and I feel certain that some Members of this body, including myself, are not in complete accord with all of Dr. Allen's views. But I suggest that if we required that these important positions be occupied by a person with whom each Senator found himself in 100 percent agreement, the positions would remain vacant.

I commend the nominations of Dr. Allen with a keen appreciation of his distinguished record in education. As a member of the Subcommittee on Education of the Committee on Labor and Public Welfare, I am particularly concerned with the Nation's educational challenges. As we meet these challenges, there will probably be disagreements, but I feel that Dr. Allen's fairness, reasonableness, and expertise will contribute much to meeting such challenges.

Again, I urge Senators to join me in voting for the confirmation of Dr. Allen's nominations.

Mr. ALLEN. Mr. President, I speak in opposition to the confirmation of the nominations of Dr. James E. Allen, Jr., to be U.S. Commissioner of Education and Assistant Secretary of Health, Education, and Welfare.

Although our names are quite similar, since mine is James B. Allen and his is James E. Allen, we are not related. I am sure he would hasten also to assure the Senate of the same thing.

We come from different areas of the country, he from West Virginia by way of New York, and I from Alabama, so it is not surprising that our ways of life and our outlooks and viewpoints are different.

The office of U.S. Commissioner of Education and the office of Assistant Secretary of Health, Education, and Welfare are important positions, important to the people of Alabama and of the Nation. The holder of this office will help to formulate and put into practice the Nixon administration's policies concerning our schools.

A man who has the views that Dr. Allen has is not the man to whom should be entrusted the welfare of the schoolchildren of the Nation. In my judgment, his goals are social goals more than educational goals. He is more interested in conducting social experiments with schoolchildren than in seeing them get quality educations. He would lower the levels of education to the lowest common denominator rather than to raise levels.

More than any other person, Dr. Allen

is responsible for the concept of busing students from one section of a town or county to another for the purpose of achieving racial balance in a given school system.

He has been nicknamed "Mr. Busing"—and with adequate reason. The busing of students to achieve a racial balance is completely contrary to the principle of freedom of choice for students. It is forced integration instead of the absence of discrimination, which court rulings require.

Just recently the New York Legislature passed a bill providing that no State funds shall be used to bus students for the purpose of achieving a racial balance. So Dr. Allen's policies have been repudiated by the very State which he has been serving and where he put into practice his busing ideas.

We do not need to have Dr. Allen continuing the policy of forced integration of our schools through the busing of students, through court orders, through the withholding of Federal financial support from our school children. Are we not having enough troubles with our educational institutions already because of riots, rebellions, and lack of adequate funds? I believe we are.

I know that our State government and school systems in Alabama want to make available a quality education to every boy and girl in Alabama. Without Federal intrusion and a takeover of our schools, that is just what will be done in Alabama.

Earlier in this session of Congress, I placed in the CONGRESSIONAL RECORD an editorial published in the Dothan, Ala., Eagle. The editorial quoted in full an article published in Human Events, from which I shall read, specifically incorporating these words and phrases as my own. The article is entitled:

"MR. BUSING" COMES TO WASHINGTON

Republican politicians were intensely unhappy last week with the naming of the controversial Dr. James E. Allen—a zealous school integrationist—to two powerful positions in the Department of Health, Education, and Welfare. The startling selection of New York state's commissioner of education, who will assume both the jobs of assistant secretary of HEW and U.S. Commissioner of Education in the Nixon Administration, is considered a stunning setback by GOP strategists who realize the party must move southward to forge a permanent Republican majority. Yet the strange choice of Allen—made by Nixon's supposedly good friend Robert Finch—promises to wreak havoc with that plan.

"If anything can regitalize the Wallace movement," noted one Southern Republican last week, "it is the appointment of such persons as Allen." But Allen's policies—if implemented on a national level—are bound to trigger an adverse reaction to the Nixon Administration not only in the South but in almost all other sections of the country as well.

The czar of New York's primary and secondary education system for 14 years, Allen has become the champion in inflexible and irresponsible integrationist policies, policies which Nixon repeatedly—and vigorously—opposed during the campaign. He is, in fact, "Mr. Busing" himself. Moreover, in New York's decentralization struggle, Allen allied himself with the racial militants, both black and white.

What Allen will probably choose to accomplish in his new post can be gauged from his New York performance in the past six years. On June 14, 1963, he issued a directive to every school district in New York demanding the elimination of "racially imbalanced" school which he defined as "one having 50 percent or more Negroes enrolled." Since this incredible edict, Allen has been disrupting the state's local system by energetically trying to end de facto segregation, closing down perfectly good schools if they are "racially imbalanced" and instituting a massive busing program . . .

I interpolate that in the State of Alabama, we have had more than \$15 million worth of schools closed—perfectly good schools, some brand new—in order to implement a program of this sort.

Upon being formally nominated to his new position last week, Allen did nothing to suggest a softening of his previous positions. He even went so far as to stress that he was "fundamentally" in agreement with the past Commissioner of Education, Harold Howe II, whose plans to achieve compulsory racial and economic integration in the nation's schools included massive busing, educational parks and the virtual elimination of neighborhood schools.

Allen's love for Howe was not exactly a surprise, however. Indeed, Allen's chief aide in implementing his own compulsory integrationist policies was one Theron Johnson, who became a special assistant to Howe in 1966. Also an advocate of busing and educational parks, Johnson plans to stay in his \$25,000-a-year job to serve Allen once again.

Yet Allen's attitude on integration is not all that is disturbing. In the late 1950s, Allen put pressure on the city board of education to help eliminate an investigation into Communist teachers headed by assistant corporation counsel Saul Moskoff. Allen, further, is considered almost as responsible as John Lindsay for permitting racial militants to take over the schools in the Ocean Hill-Brownsville area.

The Allen selection, then, bodes ill for the Nixon Administration. Unless Allen can be hamstrung, HEW will be a far more activist department than Nixon—or its new secretary Robert Finch—had led many to believe.

Then, as shown in the CONGRESSIONAL RECORD of April 23, 1969, this matter received attention in the House of Representatives, when Representative JAMES M. COLLINS of Texas stated:

There is pressure to bus children from 6 to 13 miles away from home. If an elementary schoolchild is 10 miles away from home, he cannot go home if he gets sick during the day. A girl cannot stay after school to rehearse school plays; a teenager cannot take part in athletic events; a weak student cannot have special tutoring in weak subjects because all would miss the bus. Parents' attendance at PTA meetings would be difficult in the evenings. The long bus ride would immeasurably lengthen the day for the student. In addition to that the cost of busing could become astronomical.

Mr. Chairman, many statistics show the unpopularity of this subject of busing. Nation School magazine, May 1968, reported a poll that showed that 74 percent of the Nation's school superintendents did not support busing as a desegregation measure. This same survey showed that the members of the school boards, by 88 percent, would not personally support a busing program. And, this is interesting: in Today's Education, March 1969, an NEA research division survey showed that 78 percent of the teachers oppose busing students from one district to another.

Everyone is against busing, but yet busing continues.

I read next an excerpt from an editorial published in the New York Daily News on March 28, 1969, entitled "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.

That is the reaction of at least some of the press in the State of New York.

Mr. President, the schools of Alabama are institutions near and dear to the hearts of our people, ranking just behind our churches. We resent very much the prospect of having a man with the political views, the political philosophy, and the sociological thinking of Dr. James E. Allen, Jr., confirmed as U.S. Commissioner of Education and Assistant Secretary of the Department of Health, Education, and Welfare, and put in charge of enforcing the educational policies of this Nation. As the junior Senator from Alabama, speaking for the people of Alabama, I strongly oppose the confirmation of Dr. Allen for this position.

Mr. EASTLAND. Mr. President, I strongly oppose the nomination of James E. Allen, Jr., of New York to be Commissioner of Education and Assistant Secretary for Health, Education, and Welfare.

I do not oppose this nomination on the basis of Mr. Allen's personal qualifications, abilities, and talents, or the lack thereof. So far as I am able to determine, Mr. Allen is a capable and competent educator.

Rather, I oppose this nomination because I am completely convinced that the educational philosophy of the nominee as exemplified by his actions as commissioner of education for the State of New York since 1955 and his public statements is detrimental to the best interests of the schoolchildren and the school systems of America. I will discuss in some detail the general educational philosophy of Mr. Allen.

It would be a national calamity if a person with his ideas and theories of education were placed by this Senate in a position to enforce his ideas on the schoolchildren and the school systems of this country. First, it is significant to know that Mr. Allen has publicly stated that he has no differences of view with the former Commissioner of Education, Mr. Harold Howe II, and that he plans to vigorously enforce the school integration guidelines promulgated by the Department of Health, Education, and Welfare. These statements are contained in a news story in the Washington Star of February 4, 1969.

I say with the greatest earnestness and sincerity to my friends and colleagues in the Senate that if Mr. Allen is confirmed and if he keeps his promise to carry out the policies of Mr. Harold Howe and to rigorously enforce the HEW guidelines that there will be a crisis in the public education system of the State of Mississippi and many other States this September.

I do not know how many Senators appreciate the gravity of this situation. Delegations of educators and interested citizens from my State have visited and contacted me and have told me graphically about the serious situation that presently exists in Mississippi.

Mr. President, if these so-called guidelines, which in my judgment are illegal and without the force of law, and which provide for a race quota in the public schools, continue to be harshly and rigorously enforced, there will be terrible dislocations and disruptions in many parts of the public school system of my State.

Mr. Allen has made it clear that he intends to follow the disastrous policy of Mr. Howe and force racial integration on unwilling parents and students.

I call upon every Senator to help save the public school systems in Mississippi and many other States by voting to defeat this nomination.

I believe that this nomination is opposed by the great majority of the American people. Shortly after his appointment by the President was announced an article concerning Mr. Allen appeared in the Christian Science Monitor of February 5, 1969. The headlines of this article stated, "New U.S. School Head Favors Radical Change." The article began as follows:

In a speech at Columbia University last summer, the new United States Commissioner of Education, Dr. James E. Allen, Jr., said, "facing urban problems, and the many others no less serious and pressing, it is no longer possible, in the exercise of responsible leadership, to consider solutions in terms of patching up, reshuffling, or superficially modernizing traditional approaches."

He went on to urge "really new and radical changes" in education, a not too infrequent cry of educators who have grappled with the complex problems of urban education.

Dr. Allen—New York State Education Commissioner for 13 years—will include among his top priorities in his new post, a study of the entire U.S. educational system from primary grades through college.

In announcing Dr. Allen's appointment, President Nixon said, "As the highest educational officer in the government Dr. Allen will play a leading part in shaping the policies and plans of this administration for the support and improvement of education in the nation."

I do not believe that the people of America last November voted for the kind of radical change in our public school system endorsed by this nominee. To the contrary, I believe that the vote last November was a clear repudiation of the theory that our public school systems should be used for the purposes of social planning and conducting social experiments. In my judgment, the American people voted for a return to sanity in our public school systems. Two of the candidates who between them received some 57 percent of the popular vote hit hard on the theme that the function of

public education is to instruct and educate our children, not to conduct sociological experiments.

With all due respect I feel that the appointment and confirmation of this nominee is and would be a clear renunciation and repudiation of this expression of the popular will.

We know that Mr. Allen believes that the public school systems should be used to promote integration and intergroup experiences. He has given these theories of education the force of law in the State of New York by his rulings as commissioner of education of that State.

I want to emphasize strongly that this nomination should be opposed not only by those who are interested in saving public education in the Southern States but those who are interested in saving public education in every State in the Union. Do not deceive yourselves that Mr. Allen will use his vast powers as U.S. Commissioner of Education to compel integration only in the Southern States. He has made it plain that he will do this to the school systems of every State.

On June 14, 1963, Mr. Allen, acting as commissioner of education of New York, promulgated a directive to all local school authorities in that State concerning "racial imbalance in schools." This directive and the guidelines which accompanied it were placed in the CONGRESSIONAL RECORD, volume 110, part 6, pages 7098-7099. I urge each and every Senator to carefully read this radical edict in order to see what Mr. Allen has in mind for public education.

I read now from the pertinent language of the directive signed by Mr. Allen on June 14, 1963:

The State education department is constantly seeking to improve policies and practices which will bring about the full operation of the principle of equality of educational opportunity for persons of all social, economic, and cultural backgrounds. In line with this effort and after studying the implications of the 1954 decision of the U.S. Supreme Court, the board of regents adopted and announced in January 1961 a statement of policy which contained the following paragraph:

"The State of New York has long held the principle that equal opportunity for all children, without regard to differences in economic, national, religious, or racial background, is a manifestation of the vitality of our American democratic society and is essential to its continuation. This fundamental educational principle has long since been written into education law and policy. Subsequent events have repeatedly given it moral reaffirmation. Nevertheless, all citizens have the responsibility to reexamine the schools within their local systems in order to determine whether they conform to this standard so clearly seen to be the right of every child."

The regents' statement goes on to point out that modern psychological and sociological knowledge seems to indicate that in schools in which the enrollment is largely from a minority group of homogeneous, ethnic origin, the personality of these minority group children may be damaged. There is a decrease in motivation and thus an impairment of ability to learn. Public education in such a situation is socially unrealistic, blocking the attainment of the goals of democratic education, and wasteful of manpower and talent, whether the situation occurs by law or by fact.

To implement the regents' policy, the department has carried on through its division of intercultural relations, a continuing pro-

gram of education and assistance aimed toward securing greater understanding and constructive action throughout the schools and colleges of the State. Important progress has been made, especially in higher education.

To assemble additional information on the problem, the department conducted in November 1961, a racial census of the elementary schools of the State. The findings of that study were reported in July 1962. The report identified a number of districts in which the ratio of Negro to white pupils was relatively high and suggested that these districts should give added attention to this situation.

In June 1962, I appointed a three-member Advisory Committee on Human Relations and Community Tensions to advise and assist the department and the local school districts. From its studies, the committee has developed a statement of principles for dealing with racial imbalance in the schools. A copy of this statement is enclosed.

The position of the department, based on the policy of the regents, and the principles of the Commissioner's Advisory Committee, is that the racial imbalance existing in a school in which the enrollment is wholly or predominantly Negro interferes with the achievement of equality of educational opportunity and must therefore be eliminated from the schools of New York State.

If this is to be accomplished, there must be corrective action in each community where such imbalance exists. In keeping with the principle of local control, it is the responsibility of the local school authorities in such communities to develop and implement the necessary plans.

It is recognized that in some communities residential patterns and other factors may present serious obstacles to the attainment of racially balanced schools. This does not, however, relieve the school authorities of their responsibility for doing everything within their power, consistent with the principles of sound education, to achieve an equitable balance.

In order that the department may know what your plans are for carrying out this responsibility, I request that you submit to me by September 1, 1963, the following information:

1. A statement indicating the situation in your district with regard to any problem of racial imbalance, regardless of the number of Negro children enrolled, or to the actual existence of or trend toward racial imbalance. At this time and for the purpose of this report, a racially imbalanced school is defined as one having 50% or more Negro pupils enrolled.

2. A statement of policy by your board of education with respect to the maintenance of racial balance in your schools.

3. In districts where racial imbalance exists, or is a problem, a report of progress made toward eliminating it.

4. In such districts, your plan for further action, including estimates of the additional cost, if any, and of the time required for carrying out your plan.

I also read excerpts of the "guidelines" accompanying this directive drafted by Mr. Allen's Advisory Committee on Human Relations and Community Tensions. Parenthetically, I think it is safe to assume that Mr. Allen approved and endorsed all of the statements made by his handpicked committee. Here is what this committee said, in part:

A cardinal principle, therefore, in the effective desegregation of a public school system is that all of the schools which comprise that system should have an equitable distribution of the various ethnic and cultural groups in the municipality or the school district. Where serious imbalance exists the school with the highest proportion of minor-

ity group and lower status children tends to receive more such children as parents who are able to do so move to neighborhoods and schools of higher status.

A program which seeks an equitable distribution of majority and minority group children in all of the schools of a district offers several advantages. It will enable all children to profit from acquaintance with others of different backgrounds than their own, it will reduce distinctions among schools based on noneducational factors, and will probably stabilize the shifts of enrollment which often follow the arrival of minority group children in disproportionate numbers in a particular school.

The committee recognizes that long established patterns and community customs are not easily or quickly changed and that psychological and social factors operate on all sides of such a situation as the one now before you. We therefore suggest six principles which seem to us relevant to the whole question of racial balance in the schools.

1. The common school has long been viewed as a basic social instrument in attaining our traditional American goals of equal opportunity and personal fulfillment. The presence in a single school of children from varied racial, cultural, socioeconomic, and religious backgrounds is an important element in the preparation of young people for active participation in the social and political affairs of our democracy.

2. In forming school policies, every educationally sound action should be taken to assure not only passive tolerance but active acceptance of and genuine respect for children from every segment of the community, with particular attention given to those from minority groups that may have been the objects of discriminatory mistreatment.

3. No action, direct or indirect, overt or covert, to exclude any child or group of children from a public school because of ethnic, racial, religious, or other educationally irrelevant reasons should be taken by any public agency. Wherever such action has occurred it is the obligation of the school authorities to correct it as quickly as possible.

4. No action should be taken which implies that any school or any group of pupils is socially inferior or superior to another, or which suggests that schoolmates of one group are to be preferred to schoolmates of another. In establishing school attendance areas one of the objectives should be to create in each school, a student body that will represent as nearly as possible a crosssection of the population of the entire school district, but with due consideration also for other important educational criteria including such practical matters as the distance children must travel from home to school.

5. A neighborhood school offers important educational values which should not be overlooked. The relation between a school and a definable community with which it is identified can, in many cases, lead to more effective participation by parents and other citizens in the support and guidance of the school. It can stimulate sound concern for the welfare of the school and its pupils and can lead to beneficial communication between the school staff and the community that staff serves.

6. When a neighborhood school becomes improperly exclusive in fact or in spirit, when it is viewed as being reserved for certain community groups, or when its effect is to create or continue a ghetto-type situation it does not serve the purposes of democratic education.

After reading these statements, one can easily understand what is meant when it is stated that Mr. Allen favors "radical change" in the educational system.

The most unreasonable and radical provision of this edict was the one which

defined a racially imbalanced school as one attended by more than 50 percent colored students. When this directive was enforced in the school systems of New York, it meant that not only were colored children forced to be bused outside their neighborhoods to attend predominantly white schools, but that white children were forced to be bused outside their neighborhoods to attend schools that had been predominantly Negro, so as to get the percentages in proper balance.

This unwise and undemocratic decision, which struck at the very heart of the concept of neighborhood schools, caused deep resentment and indignation among many parents and students in the State of New York. White parents especially objected to their children being bused from their neighborhoods to attend school.

This resentment and indignation has built up to a point that the Legislature of New York in its recent session passed a law which would prohibit this practice of forced busing.

Thus, the people most affected by Mr. Allen's motions of the goals of education have soundly repudiated them.

Not only have Mr. Allen's theories on education been outlawed by the State of New York, but the Congress of the United States has made clear that these radical notions are contrary to Federal policy.

For instance, section 401 of the Civil Rights Act of 1964, which deals with public education, gives the following definition of "desegregation":

"Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

And sections 409 and 410 of the Health, Education, and Welfare Appropriation Act for 1969, passed on October 11, 1968, read, in part, as follows:

No part of the funds contained in this act may be used to force busing of students, abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance \* \* \*. No part of the funds contained in this act shall be used to force busing of students, the abolishment of any school or the attendance of students at a particular school in order to overcome racial imbalance as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school.

Also, section 704 of the Elementary and Secondary Education Act of 1965 states the following:

Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States . . . to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

During the course of the hearings on Mr. Allen's nomination held by the Committee on Labor and Public Welfare on April 15, 1969, Senator DOMINICK questioned the nominee about these differences in his educational philosophy and

the requirements of Federal law. It is very revealing to read from the testimony on this subject:

Senator DOMINICK. Dr. Allen, just to follow up on what Senator Javits mentioned regarding the neighborhood school problem, there have been instances in various States and localities where busing has been used to create racial balance or to overcome an imbalance which is inherent in a particular neighborhood school.

It is my understanding that you have supported busing to overcome racial imbalance.

Mr. ALLEN. Let me say this: In New York State I have a judicial function to perform and anyone who feels himself aggrieved may appeal to the Commissioner of Education for adjudication of that grievance. Under this authority I have had over the last 10 years a number of cases brought by parents and others against local school boards that, in the opinion of these parents, were not dealing adequately with segregated schools. And in a few cases I have supported these parents and directed that the local school authorities eliminate or correct the inequities.

I have never actually per se, directed them to bus children.

The results of some of the directions which have been given do require some degree of busing, but I would emphasize again when I said a while ago that if it is a choice between poor education, if it is a choice between segregated schools and busing, and there was no other way in which this could be corrected, then I would not deny to a local school system the right to bus.

Senator DOMINICK. And you understand, do you not, that the Federal Law is quite specific in forbidding the Federal Government from requiring busing to achieve racial balance?

Mr. ALLEN. I do understand that.

Senator DOMINICK. Is this Federal Law going to create any problems in your philosophy and in your administration of education?

Mr. ALLEN. Not at all. I think these responsibilities rest largely with the States in the first instance. The question of how you do this ought to be left to the States and the localities, wherever possible. I would hope that I can give my attention here to the more positive side of this, that is, to seeking ways in which we can use the title IV provisions and funds to assist the States and localities in our country in dealing with this very difficult problem. \* \* \*

Senator DOMINICK. . . . We enacted in the State of Colorado probably the number one or number two fair housing bill. I was then a member of the State legislature and participated in its preparation.

Shortly afterwards many of our very fine colored people moved into a magnificent area, which was toward the airport. It was one of our very good school areas. Unfortunately, when this happened, they moved in such large numbers that many of the whites moved out. I think this was a bad mistake, but they did. The school system thereby became predominately Negro. I have had delegations now saying that although they have the same schools and they have the same teachers that they had before, they are not getting an adequate education. I have great difficulty in understanding this type of approach. And many of the school people in my State are now saying that in order to overcome the Negro majority in this particular area that we should bus other children in to create a racial balance.

What they are saying, in effect, is that even with equal school facilities and the teachers they had before, which was an area of very fine educational opportunity, they can't get an equal education when the students are all black. I don't believe that.

Do you find this a problem in other areas as well?

Mr. ALLEN. Well, certainly you can provide quality education in a school that is all black,

just as you can provide quality education in a school that is all white. But if our goal in this country is to remove the attitudes that have brought about some of the discriminatory practices we have, it seems to me we have to go beyond this as a goal toward finding ways in which children can learn to live together very early and respect each other without regard to race, color, or creed.

Senator DOMINICK. With a fair housing law they can move anywhere they want.

Mr. ALLEN. I am saying that is an education problem. On the education issue, I believe that separate but equal is not equal. The Supreme Court has enunciated and I feel very strongly that as a part of good education in the long run we must work toward an integrated school program.

Senator DOMINICK. I don't want the record to reflect I favor separate but equal facilities, because I am very much against that idea. But what I am talking about is a neighborhood school system where the people themselves, by virtue of their own motion created this problem. They are still free to move to other areas if they don't like it.

Mr. ALLEN. Well, I think you have to examine each of these cases in terms of its own merits and the conditions that are there. I would say with respect to the neighborhood school that it is one of the great traditions in this country and has great value. The relations between school and the community and the parents is very important for good education. But when the neighborhood school becomes exclusive and when good education cannot take place in a neighborhood school, or when children feel that they are being treated as inferior individuals because they are required to go to a school that is all of one race, then I think we have to reexamine the neighborhood school policy in that particular case.

In other words, it seems to me the overriding consideration here is how do you provide a good education for every boy and girl? And I believe that this can be best provided in terms of the principles for which we stand in this country, in an integrated setting, and we ought to work a little toward that goal.

Senator DOMINICK. This is exactly the point that I was trying to bring up before. Does your philosophy encompass the idea that we should have forced transportation systems from one area to another in order to get a racial balance in all the schools?

Mr. ALLEN. Well, I hope we do not have to do it that way. I hope, through getting an understanding here we do not have to force, because I have learned in New York State that forced direction has not always achieved the goal that you are after. The important thing is to get understanding of this in terms of how it affects boys and girls. This is the direction which I would like to give my attention. (emphasis added).

This testimony is found on page 29, and pages 31-32, of the printed testimony.

I would call your particular attention to the testimony given by Mr. Allen in response to the direct question asked by Senator DOMINICK as to whether there were any problems between his educational philosophy and administration and the requirements of Federal law. I believe that this was a straight question which called for a straight answer. The nominee failed or refused to give a straight answer to that all important question but rather gave a vague and evasive answer which leaves in doubt the extent to which he intends to give effect to his personal notions of education which are in conflict with Federal law.

Mr. Allen said, and I wish to repeat: "I think these responsibilities rest largely with the States in the first instance. The

question of how you do this ought to be left to the States and the localities wherever possible"—page 29 of testimony.

The most significant thing about this testimony is that Mr. Allen declined unequivocally to say that he would not attempt to force local and State school authorities to achieve a racial balance in school systems.

In my judgment, this statement means that if the States and localities achieve the kind of racial balance in the school systems that the U.S. Commissioner of Education thinks is desirable, then the Federal Government should keep "hands off" and let the States and localities do it. This is the clear inference to be drawn from the statement that busing to achieve racial balance should be left to the States in the first instance. Suppose that in the opinion of the U.S. Commissioner of Education the States failed to discharge these responsibilities? Suppose that the means selected by the States and localities to carry out these objectives are determined to be unsatisfactory by the U.S. Commissioner of Education? Obviously, at that point, the nominee feels that the U.S. Commissioner of Education would have a right to step in and order that these things be done in a manner acceptable to him, just as he did when he was commissioner of education in New York.

Mr. President, I regret to say that it is apparent that the Nixon administration, and in particular the Department of Health, Education, and Welfare, is much harsher and more unreasonable in its application of the so-called guidelines than even the preceding Johnson administration.

The confirmation of Mr. Allen would make this unfortunate trend a certainty.

On March 4, 1969, officials of HEW made certain written demands on the authorities in charge of the institutions of higher learning in the State of Mississippi. Similar demands were made upon the authorities of other States, including Maryland and Pennsylvania.

The demands made on those in charge of the Mississippi system of higher education are completely unreasonable, unworkable, and unjust.

For instance HEW states that Delta State College, located in Cleveland, Miss., and Mississippi Valley State College, located at Itta Bena, Miss., about 40 miles from Cleveland, should be consolidated. This demand is arbitrary and absurd. If a State cannot even decide the location of its colleges and universities, then education in America has come to a sorry pass. The decision involving the location of colleges is strictly within the power and competence of State and local authorities. Those authorities, not Federal authorities, are able to take into account such factors as convenience of location to students, allocation of resources, and so forth.

The Federal Government has no business intervening in these matters, but under the Nixon administration it is doing so.

HEW demands that the authorities at the University of Mississippi take steps to affirmatively assign members of different racial groups as roommates in the dormitories. This is just an accelera-

tion of the Federal attack on the concept of "freedom of choice." One is not to have anything to say about the choice of his roommate.

The officials of HEW obviously dislike the concepts of freedom of choice and freedom of association.

Also, the authorities at the University of Mississippi and other institutions were instructed by HEW to take affirmative steps to include all racial groups on athletic teams. They were instructed to recruit members of all racial groups from high schools to play on athletic teams.

Athletic abilities and merit must yield to the goals of integration as far as HEW is concerned.

This arbitrary and tyrannous rule of our institutions of higher learning must be broken.

If this nominee is confirmed, we can be certain that he will make this situation worse.

I say to my colleagues that if you value tranquillity, peace, and harmony in the public school systems in this Nation then you should vote to reject the nomination of James E. Allen, Jr., to be Commissioner of Education and Assistant Secretary for Health, Education, and Welfare.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a statement of my colleague, the junior Senator from New York (Mr. GOODELL), with respect to this nomination.

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

#### STATEMENT OF SENATOR GOODELL

Mr. President, I am extremely pleased by the nomination of Dr. James E. Allen, Jr. to be Assistant Secretary of Health, Education, and Welfare and U.S. Commissioner of Education. For the past 15 years, New York State has been the beneficiary of Dr. Allen's outstanding leadership as Commissioner of Education and President of the University of the State of New York. He will bring to this national post a wealth of experience and knowledge. There is no question as to his eminent qualifications.

James Allen will also bring to this important position a deep commitment to providing an equal educational opportunity to every child in this country. He is resolved to working for the improvement of our educational system so that we are offering our children the best education possible. These commitments are essential for the betterment of our educational system and, indeed, for society at large. James Allen has shown us his fortitude and resolve in working for the implementation of these goals.

Accordingly, Mr. President, I urge my colleagues in the Senate swiftly to confirm Dr. Allen's nomination.

Mr. JAVITS. Mr. President, so that the RECORD may be complete, I ask unanimous consent that the questions asked by me and the answers given by Dr. Allen, contained in the record under the heading "Busing of School Children," on pages 26 to 28, be printed at this point in the RECORD.

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

#### BUSING OF SCHOOL CHILDREN

Senator JAVITS. Thank you, Doctor.

Now, Dr. Allen, in the State of New York you did your utmost, I am satisfied—and I am testifying now, not you—to bring to the

benefit of every child, where it was feasible, without force, the diversity of our society, including its black people.

Now, in the Federal law we have embedded the principle that Federal money should not be used for busing to compel racial integration.

We have also embodied the principle that it is not in violation of the laws against discrimination and educational opportunity to refrain, if you will, from trying to establish racial balance, provided that it does not represent discrimination, like the so-called pupil placement programs, et cetera.

Now, generally speaking, because I realize you must be general, do you feel that you can move forward as an honest educator with your educational idea, and that you can operate within this Federal framework and it will not inhibit you?

Mr. ALLEN. Yes, I think so, Senator. I have been asked many times about busing. Busing is not an end in itself. It is a means to eliminate any inequities and inequality of opportunity. We bus one out of every three children in this country.

Senator JAVITS. Anyhow.

Mr. ALLEN. And I recall, Senator, as you do, 35 or 40 years ago when the neighborhood school in America, and in my State of West Virginia, as well as New York, was the one-room school up the hollow. We found out before long this school could not provide equality of education for all and we sent buses up these hollows to bring the children out into consolidated schools, or larger schools where they could have equality of opportunity. We had objections to the busing in those days. I can recall a great many people objecting to the fact a child was going to have to ride for what they considered excessive amounts of time on the bus. Once the people saw that this resulted in a better educational opportunity then they were doing just the opposite, seeking to have the bus come right to the home and bring the child in.

Now, as I said a little while ago, my commitment is to see to it that there is equal education opportunity for every boy and girl in America. I would use busing here again only to equalize opportunity. If busing is the only way to remove inequities, to see to it that every child has a good education; then rather than to forego these opportunities, I would propose that he be bused. And I would urge and recommend to the local school system they do so as I have in New York.

I think there are more important things here than busing. What we are concerned about is a better education. I think in many cases it is going to be impossible for some time to come to remove all of the disadvantages of racial imbalance or segregated schools. In the meantime we must see to it that the education of children where they are now is as good as we can make it, and the quicker we do that the easier it will be to bring about the kind of integrated setup that we all are seeking in the long run.

But I think the thing to bear in mind is that the purpose of busing is for one thing only and that is to get the young child to a better school, to a better educational program, than the one he now is in and getting him there safely. It is the only real justification you can provide. I happen to believe that the integrated setting is better, and offers, everything else being equal, better educational opportunity for all boys and girls.

Senator JAVITS. The dominant consideration that you will have as Commissioner of Education will be equality in opportunity and best education for the child?

Mr. ALLEN. Right.

#### CAMPUS DISRUPTION

Senator JAVITS. Now, the last question I have relates to this so-called violence on college campuses.

Do you feel that as commissioner you have a role to play in that?

Mr. ALLEN. I feel I have a very definite role to play here. I think this is a most difficult and very sensitive issue at this time. I think we have to move with great care.

The basic responsibility rests and must continue to rest, in my judgment, with colleges and universities. Nevertheless, I would hope that we might in the days ahead, concern ourselves more with the positive things that Government can do at all levels to assist the colleges and universities to provide the kinds of services and programs that are needed, and which many of these young people are saying are inadequately provided at the present time.

I have opposed in New York State, at least, punitive types of legislation here. I hope in my capacity here I may play some role in trying to work with the colleges and university people in helping them meet this very difficult problem constructively.

We need to be sensitive to the universities and colleges, their freedom, their flexibility, their independence, their right to seek the truth at all times, on the one hand, and be sensitive, on the other hand, to the concerns of our young people who have to live in the future and who, in many cases, feel that the present college and university programs are not relevant to their concerns. We have to listen to them.

I do not in saying this, by any means condone the kind of violence and destructive actions that have taken place on many campuses. I think this must be dealt with quickly and I believe personally that there are laws on the books now in the States and localities that are adequate for dealing with this kind of disruption and disruptive activity. However, I hope that I may be able to provide help to the colleges and communities in the States and, with the advice and assistance from Members of the Congress and others, play some role in this very difficult and very sensitive area.

Senator JAVITS. Do I gather that there is implicit in what you say the feeling, and I agree with that feeling, that the ultimate sanction is expulsion, that expulsion is the toughest sanction of all?

Mr. ALLEN. Right.

Senator JAVITS. And that is in the hands of the college administrators themselves.

Mr. ALLEN. Right.

Senator JAVITS. Now also, I heard the words—you correct me if I am wrong—that we have to give the student a chance to be heard. We give many things to higher education. I am not going to ask you to answer this now, but would you study whether we should make, as a condition of Federal aid to higher education, the fact that the student is being given a chance to be heard, just as we should crack down inexorably upon any efforts to coerce us once he does have a chance to be heard. In other words, I say give him the chance to persuade but do not give him the right to coerce us, if he can't persuade us.

Would you think that philosophy is generally correct?

Mr. ALLEN. I certainly would and I would like to give consideration to that.

Senator JAVITS. I thank the Chair and thank the witness. Thank you, Dr. Allen.

Mr. JAVITS. Mr. President, I have consulted with my minority colleague on the Subcommittee on Education, the Senator from Colorado (Mr. DOMINICK). We are prepared to vote, unless other Senators wish to be heard.

Mr. PELL. Mr. President, I rise to support the nomination of Dr. Allen. I have listened to the debate, and I realize, as is often the case, that there are varying viewpoints represented, and that is as it should be. However, having listened to

the Commissioner-designate, the Assistant Secretary-designate, when he was before the Committee on Labor and Public Welfare, and having studied his biography, I believe that he will do the job in an excellent manner; and I look forward to supporting the nomination when it comes to a vote.

Mr. KENNEDY. Mr. President, Mr. Allen has been nominated to be Assistant Secretary of Health, Education, and Welfare as well as the U.S. Commissioner of Education. At the suggestion of the distinguished senior Senator from Florida (Mr. HOLLAND), I ask unanimous consent that the nominations of Mr. Allen for both positions be considered en bloc and that the rollcall vote previously ordered be taken on the two nominations en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. KENNEDY. Mr. President, I wish to express my firm and full support for Dr. James Allen to be Commissioner of Education and Assistant Secretary for Education in the Department of Health, Education, and Welfare.

This afternoon, we have heard much discussion, debate, and dispute with regard to Federal education matters. But we must be perfectly clear what issue is before us today. We are not setting policy or passing legislation on desegregation guidelines, busing, or any other specific education measure.

Rather, we are asking the question: Is Dr. Allen—nominated and endorsed by the President of the United States—qualified and able to do the job for which he has been selected? His background and experience and demonstrated ability show unequivocally that he is.

There is no need to list in detail Dr. Allen's impressive accomplishments and contributions in the field of education. For the RECORD, however, I ask unanimous consent that a short biographical sketch appear at the end of my remarks.

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

(See exhibit 1.)

Mr. KENNEDY. For the last 15 years, Dr. Allen has been New York State Commissioner of Education and president of the University of the State of New York. Prior to that time, he held a number of positions—both teaching and administrative—directly concerning education. He has earned both a master's degree and a doctorate in the field.

During his tenure as New York Commissioner of Education, and in his related activities on scores of advisory groups and boards, Dr. Allen has exercised responsibility for the whole range of education issues—preschool through elementary and secondary education, college and graduate school, adult education, special education for the handicapped, and so forth.

As an administrator, he has been on the firing line and has handled tough problems with imagination, with dignity, and with results. He is familiar with the operations of the Office of Education. He is experienced in the many education issues which are so critical at this time.

Without doubt, Dr. Allen is one of the most respected and able educators in the United States today.

Dr. Allen's unique talents and experience can make a great contribution, and his qualifications are 100 percent solid. They fully justify approval of his appointment by the Senate.

However, Mr. President, a number of other issues have been raised this afternoon. To keep these in perspective—recognizing that our focus today is the particular nomination of Dr. Allen—I would like to emphasize several brief points.

First, contrary to the impression which several of my colleagues may have, Dr. Allen in his new position will not have authority or responsibility over desegregation and busing. The Civil Rights Office for the Office of Education reports directly to the Secretary of Health, Education, and Welfare. Therefore, it is unfair and incorrect to make Dr. Allen a whipping boy for those who oppose Federal policies on these issues.

Second, we have heard criticism of Dr. Allen's actions on busing while commissioner of education in New York. In fact, Dr. Allen simply was carrying out the mandate—indeed the requirement—of desegregation for which he had responsibility under law. The fact that he performed his duty efficiently and effectively should elicit praise, not concern, from the Members of this body. His record indicates that we can be confident that Dr. Allen will carry out with vigor our legislative wishes and congressional intent.

Third, neither Dr. Allen nor myself or any of my colleagues today has claimed that the Federal Government ought to require busing in local school districts. As Senators well know, such a requirement is explicitly prohibited by law.

I do feel, however, that the Federal Government should not handicap local school districts which may choose on their own to adopt busing or any other programs, on a voluntary basis, to assure equality of educational opportunity. We should encourage and support local responsibility.

Indeed, I should think that my colleagues who so strongly advocate local control would join me on this point—that the Federal Government should not tell local districts what to do on busing and should not restrain local determination.

Fourth, Dr. Allen has clearly said that he intends to be guided by congressional mandate on busing, as well as in other areas. In confirmation hearings on April 15, the following exchange occurred, on page 29:

Senator DOMINICK. And you understand, do you not, that the Federal law is quite specific in forbidding the Federal Government from requiring busing to achieve racial balance?

Mr. ALLEN. I do understand that.

Senator DOMINICK. Is this Federal law going to create any problem in your philosophy and in your administration of education?

Mr. ALLEN. Not at all. I think these responsibilities rest largely with the States in the first instance. The question of how you do this ought to be left to the States and the localities, wherever possible. I would hope that I can give my attention here to the more posi-

tive side of this, that is, to seeking ways in which we can use the title IV provisions and funds to assist the States and localities in dealing with this very difficult problem.

Fifth, Dr. Allen has made it clear that he does not favor busing for busing's sake, or integration for integration's sake. Rather, his commitment is to achieving the highest possible quality of education, with a fair opportunity for all young people to benefit. As he said in the confirmation hearings:

The purpose of busing is for one thing only and that is to get the young child to a better school, to a better educational program, than the one he is now in, and getting him there safely. It is the only real justification you can provide.

I cannot believe that any reasonable man would oppose this commitment to the best education for the greatest number of people. We must follow through on this commitment, or fail as a Nation.

Sixth, desegregation of schools often leads to less busing, not more. In many school districts even today, dual bus systems carry white children out of their neighborhood to attend all-white schools and black children out of their neighborhood to assure all-black schools. I hope that antibusing advocates will be consistent, and vigorously oppose such dual busing systems.

Finally, Mr. President, I want to stress again that the substantive issue before us is not busing or desegregation, but the ability of Dr. Allen to carry out the functions of Commissioner and Assistant Secretary for Education.

It would be unfortunate, unfair, and unreasonable for those who may be piqued at administration policies to take it out on an eminent educator who in his new position would not even be charged with responsibility for those policies.

Mr. President, Dr. James Allen is a man of great courage and integrity. He has demonstrated imagination and ability in a lifetime devoted to improve quality of education at every level, and equality of educational opportunity for all Americans.

I have the highest admiration and esteem for Dr. Allen, as a person and as a professional educator. I am convinced that he will do a superb job as Commissioner of Education and Assistant Secretary of Health, Education, and Welfare. I look forward to his confirmation today by the U.S. Senate.

#### EXHIBIT 1

BIOGRAPHICAL SKETCH OF JAMES E. ALLEN, JR., NOMINATED TO BE COMMISSIONER OF EDUCATION AND AN ASSISTANT SECRETARY OF HEALTH, EDUCATION, AND WELFARE

James E. Allen, Jr., New York State Commissioner of Education, was born in Elkins, West Virginia, April 25, 1911. His elementary and secondary education took place in that city and in 1932 he received his A.B. Degree from Davis and Elkins College.

He studied economics and public finance in the Graduate School of Princeton University, and in 1942 received the Degree of Master of Education from Harvard University. In 1945 he earned the degree of Doctor of Education from the same institution.

Dr. Allen holds the honorary degrees of Doctor of Letters from Syracuse University (1955); Doctor of Pedagogy (Pd. D.) from Niagara University (1956); Doctor of Laws

from Davis and Elkins College (1956); Doctor of Laws from Union University (1956); Doctor of Humane Letters from Hobart and William Smith Colleges (1956); Doctor of Humane Letters from Alfred University (1956); Doctor of Letters from Hofstra College (1957); Doctor of Laws from Yeshiva University (1957); Doctor of Letters from Marshall College (1958); Doctor of Laws from Adelphi College (1959); Doctor of Laws from Middlebury College (1959); Doctor of Laws from Fordham University (1960); Doctor of Laws from Harvard University (1960); Doctor of Letters from Ithaca College (1962); Doctor of Humane Letters from Columbia University (1964); Doctor of Laws from New York University (1966); Doctor of Humanities, West Virginia University (1966); Doctor of Humane Letters, Pace College (1966); Doctor of Laws, Yale University (1966); Doctor of Laws from Manhattan College (1968).

Dr. Allen held positions in the West Virginia State Education Department from 1934 to 1939. While at Princeton he was employed as a Research Associate in the Princeton Surveys, and was responsible for the direction of the Surveys' studies in educational finance. From 1941 to 1943 he was associated in a research capacity with the Center for Research in Educational Administration at Harvard University. In 1943 he was named Secretary to the Faculty and Director of Placement in the Harvard Graduate School of Education.

From 1944 to 1945 Dr. Allen served as an education consultant to the War Department attached to the staff of the Commanding General of the Third Air Force. In 1945 he became Assistant Professor of Education and Director of the Bureau of School Services at Syracuse University. He was appointed Executive Assistant to the New York State Commissioner of Education in 1947, and in 1950 he was appointed Deputy Commissioner of Education. In 1955, the Board of Regents elected him to the dual titled position of Commissioner of Education and President of the University of the State of New York (not a university in the usual sense, but a corporation encompassing all schools and colleges in New York State chartered by the State and subject to the visitation of the State Board of Regents). He assumed this office on September 1, 1955.

In 1946-47 Dr. Allen served as a consultant to the President's Commission on Higher Education and prepared the Commission's volume on the "Financing of Higher Education." He is author of "State School Fiscal Policy for New Jersey," co-author of several monographs and reports in educational administration and a contributor to numerous magazines.

Commissioner Allen also received the Medal for Distinguished Service from Columbia University Teachers College in June 1968.

Dr. Allen's local memberships are:  
Albany International Center, Member, Advisory Committee.

City and County Savings Bank of Albany, Board of Trustees, Member.

Dudley Observatory, Board of Trustees, Member.

First Presbyterian Church, Elder.  
Fort Orange Club, Member.

National Council, Boy Scouts of America, Member of Local Chapter.

Rotary Club, Honorary Member.  
Salvation Army, Advisory Board, Member.

Schuyler Meadows Country Club, Member.  
Dr. Allen's In-State memberships are:

Advisory Council for the Advancement of Industrial Research and Development, Member.

Citizens for Transportation Progress, Member.

Council for the New York State School of Industrial and Labor Relations, Member.

Dormitory Authority of the State of New York, Member.

Education Commission of the States, Steering Committee Member and Commissioner and Vice-Chairman.

Governor's Advisory Committee on Youth & Work, Member.

Governor's Cabinet Member.

Governor's Committee on Increased Use of Milk, Member.

Interdepartmental Committee on Farm & Food Processing Labor, Member.

Interdepartmental Committee on Manpower, Member.

Interdepartmental Committee on Problems of the Aging, Member.

Interdepartmental Committee on Traffic Safety, Member.

Interdepartmental Committee on Youth, Member.

Joint Legislative Committee to Revise and Simplify the Education Law, Member.

New York Higher Education Assistance Corporation, ex officio Member.

New York State Apprenticeship Council, Member.

New York State Civil Defense Commission, Member.

New York State Council of School Superintendents, Member.

New York State Council on Drug Addiction, Member.

New York State Health Planning Commission, Member.

New York State Health Resources Commission, Member.

New York State Historic Trust, Director.

New York State Science and Technology Foundation, Director.

New York State Teachers Association, Member.

New York State Teachers Association Advisory Committee for Equal Educational Opportunity, Honorary Chairman.

New York State Technical Services Program, Advisory Council Member.

Northeastern Commissioners, Member.

Northeastern New York Student Orchestra, Honorary Patron.

Pesticide Control Board Member.

Post Vietnam Planning Committee, Member.

State Recreation Council Member.

Temporary State Commission to Commemorate the War of 1812 and The Composition of the Star Spangled Banner, Member.

Dr. Allen's Federal memberships are:  
USOE Advisory Council on State Departments of Education, Member.

USOE Advisory Group, School for the Year 2000; Education for Living in the 21st Century, Member.

Other memberships of Dr. Allen are:  
American Association of School Administrators, Member.

American Council on Education, Commission on Plans and Objectives for Higher Education, Member.

Bell Educational Services, Inc., Trustee Advisory Board, Member.

Century Club, Member.

Committee on Assessing the Progress of Education, Member.

Cornell University Board of Trustees, ex officio member.

Council of Chief State School Officers, Member.

Danforth Foundation, Board of Trustees, Member.

Davis & Elkins Long-Range Planning Committee, Member.

Educational Development Center, Member.

ERIC/CEA National Advisory Board, Member.

George Junior Republic, National Committee, Member.

Harvard University Program on Technology and Society, Advisory Committee, Member.

Harvard Graduate School of Education, Visiting Committee Member.

Hudson-Mohawk Council on World Affairs, Board of Trustees, Member.

Institute for American Strategy, Board of Directors, Member.

Metropolitan Area Council for International Recreation, Culture and Life-Long Education, Member of Board.

Metropolitan School Study Council, ex officio member.

National Academy of Public Administration, Member.

National Center for School and College Television, Advisory Board Member, Research and Dissemination Committee.

National Citizens Committee for NDEA.

Saratoga Performing Arts Center, Board of Directors, Member.

Second Regional Plan, NYC, Member of Committee.

Stanford Center for Research and Development, Stanford University, Calif., Advisory Panel.

Syracuse University, Honorary Trustee.

Vocational Advisory Service (New York City), Board of Advisors, Member.

Dr. Allen married Florence Miller of Grantsville, West Virginia on April 23, 1938, and they have two children (twins), James E., III, and Mrs. John Dolven.

Mr. BYRD of Virginia. Mr. President, I do not support confirmation of the nomination of Mr. Allen as Commissioner of Education. In reading the testimony before the Committee on Labor and Public Welfare, I am not impressed with Mr. Allen's candor.

Also, in reading this testimony, I have become convinced that Mr. Allen would not hesitate to go counter to legislation enacted by Congress if in his judgment he feels that it is wise and just to do so. I have particular reference to his attitude toward neighborhood schools, and I have particular reference to his reply to a question put to him by the Senator from Colorado (Mr. DOMINICK).

I shall read part of the questions of the Senator from Colorado. All of his questions have been placed in the RECORD, and all of this appears at another place in the RECORD. I do wish to read this question:

Does your philosophy encompass the idea that we should have forced transportation systems from one area to another in order to get a racial balance in all the schools?

Mr. ALLEN. Well, I hope we do not have to do it that way.

Mr. President, to me, at least, it is clear that Mr. Allen would do it that way if he should regard it as necessary to do so. It disturbs me that many Federal administrators are determined not just to administer the laws but are determined to administer the laws in the way they want them administered, without regard to the directions and legislation passed by Congress.

I think it is of great significance that Mr. Allen was commissioner of education in the State of New York. As a result of one of the basic policies of his administration, that is, breaking up of the neighborhood schools for the particular reason of attempting to correct what he regarded as racial imbalance, the New York State Legislature enacted legislation preventing the New York Commissioner of Education from taking such action.

Mr. President, New York is not a Southern State. New York is not a conservative State. New York is not a State which has a record of practicing segregation. New York is a State with a long record of integrated schools. Therefore, this matter goes far beyond the question

of segregation and integration. It goes to whether or not the commissioner of education may impose his philosophy on the people of his State or, if he comes to Washington, on the people of the United States.

I think it is very significant that the Assembly of New York, by a vote of 104 to 41, enacted legislation to prevent Mr. Allen from carrying out his program in this particular field. On April 18, the Senate of the State of New York, by a vote of 36 to 16, enacted similar legislation. The way I look at it, this action of the New York State Legislature was a complete repudiation of a basic program of the Commissioner of Education of the State of New York, who now is coming to Washington to become Commissioner of Education for the National Government.

Mr. President, I have read carefully the hearings and each time I read the hearings I become more concerned that Mr. Allen should be confirmed for the post to which he has been nominated.

In addition to the matter I have just mentioned, a burning question today throughout our Nation is the question of disorders on the college campuses. I find that Mr. Allen has a very permissive attitude in this regard. If his policies are carried out, I think we will have more and more campus riots. I think it is unfortunate that a man of his philosophy should be considered for the post that the Senate is considering him for today.

On the matter of campus disorders his attitudes go completely contrary to the thoughts enunciated in recent weeks by the distinguished President of the United States, and completely contrary to the statements made over the weekend by the distinguished Vice President of the United States. I support the position on campus disorders enunciated by President Nixon and Vice President Agnew.

Mr. President, when the roll is called this afternoon on the confirmation of James E. Allen, Jr., of New York, to be Commissioner of Education, I shall cast my vote in opposition.

Mr. STENNIS. Mr. President, in the course of the debates about the application of the Civil Rights Act of 1964, when the major act was passed, we were given certain good faith assurances here by those who were handling the bill as to the meaning of certain language and the purpose for carrying them out. I emphasize that those promises were made in good faith.

I remember that the then Senator from Minnesota was one of those who made promises. Those promises were later repudiated by the Department of Health, Education, and Welfare when they made the school guidelines. I do not think there is any dispute about that fact.

Several years ago when the application of these guidelines was confined solely to the South, certain conferences were held with the Department of Health, Education, and Welfare. I remember that the then Senator from Alabama, Mr. HILL, the Senator from Georgia (Mr. RUSSELL) and I were at one of those conferences with Mr. Gardner and Mr. Cohen. We were given guarantees that these guide-

lines would be applied equally in the East and North.

I was not going to get in the business of East and North, and West, too, as far as that is concerned. I knew if these guidelines were to be applied as they were being applied in our area of the country, they were going to hear from mama and papa.

Those promises were not kept. I do not accuse those men of willfully lying, but someone overruled them. Something happened. Another year came and went and the same promises were made and were not kept. I know the Senator from Oregon, Mr. Morse, in a very spirited way joined in and demanded that something be done about these guidelines in other areas of the country, when he learned about them. I am bringing up these matters not by way of just complaining but to bring before the Senate the history of this matter.

But nothing was done and another year passed. Now, last year, we finally got a limitation on the appropriation bill. In the HEW school appropriation bill it was required that for that fiscal year, at least, as many investigators would have to be used in other areas of the country as in the South. That was the first time any substantial move had been made that counted with respect to these guidelines anywhere except in the South. There has been a little movement but nothing that amounted to anything. Now, under that limitation on the appropriation bill they have moved a little and I think some funds have been cut off in one district somewhere.

So, here again, I am not accusing Mr. Finch of any bad faith. In some of his published statements, he has talked as a man should talk, as I see it, about education being put first and being put in the hands of educators. Education for all the people was the purpose for which this money was appropriated. Later that was given to be the substance of what he said in an interview published in the U.S. News & World Report. I am not making any attack on him as a man, but something happened somewhere. He also said in that interview that they were going to reconsider the guidelines, to make it national in its application.

I quote from page 39 of the U.S. News & World Report under date of March 10, 1969. I shall not read the long question but he makes the flat statement:

We have to redraw the guidelines so that they are nationally applicable.

Nationally applicable, he says. He did not like the idea of just employing them in our area of the country. I know that he did not. He said so in the article and he said so to others. He said that we must redraw the guidelines to make them nationally applicable. Now, as has happened before, we find that the statement is not going to be carried out, because neither Mr. Finch has said—and I do not know who made this decision, I cannot believe that he repudiated his words and I certainly do not charge that—but now Mr. Finch says the guidelines will stay as they are.

So, if the application now of the guidelines is just as they have been, we will continue to have serious trouble.

I refer to a Wall Street Journal item by Neill Maxwell dated April 25, 1969, entitled "Irony in the South," which gives a review of what is happening at the ground level in a lot of these districts where the funds are cut off. The substance of the article is that the colored children suffer more than the white children.

Mr. President, as a southerner, I can say from my own personal observation that that is substantially correct. This thing is being pushed so far and so fast, it is literally being rammed down the throats of the people as well as the educators—colored teachers and colored administrators, as well as white. It is literally running over them. It is literally being jammed down their throats, this overdose.

What we are doing is to wreck the public school system in the area. I have been pleading before for a public school system. That is one thing we cannot afford to lose even for any appreciable length of time. But that is exactly what is happening. Senators know that it is partly happening now in the District of Columbia, that this rapid, enforced, mixing of the races all of a sudden, when it gets as high as 30 percent in the white schools, with all deference to the colored children, and I have an interest in them and have shown it, if I may say so, during the years of my life, the whites who have not already left, rapidly leave.

That has been happening right here in the District of Columbia. It is back to virtually all colored schools. That is the pattern evolving from one of the large cities in this country. That is going to happen more down home, which will tend to create more private schools. I think that private schools are all right. It is a matter of choice. It is the right of parents who can afford to send their children there. We all know that the average fellow who works in a garage and may have four or five or six children, cannot afford to send his children to a private school.

Because of political decisions, not made from the standpoint of the educator or from the standpoint of the parents or the pupil, but just pure, crass, political decisions because of being afraid of the political consequences of making any other decision, time after time after time what has been said here on the floor and promised, or elsewhere, is, in the final analysis, repudiated or abandoned for political reasons.

But, it is confined solely to our area of the country.

I have found out something else, that as long as the law is not going to apply to the three, four, or five Southern States, it is virtually impossible to generate enough national interest in it.

If I may suggest to my friends here who are so interested in integration in the South, just test your own mettle and get up here and advocate the full application of all these guidelines in your home States. And, stay with it. Stand the gaff of the backfire which will occur. You will have a hard time destroying community schools throughout America, because the parents have a vested interest in this matter, and they have the right to have that vested interest on be-

half of their children. It is a part of their thinking where their children are concerned. It is part of their life plan. They are not going to surrender or give it up. There you will feel the political backfire. But that is the test. That is the test, actively to advocate and ask for more appropriations to employ more people, and then go in there and ram it down their throats, anyway. That will be a test of whether you are really standing for it and fighting for a principle.

Except for the Senator from Oregon, although there might be others, I have not heard from anyone except him, making a real fight to carry this thing out.

I know nothing about Mr. Allen except his general record and what he advocates. I am sure that on a personal basis he is a fine man. I do not want to create any doubts about that, or that I think anything to the contrary about him. But I have read enough of his record that I already know he has tremendous zeal. If we really want him to carry out the busing which he advocated in New York, and the guidelines to cover the whole country, we should stand up here and advocate it and say that we will back responsible appropriations to carry out the program.

I believe that it will cause the people of this Nation to awaken and realize just what they are up against.

I also want our educators, when any kind of change is being brought about, to be given a better opportunity to come to respectful hearings and in deference to their professional opinions listen to them. When we go into the offices here—and I go a lot—I get all kinds of fine responses to that request, but when the order comes and the edict is made, those people are repudiated and kicked in the face.

They are the ones who are trying to do something about the requirements and the demands of these extreme guidelines. I hope that, if nothing else can help them, we can have a surge of support in the areas outside of our part of the country, and see just how the people do feel about the actual enforcement of those guidelines.

I yield the floor.

Mr. MANSFIELD. Mr. President, I ask for a vote.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of James E. Allen, Jr., to be an Assistant Secretary of Health, Education, and Welfare and Commissioner of Education? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOLLINGS (when his name was called). On this vote I have a live pair with the Senator from Maryland (Mr. TYDINGS). If he were present and voting, he would support the confirmation. If I were permitted to vote, I would oppose it. I therefore withhold my vote.

The rollcall was resumed and concluded.

Mr. KENNEDY. I announce that the Senator from Indiana (Mr. BAYH), the

Senator from West Virginia (Mr. BYRD), the Senator from Tennessee (Mr. GORE), the Senator from Indiana (Mr. HARTKE), the Senator from Iowa (Mr. HUGHES), the Senator from Hawaii (Mr. INOUE), the Senator from Louisiana (Mr. LONG), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Utah (Mr. MOSS), the Senator from Maine (Mr. MUSKIE), the Senator from Rhode Island (Mr. PASTORE), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Alabama (Mr. SPARKMAN), the Senator from Virginia (Mr. SPONG), the Senator from Maryland (Mr. TYDINGS), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

I also announce that the Senator from Missouri (Mr. EAGLETON), and the Senator from New Mexico (Mr. MONTOYA) are absent on official business.

I further announce that, if present and voting, the Senator from Indiana (Mr. BAYH), the Senator from Utah (Mr. MOSS), the Senator from Rhode Island (Mr. PASTORE), and the Senator from Connecticut (Mr. RIBICOFF) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Kansas (Mr. DOLE), the Senator from Hawaii (Mr. FONG), the Senator from New York (Mr. GOODELL), the Senator from Wyoming (Mr. HANSEN), the Senator from Michigan (Mr. GRIFFITH), the Senator from Oregon (Mr. HATFIELD), the Senator from Nebraska (Mr. HRUSKA), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

The Senator from Kansas (Mr. PEARSON), and the Senator from Iowa (Mr. MILLER) are detained on official business.

If present and voting, the Senator from Hawaii (Mr. FONG), the Senator from Oregon (Mr. HATFIELD), the Senator from New York (Mr. GOODELL), the Senator from Nebraska (Mr. HRUSKA), and the Senator from Iowa (Mr. MILLER), and the Senator from Maryland (Mr. MATHIAS) would each vote "yea."

The yeas and nays resulted—yeas 55, nays 15, as follows:

[No. 28 Ex.]

YEAS—55

Aiken	Dodd	Nelson
Allott	Dominick	Packwood
Anderson	Ellender	Pell
Baker	Fulbright	Percy
Bellmon	Gravel	Prouty
Bennett	Harris	Proxmire
Bible	Hart	Randolph
Boggs	Jackson	Saxbe
Brooke	Javits	Schweiker
Burdick	Jordan, Idaho	Scott
Cannon	Kennedy	Smith
Case	Mansfield	Stevens
Church	McGee	Symington
Cook	McGovern	Tower
Cooper	McIntyre	Williams, N.J.
Cotton	Metcalf	Young, N. Dak.
Cranston	Mondale	Young, Ohio
Curtis	Mundt	
Dirksen	Murphy	

NAYS—15

Allen	Goldwater	Russell
Byrd, Va.	Gurney	Stennis
Eastland	Holland	Talmadge
Ervin	Jordan, N.C.	Thurmond
Fannin	McClellan	Williams, Del.

PRESENT AND ANNOUNCING A LIVE PAIR,  
AS PREVIOUSLY RECORDED—1

Hollings, against.

NOT VOTING—29

Bayh	Hatfield	Moss
Byrd, W. Va.	Hruska	Muskie
Dole	Hughes	Pastore
Eagleton	Inouye	Pearson
Fong	Long	Ribicoff
Goodell	Magnuson	Sparkman
Gore	Mathias	Spong
Griffin	McCarthy	Tydings
Hansen	Miller	Yarborough
Hartke	Montoya	

The PRESIDING OFFICER. Fifty-five Senators having voted in the affirmative and 15 in the negative, the nominations of Dr. James E. Allen, Jr., as Commissioner of Education and Assistant Secretary of the Department of Health, Education, and Welfare are confirmed.

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

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

SENATE ACTS CONSTRUCTIVELY IN CONFIRMING DR. JAMES E. ALLEN, JR.

Mr. RANDOLPH. Mr. President, the Senate has acted, in my judgment in an affirmative and constructive manner by confirming Dr. James E. Allen, Jr., to be Commissioner of Education and Assistant Secretary of Health, Education, and Welfare.

I say this, not because I have known him since his boyhood, but because his service to education will be furthered in the important new duties he now undertakes for the Federal Government.

It was my privilege on April 15 to introduce Dr. Allen to the Senate Committee on Labor and Public Welfare when it considered his nomination. I made a statement of my feelings for and confidence in Dr. Allen as a man admirably suited for his new duties.

James Allen is well known to me, and to thousands of West Virginians.

Not only was he born in my hometown, but our associations in educational matters go back many years. Dr. Allen was an undergradate student at Davis and Elkins College when his father, my beloved friend, was president of that institution and I was a member of the faculty. In fact, he was a student in a public speaking class I taught. I have watched with interest and pride the progress of Jim's career since that time.

That career has encompassed the full range of educational enterprises. Shortly after his college days he worked with the public schools of West Virginia in the State department of Education. Following World War II he completed his graduate education and then turned to the problems of our colleges and universities.

In recent years he has been Commissioner of Education for the State of New York, and as such has been responsible for one of the most diverse educational establishments in the Nation. In this challenging position he had jurisdiction over not only the public schools, but the State university system and a number of libraries and museums.

In all of these undertakings, Dr. Allen has discharged his responsibilities with distinction. He has been a vigorous administrator but one who does not feel that any element of the educational structure is sacrosanct or immune from change, if change is dictated to make the system more responsive to the needs of the students and the people themselves.

Dr. Allen has been faced, as we know, with many problems in recent months, especially, and certain challenges about which we read, that causes us to realize that education is a somewhat taxing profession on certain leaders today.

Finally, his professional experience and personal character make him well qualified for service in the highest educational policymaking position in our Federal Government.

#### LEGISLATIVE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate return to legislative session.

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

#### STATEMENT OF POSITION ON MOTION TO RECOMMIT H.R. 7206

Mr. THURMOND. Mr. President, on April 29, 1969, I was detained on official business and could not be present in the Senate. There was a motion made to recommit H.R. 7206, to adjust the salaries of the Vice President and certain officers of the Congress.

I wish to announce that had I been present, I would have voted to recommit the bill.

#### JUSTICE FORTAS AND THE WOLFSON FAMILY FOUNDATION

Mr. THURMOND. Mr. President, members of the Supreme Court should be, like Caesar's wife, above suspicion. Based on the information in this morning's press, I believe Justice Fortas acted most unwisely in accepting a \$20,000 fee from the Wolfson Family Foundation in the first place, even though he returned it 11 months later. It brings to mind the questionable arrangement which Justice Fortas had with the American University Law School and certainly raises questions about proper conduct for a member of the Nation's highest court. I certainly hope this publicity will result in a complete halt to such activities involving outside sources of income by any Justice of the Supreme Court.

I do not know all of the facts in this matter, but Justice Fortas does. I hope he will search his conscience to determine if the faith of the people in the integrity of the Supreme Court would be better served by his resignation.

#### EFFORTS TOWARD PEACE IN THE MIDDLE EAST

Mr. KENNEDY. Mr. President, 47 Senators have joined with the Senator from Connecticut (Mr. RIBICOFF) and the

Senator from Pennsylvania (Mr. SCOTT) in signing a statement expressing strong support for meaningful efforts toward peace in the Middle East.

At the request of the Senator from Connecticut (Mr. RIBICOFF), I ask unanimous consent that the names of the two Senators from Alabama (Mr. SPARKMAN and Mr. ALLEN) and the Senator from Alaska (Mr. GRAVEL) be added to the list of signers.

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

#### ORDER FOR ADJOURNMENT UNTIL 12 NOON ON THURSDAY, MAY 8, 1969

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until noon on Thursday next.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

#### AUTHORITY TO RECEIVE MESSAGES, FILE REPORTS, AND SIGN DULY ENROLLED BILLS

Mr. KENNEDY. Mr. President, I ask unanimous consent that during the adjournment of the Senate from the close of business today until noon on Thursday next, the Secretary of the Senate be authorized to receive messages from the President of the United States and from the House of Representatives, and that it be in order that they be appropriately referred; that all committees be authorized to file reports, together with minority, individual, and supplemental views, if desired; and that the Vice President or the President pro tempore be authorized to sign duly enrolled bills.

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

#### THE MIDDLE EAST SITUATION

Mr. BYRD of Virginia. Mr. President, last week marked the 21st anniversary of Israel. It is not too much to say, I think, that Israel is a miracle in the modern world. I take this occasion to express by admiration for the people of that small nation.

I associate myself with the remarks made on Friday, April 25, 1969, by the distinguished Senator from Connecticut (Mr. RIBICOFF); and I also express the view that in the turbulent Middle East situation, it is important that there be face-to-face negotiations between the Arab States and the Israelis.

Last week, the Senator from Connecticut (Mr. RIBICOFF) and the Senator from Pennsylvania (Mr. SCOTT) inserted in the RECORD a statement concerning this matter, in which they were joined by other Senators, calling for direct face-to-face negotiations between the Israelis and the Arab nations, and at this time I associate myself with that statement, and ask unanimous consent that the RECORD so indicate.

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

#### ADJOURNMENT UNTIL THURSDAY, MAY 8, 1969

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 5 o'clock and 4 minutes p.m.) the Senate adjourned until Thursday, May 8, 1969, at 12 o'clock noon.

#### NOMINATIONS

Executive nominations received by the Senate May 2, 1969, under authority of the order of May 1, 1969:

##### BOARD OF PAROLE

William F. Howland, Jr., of Virginia, to be a Member of the Board of Parole for the term expiring September 30, 1972. (Reappointment)

##### AGENCY FOR INTERNATIONAL DEVELOPMENT

Bert M. Tollefson, Jr., of South Dakota, to be an Assistant Administrator of the Agency for International Development.

##### COURT OF APPEALS

Frank Q. Nebeker, of Virginia, to be an associate judge of the District of Columbia Court of Appeals for the term of 10 years, vice Frank H. Myers, retired.

Executive nominations received by the Senate May 5, 1969.

##### DIPLOMATIC AND FOREIGN SERVICE

Jack Hood Vaughn, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Colombia.

James F. Leonard, Jr., of Maryland, a Foreign Service officer of class 1, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

##### TREASURY DEPARTMENT

Murray L. Weidenbaum, of Missouri, to be an Assistant Secretary of the Treasury.

##### IN THE ARMY

Lt. Gen. John Joseph Davis, ~~XXXXXX~~, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general under the provisions of title 10, United States Code, section 3962.

##### U.S. MINT

Nicholas G. Theodore, of Pennsylvania, to be Superintendent of the Mint of the United States at Philadelphia.

##### EXPORT-IMPORT BANK

R. Alex McCullough, of South Carolina, to be a Member of the Board of Directors of the Export-Import Bank of the United States.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate May 5, 1969:

##### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

William Hill Brown III, of Pennsylvania, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1973.

##### DEPARTMENT OF DEFENSE

Philip N. Whittaker, of Maryland, to be an Assistant Secretary of the Air Force.

##### U.S. DISTRICT COURT

John B. Hannum, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania.

## DEPARTMENT OF JUSTICE

Louis C. Bechtle, of Pennsylvania, to be U.S. attorney for the eastern district of Pennsylvania for the term of 4 years.

Daniel Bartlett, Jr., of Missouri, to be U.S. attorney for the eastern district of Missouri for the term of 4 years.

Richard Van Thomas, of Wyoming, to be U.S. attorney for the district of Wyoming for the term of 4 years.

Herbert F. Travers, Jr., of Massachusetts, to be U.S. attorney for the district of Massachusetts for the term of 4 years.

John W. Stokes, Jr., of Georgia, to be U.S. attorney for the northern district of Georgia for the term of 4 years.

Brian P. Gettings, of Virginia, to be U.S. attorney for the eastern district of Virginia for the term of 4 years.

F. L. Peter Stone, of Delaware, to be U.S. attorney for the district of Delaware for the term of 4 years.

Bill Carnes Murray, of Georgia, to be U.S. marshal for the northern district of Georgia for the term of 4 years.

Harold M. Grindle, of Iowa, to be U.S. marshal for the southern district of Iowa for the term of 4 years.

## BOARD OF PAROLE

George J. Reed, of Oregon, to be a member of the Board of Parole for the term expiring September 30, 1974.

## U.S. CIRCUIT COURT

George E. MacKinnon, of Minnesota, to be U.S. circuit judge for the District of Columbia circuit.

Roger Robb, of the District of Columbia, to be U.S. circuit judge for the District of Columbia circuit.

## DEPARTMENT OF JUSTICE

Shiro Kashiwa, of Hawaii, to be an Assistant Attorney General.

Victor R. Ortega, of New Mexico, to be U.S. attorney for the district of New Mexico for the term of 4 years.

Thomas A. Flannery, of Maryland, to be U.S. attorney for the District of Columbia for the term of 4 years.

Robert K. Fukuda, of Hawaii, to be U.S. attorney for the district of Hawaii for the term of 4 years.

## U.S. PATENT OFFICE

William E. Schuyler, Jr., of Maryland, to be Commissioner of Patents.

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

James E. Allen, Jr., of New York, to be an Assistant Secretary of Health, Education, and Welfare.

James E. Allen, Jr., of New York, to be Commissioner of Education.

## WITHDRAWAL

Executive nomination withdrawn from the Senate May 5, 1969:

## GOVERNOR OF VIRGIN ISLANDS

Peter A. Bove, of Vermont, to be Governor of the Virgin Islands, which was sent to the Senate on March 7, 1969.

## EXTENSIONS OF REMARKS

POLICE NEED UNDERSTANDING,  
HELP

## HON. EDWARD HUTCHINSON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. HUTCHINSON. Mr. Speaker, under leave to extend my remarks, I include an editorial from the Niles (Mich.) Daily Star on April 10, describing an informative meeting between law enforcement officials and news media representatives held in my congressional district recently. The editorial confesses that most people do not know enough about police problems and then outlines those that were discussed. Certainly such meetings as this are being held all over the country, and they should be encouraged. Law officers will find as citizens' interest is aroused, that the great majority of the people will support them in their essential function of criminal law enforcement.

The editorial follows:

[From the Niles (Mich.) Daily Star, Apr. 10, 1969]

## POLICE NEED UNDERSTANDING, HELP

A meeting with area law enforcement officers Tuesday to discuss media-police relations emphasized a significant point—most citizens don't know enough about police problems.

It was pointed out that less than 10 percent of the American people have observed or participated in court trials beyond the municipal level. This lack of background in the actual workings of the judicial process has led to some misunderstanding of the policeman's role in society and of his problems.

The judicial process is in constant flux and the policeman often is frustrated by these changes. The pendulum of justice has moved, in recent years, nearer to the side of the individual. Many believe that it has moved too far from center. Others contend that it had to move because the individual was being sacrificed under the guise of serving society.

The apparent conflict between individual and societal rights, emphasized by court decisions, has created many problems, some real and some imagined, for law enforcement people.

Most evident of these problems is the difficulty in convicting individuals who have been arrested for transgressing against the laws of society. Many police officers can cite instances where individuals charged with crimes were released on technicalities of wording or procedures that, according to recent judicial ruling, violated the individual's rights. The issue in many such cases isn't guilt or innocent, but how information was obtained, whether the individual was appraised of his rights, or whether certain technical procedures had been followed.

The individual must be protected, but so must society. At this point, many policemen believe society is suffering because the individual is being over protected.

The policeman's frustrations and problems are heightened by the increased confrontation between various groups and officials of institutions and government. These situations dramatize the gray area where the rights of individuals and the rights of society appear to clash.

The policeman frequently is thrust into the role of the bad man when these confrontations occur. Like a disciplined football player, the policeman's job is to carry out advance game plans, with possible alternatives, and operate according to existing rules (laws).

But, just as well disciplined football players sometimes lose their cool, so do policemen.

Imagine this scene, somewhat typical these days: a group of 30 to 100 individuals congregate to protest a situation, idea or ruling. The police are called to preserve the peace and to protect individuals and property.

However, unless the individuals violate a law, the police must simply stand by. If a violation occurs, the police are obligated to exercise their responsibilities as officers of the law. This sometimes is difficult to do.

The protesting individuals often look on the policeman as bad men—obstructions to achieving their wants or desires. Frequently the police are taunted and subjected to foul language. Sometimes missiles of paper, rocks, cartons, etc. are thrown from the middle of the crowd.

How much can or should a policeman take? How much can or should a football player take? In either case that depends on the individual and the training he has had.

Police have other problems. These include lack of cooperation from citizens in filing complaints, lack of adequate training, hoaxes, patrolling, spending time in court testifying, low pay, and attempting to prove that

they are working in the best interests of individuals and society.

The media, of course, should do a better job of explaining these problems to the public. The public should consider the problems a policeman has to face and be more understanding. Policemen won't always be right, but they are doing what they believe is right and best. They need help in preserving and fortifying the social order, the democratic life.

## NATIONAL MINERALS POLICY

## HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Monday, May 5, 1969

Mr. ALLOTT. Mr. President, on April 18, J. Allen Overton, Jr., of the American Mining Congress, delivered a most informative statement before the Mining Environmental Conference at Rolla, Mo.

Because Mr. Overton's address points up once again the essential responsibility that this Government has for the development of a healthy and growing minerals industry, I ask unanimous consent that his remarks be printed in the RECORD.

I have been advocating for a long time that Congress must begin to assert its responsibility in this field, and to this end I have once again introduced proposed legislation in the 91st Congress to establish and develop a national minerals policy. It is my firm belief that legislation such as I have proposed, and which Mr. Overton and other leaders of the mineral industry support, will assure a healthy domestic mining industry which will continue to contribute to the development of our great country.

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

MINING ENVIRONMENTAL CONFERENCE, ROLLA, MO., APRIL 16-18, 1969: THE MINERAL INDUSTRY AND THE GENERAL PUBLIC, APRIL 18, 1969; J. ALLEN OVERTON, JR., CHAIRMAN

The sessions thus far at this impressive conference have covered with marked effectiveness the environmental aspects of mining